

ATTACHMENT A

**A RESOLUTION APPROVING GUIDING PRINCIPLES GOVERNING COMMUNITY USE
OF SCHOOL FACILITIES FOR RECREATION
Resolution No. 37/2008-09**

WHEREAS, the Intergovernmental Parks Work Group was reconstituted by the jurisdictions with Orange County in 2004, with a charge to further continue the collaboration and coordination of parks planning with Orange County; and

WHEREAS, the Intergovernmental Parks Work Group has identified a re-examine current policies and processes that govern community use of school for recreation;

WHEREAS, the IPWG feels there is a need for additional community use of school facilities for recreation;

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Intergovernmental Parks Work Group should consider making the recommendations from the Carrboro Recreation and Parks Commission.

Section 2. Support of the memorandum, guiding principles and re-examination of policies and procedures.

Section 3. This resolution shall become effective upon adoption.

Memorandum

To: Carrboro Board of Aldermen
Chapel Hill Town Council
Hillsborough Board of Commissioners
Mebane City Council
Orange County Board of Commissioners
Chapel Hill-Carrboro City Schools Board of Education
Orange County Schools Board of Education

From: Intergovernmental Parks Work Group
Alice Gordon and Barry Jacobs, Conveners

Date: September 23, 2008

Subject: Community Use of School Facilities for Recreation

At several previous meetings of the IP Work Group (in particular November 28, 2007 and April 24, 2008), we have discussed a topic of great relevance to all recreation providers, school boards and the general public – the longstanding issue of whether additional community use of school facilities for recreation can be achieved.

This is a complex, yet important topic that has often been discussed with little resolution. The IP Work Group would like to offer the following guiding principles for the consideration of our elected boards:

GUIDING PRINCIPLES GOVERNING
COMMUNITY USE OF SCHOOL FACILITIES FOR RECREATION

Underlying Assumptions

1. There are not enough gyms (especially full size gyms), ball fields and other recreational facilities available for use in Orange County. Allowing public use of school facilities maximizes taxpayer benefits in using these facilities.
2. Both school systems have a long history of working with the public recreation agencies where possible. A shortage of available gyms and fields puts considerable pressure on the school facilities that are available.
3. It is acknowledged that students must have priority for facility use during school hours.

4. There is a public health aspect to providing recreational opportunities at schools, since allowing for public use helps promote healthy lifestyles for children and adults.

Key Issues

5. Though students must have priority during school hours, it appears that opportunities exist for both organized public use and individual use after school hours and on weekends. There could also be different policies for indoor and outdoor facilities (e.g., access to restroom facilities).

6. Because of the high volume of activity by interscholastic teams at the middle school and high school levels, coordinating the use of facilities (gymnasiums, fields) and activities with elementary schools would appear to offer the most opportunity. Jurisdictions and the school systems should continue to explore opportunities for co-location of facilities in the design of new schools and renovations to older schools, with the financial participation of appropriate entities/other jurisdictions. (For additional information on the co-location of facilities, please see the attached document, "A Memorandum of Agreement for Providing Coordinated Site and Facility Planning, along with adopting resolution approved by Town of Carrboro on May 23, 2000.)

7. A way to balance the need for schools to cover the costs of facilities use and the need for public access should be developed. One approach might be to eliminate or at least lower usage charges for government and nonprofit use, after determining an "actual cost" basis. Another approach is to allow the using parties to secure oversight by designating a person within the organization to take responsibility for opening and closing the facility. It is acknowledged that there might be marginal cost increases associated with this additional use, not already covered, that would need to be addressed.

8. Opportunities for limited individual access to school facilities that are often gated and closed should be examined, mindful of the need for the security and safety of the facilities.

9. Criteria utilized for facility use decision-making may need to differ from school to school. However, there should be an overall expectation that facilities will be available for public use under specified conditions.

Examination of Current Policies

10. Policies that govern community use (both organized and individual) of school facilities for recreation should be re-examined in light of these underlying assumptions and key issues. The purpose of this examination should be to change current policies so as to increase the use of school facilities by the general public while continuing to meet the program and financial needs of the

schools, and also to establish clear and consistent decision-making policies for facility use.

RECOMMENDATION OF THE INTERGOVERNMENTAL PARKS WORK GROUP

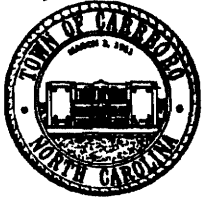
1. Each elected board should endorse the ten GUIDING PRINCIPLES GOVERNING COMMUNITY USE OF SCHOOL FACILITIES FOR RECREATION, stated above.
2. Each board should authorize its staff to participate in the re-examination of current policies, as stated in guiding principle #10.
3. After taking action, each elected board should forward to the IP Work Group the results of their action.

