

ATTACHMENT A

A RESOLUTION REQUESTING CHANGES IN THE ADVISORY BOARD APPOINTMENT AND TRAINING PROCESS Resolution No. 103/2007-08

WHEREAS the Board of Aldermen periodically revisit the structure and function of their advisory boards, and

WHEREAS a number of concerns have been raised in recent months, and

WHEREAS the Board has had a full discussion of the issues and proposals contained in this agenda item,

NOW THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that:

Section 1: The Advisory Board Appointment Guidelines be amended to reflect current practice, which is to accept applications year round, make appointments when there are vacancies, and to hold onto applications until an applicant is appointed or is unresponsive to further inquiries. Further, advisory board appointees appointed to unexpired terms of 6 or fewer months will also be simultaneously appointed to the following 3 year term. A draft of these changes will be brought back to the Board.

Section 2: That advisory board chairs be encouraged to do everything they can to keep their boards at full strength and to follow-up appropriately and in a timely fashion (all the way through the process) with all applicants.

Section 3: That the staff starter guide be beefed up so that it is still short enough to be sweet but so that it covers a number of the newer issues that have arisen. Also, in addition to giving this guide to all existing and new advisory board members, that staff liaisons and board chairs receive any necessary training themselves and be requested to emphasize the importance of the laws and policies within the starter guide to all members of their board(s).

Section 4: That staff be asked to prepare draft ordinances which would, in light of the moribund status of the Cable Television Committee and the Cemetery Commission, hereby and forthwith dissolve those bodies.

GUIDELINES FOR SELECTING ADVISORY
BOARD AND COMMISSION MEMBERS

Amended: 4/10/90, 6/27/2000, 1/15/2002, 4/9/2002, 4/18/2006, 2/27/2007

1. APPOINTMENTS

- a. Chairs of advisory boards make recommendations to the Mayor and Board of Aldermen for appointments to their respective boards. The Board of Aldermen will decide whether to accept the recommendation and make the appointment.
- b. The Mayor and Board of Aldermen and the advisory board chairs should work together to assure that the membership of the advisory board represents many sectors of the community and offers opportunities for new applicants to serve.
- c. In addition, applicants recommended should be committed to attending meetings, participating constructively in the work of the board, making fair decisions, and treating citizens, staff and other board members with respect
- d. Members are limited to two full terms. After completing two full terms, a member must take off one year before applying for re-appointment to the advisory board. However, a board member may apply to serve on another advisory board if he/she desires. The Board of Aldermen may make exceptions to this rule under the following circumstances:
 1. To retain diversity on an advisory board;
 2. To provide continuity in oversight of a major, on-going project;
 3. To keep a member who provides expertise otherwise unavailable on an advisory board (e.g., an engineer on the Planning Board or Board of Adjustment); or
 4. A lack of qualified applicants.
- e. Membership shall be limited to one seat on the following boards and commissions Board of Adjustment, Planning Board, Appearance Commission, Transportation Advisory Board, Recreation and Parks Commission, Cable T.V. Committee, Human Services Commission, Cemetery Commission, Environmental Advisory Board, Downtown Development Commission, Northern Transition Area Advisory Committee, Arts Committee and OWASA Board of Directors.
- f. Applicants serve three-year terms unless the applicant is filling an unexpired term.

- e. Appointments begin on February 1st.

2. APPLICATIONS FOR EXPIRED TERMS

- a. Each October the Town Clerk will advertise that the town is accepting applications for upcoming openings on advisory boards and commissions in February.
- b. All candidates must complete an application to be considered for appointment or reappointment.
- c. Applications will be taken for 30 days.
- d. Applications received after the October 31st deadline will be kept on file for future vacancies.
- e. Applications will be maintained on file until the following October.
- f. The Town Clerk will notify all applicants in writing of receipt of his/her application and give a status report on his/her application.

