

AN ORDINANCE AMENDING THE TOWN CODE TO MODIFY THE PROVISIONS
RELATED TO THE GREENWAYS COMMISSION

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Article V of Chapter 3 of the Carrboro Town code is amended by revising Subsections 3-24.7 (a) and (e) to read as follows:

Section 3-24.7. Greenways Commission Created

- (a) There shall be a Greenways Commission composed of ~~15~~11 voting members appointed by the Board of Aldermen. The Board shall endeavor to appoint members such that the membership of the commission will include at least four residents of the town and at least four representatives of the community at large,
- Planning Board (1 seat)
 - Recreation and Parks Commission (1 seat)
 - Environmental Advisory Board (1 seat)
 - Transportation Advisory Board (1 seat)
 - At-large representatives (4 seats)
 - Morgan Creek Valley Alliance (1 seat)
 - Friends of Bolin Creek (1 seat)
 - Board of Aldermen Liaison (~~2~~1 seat)
- (e) The liaison member shall serve at the pleasure of the Board. Other members may be removed as follows:
- (1) The chairman shall file or cause to be filed with the town clerk an attendance report from time-to-time identifying those members who were present or absent.
 - (2) Unless the chairman waives the requirement, members shall be removed if they are absent from three consecutive meetings or if they miss more than thirty percent of the meetings during a twelve month period. The Town Clerk shall notify the chairman in writing as soon as a member becomes subject to removal under this section. The chairman will have ten days after receipt of such notice to waive the removal. If the chairman fails to notify the Town Clerk in writing within ten days after receipt of such notice that the automatic removal requirement should be waived, the Town Clerk will send a removal notice to the member. This removal shall be effective on the date of such notice.
 - (3) Members may also be removed by the appointing authority, after a hearing, for any good cause related to performance of duty.

Section 2. Article V of Chapter 3 of the Carrboro Town code is amended by revising Subsection 3-24.8 (b) to read as follows:

Section 3-24.8 Meetings and Officers of Greenways Commission

(b) A quorum for the commission shall consist of ~~six~~ six ~~eight~~ members, except that if there are two or more vacant seats, a quorum shall consist of five ~~seven~~ members. All actions of the commission shall be taken by majority vote of those present and voting, a quorum being present.

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.

Section 3-24.7. Greenways Commission Created (Amend. 6/26/07, 10/2/07)

(a) There shall be a Greenways Commission composed of 15 members appointed by the Board of Aldermen. The Board shall endeavor to appoint members such that the membership of the commission will include at least four residents of the town, at least four representatives of the community at large, and at least two representatives of the Chapel Hill Carrboro School District. The 14th and 15th members (the "liaison members") shall be members of the Board of Aldermen and shall act as liaisons between the Board and the commission.

- Planning Board (1 seat)
- Recreation and Parks Commission (1 seat)
- Environmental Advisory Board (1 seat)
- Transportation Advisory Board (1 seat)
- At-large representatives (5 seats)
- Chapel Hill-Carrboro City Schools (2 seats)
- Morgan Creek Valley Alliance (1 seat)
- Friends of Bolin Creek (1 seat)
- Board of Aldermen Liaison (2 seats)

(b) There shall also be appointed three alternate members who may participate in all deliberations and vote on all matters in the absence of any regular member.

(c) Staff representation shall be requested from the following groups to maximize coordination of greenway planning and construction in and around the Town:

- OWASA (1 representative)
- Town of Chapel Hill (1 representative)
- University of North Carolina – Chapel Hill (1 representative)
- Orange County (1 representative)

These members will be non-voting and recommended appointees will be submitted by their respective agency to the Board of Aldermen for acceptance.

(d) Members of the commission shall serve three-year staggered terms, but members may continue to serve until their successors are appointed and qualified. The terms of five seats and one alternate shall expire on July 1, 2008 and every third anniversary thereafter. The terms of five seats and one alternate shall expire on July 1, 2009 and every third anniversary thereafter. The terms of five seats and one alternate shall expire on July 1, 2010 and every third anniversary thereafter.

(e) Commission members may be appointed for a maximum of two successive full terms. A member who has served for two successive full terms shall be eligible for re-appointment only after an absence from the commission of at least one year.

(f) The liaison member shall serve at the pleasure of the Board. Other members may be removed as follows:

- (1) The chairman shall file or cause to be filed with the town clerk an attendance report after each meeting identifying those members who were present or absent.
- (2) Unless the chairman waives the requirement, members shall be removed if they are absent from three consecutive meetings or if they miss more than thirty percent of the meetings during a twelve month period. The town clerk shall notify the chairman in writing as soon as a member becomes subject to removal under this section. The chairman will have ten days after receipt of such notice to waive the removal. If the chairman fails to notify the town clerk in writing within ten days after receipt of such notice that the automatic removal requirement should be waived, the town clerk will send a removal notice to the member. This removal shall be effective on the date of such notice.
- (3) Members may also be removed by the appointing authority, after a hearing, for any good cause related to performance of duty.

Section 3-24.8 Meetings and Officers of Greenways Commission

- (a) The commission shall hold regular meetings at least monthly at such times and places as it shall designate.
- (b) A quorum for the commission shall consist of eight members, except that if there are two or more vacant seats, a quorum shall consist of seven members. All actions of the commission shall be taken by majority vote of those present and voting, a quorum being present.
- (c) Abstention from voting is strongly discouraged except in circumstances when a member has a direct financial interest in the outcome of the matter at issue. Abstention shall not be required in any case, but members are expected to disclose potential conflicts of interest that are not apparent from the nature of the matter at issue.
- (d) The commission shall designate one of its members to serve as chairperson and one to serve as vice-chairperson. These officers shall be selected annually at the commission's first meeting in April and shall serve for terms of one year unless their terms of appointment to the commission sooner expire. A member may be selected to serve as chairperson for not more than two consecutive full one-year terms. The chairperson and vice-chairperson may take part in all deliberations and vote on all issues. (Amend. 12/8/08)

Section 3-24.9 Powers and Duties of Greenways Commission

- (a) The commission shall recommend to the Board policies, programs, and actions that may assist the town in safeguarding the water quality, environment and livability of the community by establishing greenways. For purposes of this section, the term "greenways" refers to unbroken chains of preserved open space surrounding stream and wildlife corridors,

headwaters, water recharge areas, and significant ecosystems that also provide bicycle and pedestrian connections between neighborhoods and for the community. The commission may also encourage effective stewardship and management of such greenways and promote educational, recreational, and public health usage consistent with the protection of this resource.

(b) The commission may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this chapter.