We hope that you will be willing to approve the IP Work Group recommendation. After the elected boards have responded, and if they approve the recommendation, the IP Work Group will coordinate the re-examination of the policies governing the community use of school facilities for recreation, and forward their recommendations to the elected boards.

We would be glad to discuss the guiding principles further or provide additional information, if desired.

Thank you for the opportunity to share our thoughts on this important subject.

copies: Laura Blackmon, Orange County Manager
Eric Peterson, Hillsborough Town Manager
Roger Stancil, Chapel Hill Town Manager
Steve Stewart, Carrboro Town Manager
Robert Wilson, Mebane City Manager
Neil Pedersen, CHCCS Superintendent
Patrick Rhodes, OCS Superintendent
Intergovernmental Parks Work Group
Parks and Recreation Directors



TOWN OF CARRBORO

NORTH CAROLINA

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Allen Spalt.

A RESOLUTION ADOPTING AND AUTHORIZING THE MAYOR TO SIGN
 "A MEMORANDUM OF AGREEMENT FOR PROVIDING
 COORDINATED SITE & FACILITY PLANNING".
 Resolution No. 158/1999-2000

WHEREAS, the *Joint Schools and Land Use Councils* requested that each member unit consider approving "A Memorandum of Agreement for Providing Coordinated Site & Facility Planning".

WHEREAS, the Town of Carrboro is a member of the *Joint Schools and Land Use Councils*;

WHEREAS, the sharing of public information and facilities is in the best interest of the public at large;

WHEREAS, the Town of Carrboro has supported the coordination of facility planning and efforts to maximize the use of public assets through the co-location of facilities where possible and appropriate;

WHEREAS, "A Memorandum of Agreement for Providing Coordinated Site & Facility Planning" establishes and implements a coordinated site and facility planning process for schools and compatible government facilities

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Board of Aldermen that "A Memorandum of Agreement for Providing Coordinated Site & Facility Planning" is hereby adopted and the Mayor is authorized to sign the agreement as the Town's Chief Elected Official.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 23rd day of May, 2000:

Ayes: Joal Hall Broun, Mark Dorosin, Diana McDuffee, Jacquelyn Gist, Michael Nelson, Allen Spalt, Alex Zaffron

Noes: None

Absent or Excused: None

Page 2
Town of Carrboro
Resolution No. 158/1999-2000

I, Sarah C. Williamson, Town Clerk of the Town of Carrboro, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Carrboro Board of Aldermen on May 23, 2000.



Sarah C. Williamson
Town Clerk

(1 of 4)

**MEMORANDUM OF AGREEMENT
FOR PROVIDING COORDINATED SITE AND FACILITY PLANNING**

This agreement between the Orange County and Chapel Hill/ Carrboro Boards of Education and the governing Boards of Orange County and the Towns of Chapel Hill, Carrboro and Hillsborough is intended to establish and implement a coordinated site and facility planning process for schools and compatible government facilities. The purpose of the coordinated planning process is to share information among the parties to the agreement, optimize the collocation and use of schools and other public facilities in a way that builds community, provides public services where they are most needed, assures the compatibility of collocated services, and efficiently uses public resources.

This agreement recognizes the existence of two school districts - the Chapel Hill/Carrboro School District and the Orange County School District - and a Schools and Land Use Council for each district. Decisions on collocation of facilities in the Chapel Hill/Carrboro School District may involve the Chapel Hill/Carrboro Board of Education and any or all of the following units of local government: the Town of Chapel Hill, the Town of Carrboro, and Orange County. Decisions on collocation of facilities in the Orange County School District may involve the Orange County Board of Education and one, or both, of the following units of local government: the Town of Hillsborough and Orange County. Wherever possible, agreement/cooperation across school district lines shall be pursued.

To further these goals, the Orange County and Chapel Hill/ Carrboro Boards of Education and the governing Boards of Orange County and the Towns of Chapel Hill, Carrboro and Hillsborough do hereby agree to the following separate and shared responsibilities for coordinated facility planning to the extent that it does not delay time critical construction of either school or government facilities. These statements of responsibilities are intended to be consistent with all applicable laws and regulations; where they are not, they are superseded by those applicable laws and regulations. Specifically, this agreement is not intended to supersede the statutory authority of either Board of Education to select school sites or to build, maintain or repair school facilities or the other governing Boards to approve the amounts to be spent for sites and to determine the funds available for school and county or municipal facilities. This agreement does not supersede local government planning and zoning authority and/or land use planning and zoning requirements.