3. APPOINTMENTS TO EXPIRED TERMS

- a. By November 15th, the Town Clerk shall forward copies of applications to the chairs of the boards and commissions and the Mayor and Board of Aldermen.
- b. Each chair shall contact his/her applicants and invite them to at least one meeting of their board so they may understand the responsibilities of the board and the necessary time commitment. (Chairs should contact Town staff in the event of a language barrier.) The chairs shall also talk with the applicants about their interest in serving on the advisory board. Board chairs may meet personally with applicants if a meeting of their board is not anticipated within 30 days following receipt of the applicant's request for appointment. This would be in lieu of having the applicant attend a meeting of that board or commission. If applicants do not attend a meeting after two phone calls or emails, then the Chair shall notify the Town Clerk of that fact and he/she will remove the application from consideration.
- c. By January 31st, the chair of each board shall make a written recommendation to the Mayor and Board of Aldermen for appointments to his or her board and complete an "APPLICANT(S) RECOMMENDED AT THIS TIME" form. This recommendation should include a brief explanation of how/why the selection was

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made. Copies of all applications and recommendation forms received shall be forwarded to the Mayor and Board of Aldermen.

- a. If there are more applicants than seats open, the Board Chair shall complete a **SUMMARY OF APPLICATIONS** form to submit with his/her recommendation(s).
 - e. If there are no applicants for the Board in question, the Chair may contact applicants that have applied for other boards. Board chairs should contact the Town Clerk to obtain these applications.
 - f. If a recommendation has not been received from board chairs by January 31st, the Town Clerk shall contact the chairs and request a status report on his/her recommendation.
 - g. By February 15th, the Mayor and Board of Aldermen will make appointments to boards and commissions to fill expired terms.
4. **APPLICATIONS FOR UNEXPIRED VACANT TERMS**
- a. If a vacancy occurs on a board or commission and the Town Clerk has two or more applications for that specific board or commission, no further advertisement will be necessary. If two or more applications are not on hand, the Town Clerk shall advertise the vacancy for one month.
 - b. Upon receipt of any application, the Town Clerk shall notify the applicant in writing of receipt of his/her application and give a status report on whether vacancies exist.
5. **APPOINTMENTS TO UNEXPIRED TERMS**
- a. Within two weeks following the one-month advertisement, the Town Clerk shall forward copies of applications to the chair of the board or commission on which the vacancy exists along with copies to the Mayor and Board of Aldermen.
 - b. The chair shall contact his/her applicants and invite them to at least one meeting of their board so they may understand the responsibilities of the board and the necessary time commitment. (Chairs should contact the Town staff in the event of a language barrier.) The board chair may meet personally with applicants if a meeting of their board is not anticipated within 30 days following receipt of the applicant's request for appointment. This would be in lieu of having the applicant attend a meeting of that board or commission. If applicants do not attend a meeting after

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two phone calls or emails, then the Chair shall notify the Town Clerk of that fact and he/she will remove the application from consideration.

- c. Within four weeks following the advertisement, the chair shall make a written recommendation to the Mayor and Board of Aldermen for appointment to his/her board and complete an **APPLICANT(S) RECOMMENDED AT THIS TIME** form. This recommendation should include how the selection was made. The chair should consult with the Mayor or the liaison to the Board if they have concerns or questions about making a recommendation. Copies of all applications received shall be forwarded to the Mayor and Board of Aldermen.
- d. If there are more applicants than number of seats open, the Board Chair shall complete a **SUMMARY OF APPLICATIONS** form to submit with his/her recommendation.
- e. If there are no applicants for the Board in question, the Chair may contact applicants that have applied for other boards. Board chairs should contact the Town Clerk to obtain these applications.
- f. If a recommendation has not been received from the chair within four weeks following the advertisement, the Town Clerk shall contact the chair and request a status report on his/her recommendation.
- g. Within six weeks following the advertisement, the Mayor and Board of Aldermen will make the appointment to fill the unexpired term.

6. ATTENDANCE

- a. The chair of each board or commission shall file with the Town Clerk an attendance report on a quarterly basis indicating if members are present or absent.
- b. Unless the chair waives the requirement, members shall be removed if they are absent from three consecutive meetings or if they miss more than 30% of the meetings during a 12-month period. The Town Clerk shall notify the chair in writing as soon as a member becomes subject to removal under this section. The chair will have 10 days after receipt of such notice to waive the removal. If the chair 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.

