

B. Council Procedures Manual Section II D: Council Appointed Boards and Commissions

D. Council-Appointed Boards and Commissions

The Council appoints various citizen boards and commissions: some act in an advisory capacity that the Council may be fully informed when creating ordinances, policies, and procedures for the Town; some act autonomously to relieve the Council of various administrative functions. Each of these boards is one of the following types:

- Appeals board;
- Standing advisory board;
- Semi-autonomous board or commission;
- Autonomous board or commission; or
- Task forces or ad hoc study groups.

(Existing Town boards and commissions are described on the following pages.)

1. Appeals Committee

a. Personnel Appeals Committee

1. **Purpose.** The Committee, created by ordinance, conducts grievance and appeal hearings for Town employees and renders advisory opinions to the Manager. It develops and maintains adequate records of all its proceedings, findings, and recommendations. Finally, the Committee informs the employee(s) and the Manager in writing of its findings and recommendations in all cases referred to it.
2. **Number and Type of Members.** The Committee consists of eight (8) citizens of the Town, appointed by the Council. No employee or officer of the Town shall be eligible to serve on the Committee.
3. **Length of Term.** Members serve three-year terms and shall not be eligible for more than two consecutive three-year terms.
4. **Appointment.** The Council appoints the Committee members.

Enabling Legislation: Consult the [Code of Ordinances](#), Chapter 14, Article XII (14-118 and following)

2. Standing Advisory Boards and Commissions

a. Bicycle and Pedestrian Advisory Board

1. **Purpose.** The Bicycle and Pedestrian Advisory Board was created by ordinance with the following powers and duties:

- Advise the Council regarding the creation, development, and revision of a phased Walks and Bikeways Master Plan.
- Set priorities for new facilities or enhancement of existing routes in the Walks and Bikeways Master Plan.
- Identify and prioritize critical gaps in facilities; advise which critical gaps require Town action.

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- Review project designs related to proposed bicycle and pedestrian improvements, including review of new proposals for subdivision or development of land or improvements to existing subdivisions and developments, and recommend qualitative enhancements, following criteria established by the Commission.
- Recommend walks and bikeways priorities for local, State, and federal projects.
- Assist in identifying alternative funding sources for walks and bikeways projects.
- Review Town ordinances with respect to pedestrian and bicycle requirements and recommend enhancements or changes.
- Review State and regional policies pertaining to pedestrian and bicycle facilities and recommend changes that fit local community needs.
- Report annually to the Council regarding walks and bikeways system needs and priorities for consideration during capital improvements program and budget deliberations.
- Promote walking and biking as alternate modes of transportation, with emphasis on educating school age children on safe, effective bicycling and walking.
- Advocate services for bike-commuters, such as showers, changing areas and secure bicycle parking facilities.
- Work with regional organizations to coordinate regional bikeway linkages.
- Work with other Town advisory boards to coordinate walks and bikeways planning.

2. **Number and Type of Members.** The Bicycle and Pedestrian Advisory Board is composed of ten (10) members appointed by the Council, of which one (1) is a representative from the Town of Carrboro, one (1) is a representative from Orange County, and one (1) is a representative outside the town limits of Chapel Hill from either Durham City/County or Chatham County. The University appoints one (1) representative from their bicycle management.

3. **Length of Term.** Members serve staggered, three-year terms, and shall not be eligible for more than two consecutive three-year terms.

4. **Appointment.** The Council appoints the Chapel Hill, Carrboro, Durham City/County or Chatham County and Orange County representatives to the Bicycle and Pedestrian Advisory Board. The University appoints one (1) representative from their bicycle management.