- I. The Orange County and/or Chapel Hill/Carrboro Boards of Education will:
 - A. Identify appropriate site criteria for public school facilities; and
 - B. Identify interior and exterior space and exterior site requirements for school facilities; and
 - C. Begin a planning process after the internal/external space needs for collocated facilities are determined; and

(2 of 4)

- D. Recommend school-facility priorities, timetables for completion, and related funding needs; and
 - E. Determine the most appropriate means of managing the construction, renovation, or repair of public school facilities, within the funding available for these activities; and
 - F. Whenever possible, address joint collocation of facilities on each parcel of land being considered for development; and
 - G. Assign to the superintendent the responsibility of providing the necessary staffing and other resources to participate in a joint facility planning process.
- II. When joint development (or cooperative development) of facilities are planned for a school site, the Governing Boards of Orange County and/or the Towns of Chapel Hill, Carrboro and Hillsborough will, as appropriate and in their respective interests:
- A. Identify appropriate site criteria for county and municipal government facilities and facilities in which contracted county or municipal services are provided; and
 - B. Identify interior space and exterior site requirements for county or municipal government facilities and facilities in which contracted county or municipal services are provided; and
 - C. Determine priorities, timetables for completion, and related funding requirements for county or municipal government facilities; and
 - D. Determine the most appropriate means of managing the construction, renovation, or repair of county or municipal government facilities; and
 - E. Determine the funding available for school and county or municipal government facilities; and
 - F. Assign to the County and/or Town Managers the responsibility of providing the necessary staffing and other resources to participate in a coordinated facility planning process; and
 - G. Whenever possible, address joint collocation of facilities on each parcel of land being considered for development.
- III. The Orange County and/or Chapel Hill/Carrboro Boards of Education and the governing Boards of Orange County and/or the Towns of Chapel Hill, Carrboro, and/or Hillsborough will jointly:
- A. Identify opportunities for collocating compatible public facilities on sites, including facilities for schools, county government, municipal governments, state and federal government, and other public authorities providing complementary public services; and

(3 of 4)

- B. Develop master site plans on which public facilities will be collocated; and
 - C. Determine the most appropriate means of relating various public services on sites, considering all program needs, and including opportunities for sharing spaces; and
 - D. Designate a lead jurisdiction in designing common facilities and include other jurisdictions in design; and
 - E. Determine the most appropriate and effective means of coordinating the construction of shared facilities located on common sites; and
 - F. Determine the most appropriate and effective means of coordinating maintenance of shared public facilities located on common sites; and
 - G. Determine the most appropriate and effective means of scheduling and establishing fees for usage of any shared public facilities on common sites; and
 - H. Determine the most appropriate and practical means of sharing operating costs for shared public facilities on common sites; and
 - I. Determine the most appropriate and practical means of providing public ownership of sites and site improvements where public facilities are collocated. Public ownership of sites will be implemented in the following manner:
 - 1. School sites will be owned in fee simple by the Orange County School Board and/or the Chapel Hill-Carrboro City Schools Board or Orange County in those instances where the financing of the purchase of the site or the financing of the cost of the facilities on the site requires Orange County ownership.
 - 2. Park sites will be owned in fee simple by the appropriate jurisdiction (i.e., County, town) unless otherwise agreed.A joint lease agreement will be signed between the appropriate parties setting forth the conditions of the joint use area and facilities. Language will be included in the agreement to address review and approval of joint use facilities and who bears the cost of installation/construction and maintenance.
- IV. The Orange County and Chapel Hill/Carrboro Boards of Education and the governing Boards of Orange County and the Towns of Chapel Hill, Carrboro, and Hillsborough will, as appropriate, jointly develop any interlocal agreements or understandings needed to allow participation of other units of government in the collocation of public facilities.
- V. This Memorandum of Agreement shall become effective upon approval by each governing board and school board. It shall remain in effect until terminated by all parties to it. A party may not withdraw from this agreement until it holds a public hearing on the proposed withdrawal followed by written notices to the other parties within thirty (30) days of the public hearing. The withdrawal shall be effective one (1) year following receipt by the other parties of the written notice. Withdrawal of one party shall not invalidate the Memorandum

of Agreement with respect to the remaining parties.

SCHOOLS AND LAND USE COUNCIL FOR
CHAPEL HILL/CARRBORO SCHOOL
DISTRICT

SCHOOLS AND LAND USE COUNCIL
FOR ORANGE COUNTY SCHOOL
DISTRICT

CHAPEL HILL/CARRBORO
BOARD OF EDUCATION

ORANGE COUNTY
BOARD OF EDUCATION

ORANGE COUNTY

ORANGE COUNTY

TOWN OF CARRBORO

TOWN OF HILLSBOROUGH

TOWN OF CHAPEL HILL