DISCUSSION OF PERCEIVED ISSUES WITH ADVISORY BOARD APPOINTMENT
PROCESS AND POSSIBLE OPTIONS FOR ADDRESSING THEM

Issue 1: Are vacant seats staying vacant too long when qualified applicants exist?

Staff Response: The length of vacancies and existence of qualified applicants who respond to board chair inquiries almost certainly varies. The Aldermen could simply re-emphasize to advisory board chairs the necessity of keeping the advisory boards at as close to full strength as possible by following up as soon as possible with all qualified applicants whenever a vacancy exists or occurs (and perhaps following up even if a vacancy *doesn't* exist right then).

Issue 2: Do applicants and citizens understand the appointment process enough (through staff and board chair communication) that they don't become disillusioned by it?

Staff Response: The town clerk lets applicants know when they submit their applications whether there are vacancies or not and forwards their application to the appropriate chair(s) if there is a vacancy on one of the advisory boards in which the applicant has expressed an interest. If there is not a vacancy when they submit their application, she lets them know that their application will be filed until a vacancy occurs. When the vacancy occurs, she lets them know when their application is forwarded to the appropriate chair for review. Applicants who are not appointed are informed of this and invited to apply for other openings.

Perhaps the best avenue here is to re-emphasize to the town clerk and to advisory board chairs that clear, timely communication with all applicants for advisory board vacancies all the way through the process is the best way to get good applicants, good advisory board appointments, and a satisfied volunteer community.

Issue 3: Is it sensible to continue to *try* to stick to the existing guidelines (see ATTACHMENT A), which are inflexible and impractical, or change to a more flexible, simpler, and more sensible system that largely mirrors current practice?

Staff Response: A relatively *small* percentage of current advisory board members were actually appointed in February or March. This suggests either that Board chairs don't have qualified applicants when multiple vacancies occur all at one time, that the board chairs don't act as quickly as they could even though they do have qualified applicants, and/or that more and more vacancies are happening at other times of year (e.g. when board members step down for personal reasons).

In practice, the Town Clerk accepts applications all year round and, whenever there is a vacancy on any advisory board, forwards all relevant applications to that board's chair. She also holds on to all applications until an applicant is appointed to an advisory board or until a board chair confirms that they have tried several times and been unable to get the applicant to respond.

Staff's recommendation is that the Board of Aldermen amend the current Advisory Board Appointment Guidelines to reflect that applications will be taken all year round, that they will be held indefinitely unless the applicant shows a lack of interest in board chair follow-up, and that

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appointments will be made as vacancies occur. A further recommendation is that if an advisory board member is being to an unexpired term with 6 months or fewer to go in the term, that they also be considered appointed for the following, 3 year term.

If the Board of Aldermen is interested in any of these options, staff can prepare a draft amendment of the existing guidelines. Details of the guidelines not mentioned in this discussion would obviously stay the same.

ISSUES WITH ADVISORY BOARD TRAINING PROCESS AND POSSIBLE OPTIONS FOR ADDRESSING THEM

Issue 1: Is the training that advisory board members receive regarding local policies as well as state laws on open meetings, public records, and fiduciary trust adequate and, if not, what is the best way to bolster that training? In particular, there is a particular need for advisory board members to understand the fiduciary responsibilities of the Town and the myriad of regulations and laws for which staff rather than advisory board members will be held accountable. New internal control standards - as referenced by the Town's audit firm in a recent presentation to the Board - mean staff must be even more diligent in working with advisory boards on items that require an expenditure of funds.