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If the seat designated for a representative outside the town limits of Chapel Hill from either Durham City/County or Chatham County remains vacant after a reasonable period of recruitment efforts, the Council shall assess the quality and effectiveness of the recruitment efforts and, if dissatisfied with those efforts, shall direct further recruitment. Should the Council be satisfied that reasonable recruitment efforts have been conducted and no suitable representative outside the town limits of Chapel Hill from either Durham City/County or Chatham County is available, the seat shall be filled by an at-large Chapel Hill applicant. If this occurs, any future at-large vacancy shall be filled by a representative outside the town limits of Chapel Hill from either Durham City/County or Chatham County, providing there is an application from a representative outside the town limits of Chapel Hill from either Durham City/County or Chatham County on file with the Town Clerk and the Council votes to make the appointment, until such time as one seat on the Board is held by a representative outside the town limits of Chapel Hill from either Durham City/County or Chatham County.

Enabling Legislation: Consult the [Code of Ordinances](#), Chapter 2, Article XII (2-170 and following).

Established by Ordinance (99-2-8/O-6), as amended by enactment of Ordinance (2004-09-07/O-3) (2005-11-09/O-4).

b. Cemeteries Advisory Board

1. **Purpose.** To provide citizen input to the Town Council on policies for the operation and maintenance of the Town's cemeteries.
2. **Number and Type of Members.** The Cemeteries Advisory Board consists of five (5) members appointed by the Town Council. In addition to the Council-appointed members, the Historic District Commission and the Preservation Society of Chapel Hill shall designate one of its current members to represent them on the Cemeteries Advisory Board as non-voting representatives.
3. **Length of Term.** Members serve staggered three-year terms and shall not be eligible for more than two consecutive three-year terms.
4. **Appointment.** The Council appoints the members of the Committee.

Enabling Legislation: Consult the Code of Ordinances (2008-06-25/O-6)

c. Chapel Hill Public Arts Commission

1. **Purpose.** To enhance and enliven the community through public art.

The public art commission shall have the following powers and duties:

- (1) Promote the appreciation of the visual arts by the citizens of Chapel Hill.

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- (2) Developing and proposing programs to enhance and enliven the town community through public art.
- (3) Advise the council regarding art-related issues, including management and administration of the town's percent for Art Ordinance.
- (4) Recommend programming for the arts for inclusion in the town's operating budget on an annual basis.
- (5) Review and monitor the operation of the town's public arts program and the work of the public art administrator and staff.
- (6) Perform such other tasks and carry out such other programs and projects for the enhancement of art in the town as the town council may so request and authorize.

2. **Number and Type of Members.** The Chapel Hill Public Arts Commission shall consist of eleven (11) members. Ten (10) shall be residents of the Town and one (1) shall be a resident of Carrboro.

3. **Length of Term.** Members serve staggered three-year terms and shall not be eligible for more than two consecutive three-year terms.

4. **Appointment.** The Council appoints the members of the Committee.

Enabling Legislation: Established by Resolution (98-11-9/R-6), as amended by Resolution (2004-06-30/R-21.1), Ordinance (2008-01-14/O-3) and Ordinance (2011-10-26/O-4).

d. Community Design Commission

1. **Purpose.** The Community Design Commission was created through ordinance to function generally as follows:

- To initiate, promote and assist in the implementation of programs of general community beautification in Chapel Hill and its environs; ▪
- To seek to coordinate the activities of individuals, agencies, organizations and groups, public and private, whose plans, activities and programs bear upon the appearance of Chapel Hill and its environs;
- To provide leadership and guidance in matters of design and appearance to individuals, organizations and groups, public and private;
- To make studies of the visual assets and liabilities of the community, including surveys and inventories of an appropriate nature, and to suggest standards and policies of design for the entire community, or any individual project to be undertaken therein;
- To prepare both general and specific plans for the improved appearance of the Town of Chapel Hill and its environs; and

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- To participate in the implementation of the foregoing plans in ways deemed appropriate by the Council.