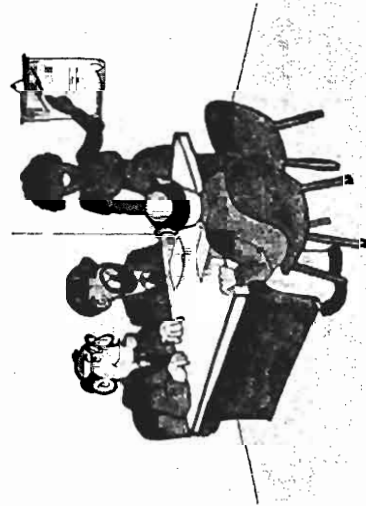
Staff response: Staff used to offer more involved training for advisory board appointees once or twice a year, though anecdotal data suggests that attendance was fairly low and the training thus not particularly effective. The fact that advisory board members are actually appointed throughout the year may have something to do with this. The more often such training is offered, the more advisory board members might get the training but also the more staff time is required. The last time staff addressed this question, it was decided to simply give all new advisory board members the starter guide (*see ATTACHMENT E*).

Staff have examples of more detailed advisory board handbooks from other communities and could certainly explore the option of putting together a more detailed "starter guide" or handbook. It is hard to make advisory board training absolutely mandatory and also difficult to know whether new advisory board members would read such a handbook. *Staff propose to improve the starter guide, to make sure staff liaisons and board chairs receive training in all the items contained therein, and that henceforth liaisons and chairs will be responsible for making sure that the boards and all their members both understand and follow all applicable laws, regulations, and policies.*

Running a Successful Meeting

In addition to attendance and careful preparation, there are a number of strategies that board chairs and other members can use to help an advisory board be successful.

- Start with a clear agenda, perhaps with a suggested time budget for each item
- Have clear roles: who is running the meeting, who is taking minutes, who is keeping track of time, etc.
- Provide periodic summaries as meeting progresses
- Focus on the information needed to come to a decision
- Make sure all members are getting equal "air time" as well as observing agreed upon rules of good behavior
- Make sure all members understand the motion they are voting on
- At the end of a meeting, recap decisions that were made and responsibilities that were given out (including time frame)
- Keep accurate minutes and remind all members of upcoming meetings / deadlines



And helping get it done...

Your Staff Liaison

Most advisory boards have a staff liaison who will normally perform a number of functions.

- Compile and distribute agenda (and make sure it gets posted on the Town website)
- Ensure minutes are taken, brought back for approval, and posted online
- Provides technical support on agenda items and/or Town processes, policies, and regulations
- Ensure the advisory board gets enough info. on Board of Aldermen requests and that their recommendations are clearly communicated



Advisory Board

Staff Liaison Listing:

App. Comm.—James Thomas—918-7355
Arts Comm.—Kim Andrews—918-7367
Bd. of Adj.—Marty Roupe—918-7333
Cable Comm.—Drew Cummings—918-7314
Cemetery Comm.—vacant—918-7426
ESC—James Harris—918-7319
EAB—Randy Dodd—918-7327
Greenways Comm.—Anita Jones-McNair—918-7381
HSAC—James Harris—918-7319
NTAAC—Jeff Kleaveland—918-7332
PB—Trish McGuire—918-7327
R&P Comm.—Anita Jones-McNair—918-7381
TAB—Adena Messenger—918-7329

QUESTIONS?

Call Town Clerk Sarah Williamson (918-7309)



Town of
Carrboro

Advisory Board / Commission Starter Guide



Town of Carrboro
301 W. Main St.
Carrboro, NC 27510
(919) 942-8541



Thank you

... for volunteering to serve on a Carrboro advisory board, commission, task force, or related advisory group. Residents like you improve democracy in all kinds of ways—by providing essential expertise and input and simply by giving of your time and being role models of civic engagement.

The Function of Advisory Boards

The Board of Aldermen appoints all of the volunteer members of nine active, permanent advisory boards and commissions. There are a number of others that meet from time to time, and the Board also appoints one or more members to a number of other Orange County or other regional bodies. All in all, there are well over 100 volunteers giving regularly of their time to make sure the Board of Aldermen get good advice and input for their deliberations.

Your Responsibilities as a Member

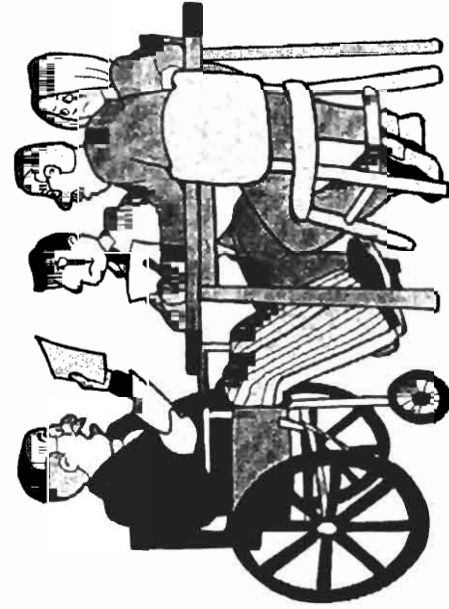
- Attendance and Preparation - Advisory boards cannot function properly if members do not regularly attend or if they do not come prepared. Members with serious attendance problems may be removed. Good preparation is the best way for your meetings to be the most effective and the best use of every member's time.
- Agenda Setting - Every member should be given an opportunity to give input on upcoming agendas. Annual work plans can be done in the same way, while acknowledging that some of a board's work will be assigned during the year.

Rules of Order

The Town Code (available on the Town's website) lays out some rules of order for some advisory boards (mostly in the Land Use Ordinance—Ch.15 of the Town Code). Beyond any rules that may be in the Town Code, however, there is no blanket set of rules or even a requirement that advisory boards create a (fuller) set of bylaws for themselves. We do encourage this, however, and encourage advisory boards to review them annually and give them to any new members.

Bylaws or rules of order may cover any or all of the following:

- Who can call or cancel meetings (there are group and public interests at stake here)
- What constitutes a quorum - usually the majority of filled seats, but sometimes there is an absolute minimum.
- Rule of behavior for those appearing before the board
- Rule of behavior for board members
- Operating rules: When to cut off debate, who may make a motion, whether a second is required, how votes are taken, what to do with a tie vote, powers and responsibilities of the chair and other position-holders



Beyond Rules of Order - The Law

All advisory boards, regardless of the nature of their bylaws, must abide by state-wide public records and open meeting laws as well as generally accepted conflict of interest rules.

- All agendas, minutes, and most other advisory board documents are public records. When in doubt, consult your staff liaison.
- All advisory board meetings are public meetings and, in addition to advertising times and places, no member of the public may be excluded. Advisory boards would generally have no valid reason for going into "closed session."

- Always err on the side of disclosure. However, members of advisory boards, just like members of the Board of Aldermen, are

generally required to participate in all proceedings unless the outcome could have a *direct financial impact* on them or their immediate family.



Dealing with the Public

There is no difference between your rights as an advisory board member and those of the general public to know about or to discuss advisory board issues. While your advisory board is empowered to establish rules of behavior for members of the public who would like to participate in your meetings, exclusion and secrecy are not options.

When members of the public attend your meetings, take the opportunity to greet them as well as to both show and tell them what your advisory board does and how it does it. Honesty and transparency are the best policies.



ATTACHMENT F

LIST OF DEFUNCT ADVISORY BOARDS FOR THE BOARD TO CONSIDER DISSOLVING

Cable TV Committee: The Cable TV Committee has not met since late 2004 and, as the town's ability to effect the conditions / pricing of cable TV provision in Carrboro has decreased, the rationale for this committee has also diminished. The town is still able to effectively resolve individual customer complaints through our contacts at Time Warner Cable.

Cemetery Commission: The Cemetery Commission has no current citizen members and there have been no meetings for a number of years.

ISSUES/QUESTIONS SURROUNDING APPOINTMENTS
Submitted by Alderman Dan Coleman

- 1) do we let seats sit open too long when there are qualified applicants?
- 2) do we have adequate communication with applicants to let them understand the time frame and process? Do we follow up with them when there is no open seat or if they are not appointed?
- 3) does our annual appointment schedule give us enough time to review the applications and recommendations? Last month we had 18 seats to fill and scores of applications to review. Should we break up annual appointments into two or three sets throughout the year?
- 4) are the roles of board chairs and liaisons defined effectively for consistent communication with applicants and for obtaining timely recommendations for appointments?
- 5) what kind of orientation should be offered for new members? Who should conduct it?