- 2. Number and Type of Members.** The Community Design Commission is composed of ten (10) members appointed by the Council and one representative appointed by the Planning Board, Sustainability Committee, Parks and Recreation Commission, Transportation Board, Greenways Commission, and Historic District Commission, each with full voting privileges. The ordinance specifies that all members of the Commission shall reside within the planning jurisdiction of Chapel Hill, and a majority of the members shall have demonstrated special training or experience in a design field, such as architecture, landscape design, horticulture, city planning, or a closely related field.
- 3. Length of Term.** Members serve staggered, three-year terms and shall not be eligible for more than two consecutive three-year terms. Vacancies shall be filled for the unexpired term only.
- 4. Appointment.** The Council appoints the members of the Commission.

Enabling Legislation: Consult the [Land Use Management Ordinance, Article 8, Section 8.5 and following.](#)

e. Community Policing Advisory Committee

- 1. Purpose.** The purpose of the Community Policing Advisory Committee is to:

- Make recommendations to the Town Manager and Chief of Police with regard to organizational matters and procedures,
- Serve as a liaison to enhance community and police relations,
- Participate in annual review of the Police Department's Citizen Academy,
- Receive, review, and consult on the quarterly professional standards report,
- Consult and advise on the Police Department's strategic plan, and
- Provide an annual report to Council on a Council requested topic.

- 2. Number and Type of Members.** The Community Policing Advisory Committee is composed of nine (9) Town Residents
- 3. Length of Term.** Members serve staggered, three-year terms and shall not be eligible for more than two consecutive three-year terms.
- 4. Appointment.** The Council appoints the members of the Committee.

Enabling Legislation: Resolution (2011-03-28/R-9).

f. Greenways Commission

- 1. Purpose.** The general functions of the Greenways Commission are as follows:

- To develop and propose for Council consideration a master Greenways Plan, and identify potential property and easements to accomplish the Greenways Plan.

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- To advise Council on the status of needs of the greenway system, recommend property to be acquired, and recommend and promote alternative funding sources for acquisition and maintenance of greenways.
- To work with neighborhoods, community groups and regional organizations to promote greenways development and maintenance.
- To review proposals for development of land in the greenway corridors and make recommendations to the Council and Planning Board regarding provision or dedication of property or easements to accomplish the Greenways Plan.

2. **Number and Type of Members.** The Greenways Commission is composed of seven (7) members. All of the Commissioners are appointed at large and shall reside within the corporate limits of the Town.
3. **Length of Term.** Members shall serve staggered three-year terms, and shall not be eligible for more than two consecutive three-year terms.
4. **Appointment.** The Council appoints the Commissioners.

Enabling Legislation: Consult the [Code of Ordinances](#), Chapter 2, Article X (2-150 and following).

g. Human Services Advisory Board

1. **Purpose.** The Human Services Advisory Board was created through ordinance to alert the Council to changes in human service needs in Chapel Hill, to assure that Chapel Hill citizens receive services to which they are entitled, coordinate delivery of human services with other agencies, advise the Council of human service funding needs, and other responsibilities as may be established by the Council.
2. **Number and Type of Members.** The ordinance specifies that seven (7) members shall “be representative of the entire Chapel Hill community, its needs, aspirations, and values. The Board shall not be an advocacy group to lobby for or represent special interests. Members of the Human Services Advisory Board may serve as a board member or as paid or non-paid staff of a human service agency only if that agency does not apply for or receive funding from the Town.”
3. **Length of Term.** Members serve staggered, three-year terms, and shall not be eligible for more than two consecutive three-year terms. Vacancies shall be filled for the unexpired term only.
4. **Appointments.** The Council appoints members of this Board.

Enabling Legislation: Consult the [Code of Ordinances](#), Chapter 2, Article VII (2-120 and following).

h. Library Board of Trustees

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1. **Purpose.** The Library Board of Trustees is responsible for recommending long-term plans, policies, and programs of library service throughout the community. It advises the Mayor and Council on library matters, develops plans for library facilities, and recommends operating policies of the library. The Trustees are also responsible for the monitoring of non-budgeted gifts and donations received by the library.
2. **Number and Type of Members.** There are eight (8) trustees appointed by the Council and one appointed by the County, for a total of nine (9) members.
3. **Length of Term.** Members serve staggered, four-year terms, and shall not be eligible for more than two consecutive four-year terms.
4. **Appointment.** The Council appoints the seven Town Trustees.

Enabling Legislation: Consult the [Code of Ordinances](#), Chapter 2, Article IX (2-140 and following).

i. Parks and Recreation Commission

1. **Purpose.** The basic function of the Commission is to promote recreation for the citizens of Chapel Hill. The Commission serves as the recreation policy advisory body for the Department of Parks and Recreation and the Town. It consults with and advises the Council on matters affecting the overall recreational policies of the Town, the acquisition and use of lands and properties related to the total community recreation program, and its long-range projected programs for recreation, parks, and playgrounds.
2. **Number and Type of Members.** There are ten (10) Commissioners appointed by the Council. All of the Town appointed Commissioners are appointed at large and shall be residents of the Town. One additional member appointed by the County, for a total of eleven (11) members.
3. **Length of Term.** Members serve staggered, three-year terms and shall not be eligible for more than two consecutive three-year terms.
4. **Appointment.** The Council appoints the Commissioners.

Enabling Legislation: Consult the [Code of Ordinances](#), Chapter 12, Article II (12-17 and following).

j. Public Housing Program Advisory Board

1. **Purpose.** The Public Housing Program Advisory Board is charged by ordinance with the following powers and duties:

- Recommend public housing procedures, in accord with HUD regulations and within the budgetary and service levels authorized by the Council, regarding terms of lease,

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occupancy, late rent fees, pet policy, resident transfers, and other applicable regulations.

- Assess and update the public housing needs of the community and alert the Council to changes in these needs.
- Serve as liaison with the public housing residents' organizations. Provide time at each meeting for a report from the residents' organization and remarks by any residents. Hold an annual meeting with residents to hear needs, concerns, complaints, and ideas.
- Recommend a tenant grievance policy, in accord with HUD regulations, for the Council's consideration and adoption. Serve as grievance panel for those tenant grievances not settled at the staff level.
- Advise the Council with respect to public housing funding needs at the beginning of the budget cycle and make recommendations to the Council regarding the recommended budget and fiscal policies.
- Work with other human service organizations in the community and coordinate services to residents of public housing and help assure that residents are provided with social services to which they are entitled.
- Advise the Council regarding housing initiatives, programs, and services.

2. Number and Type of Members. The ordinance specifies that nine (9) members shall "be representative of the entire community." Three (3) members shall be current residents of public housing in Chapel Hill or Carrboro. One (1) member shall be a citizen of the Town of Carrboro.

If a seat designated for a resident of public housing remains vacant after one year of recruitment efforts, the Council shall assess the quality and effectiveness of the recruitment efforts and, if dissatisfied with those efforts, shall direct further recruitment. Should the Council be satisfied that reasonable recruitment efforts have been conducted and no suitable public housing resident is available, the seat shall be filled by an at-large Chapel Hill applicant. If this occurs, any future at-large vacancy shall be filled by a resident of public housing, providing there is an application from a public housing resident on file with the Town Clerk and the Council votes to make the appointment, until such time as three seats on the Board are held by public housing residents.

3. Length of Term. Members shall serve staggered three-year terms, and shall not be eligible for more than two consecutive three-year terms.

4. Appointment. The Council appoints members of this Board.

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Enabling Legislation: Consult the [Code of Ordinances](#), Chapter 2, Article XI (2-160 and following).

Amended by Ordinance (2004-06-30/O-10) and (2006-03-27/O-3).

k. Stormwater Management Utility Advisory Board

1. **Purpose.** The Stormwater Management Utility Advisory Board was established in Chapter 23, Article 1, Sec. 23 of the Code, and is charged with the following responsibilities:

- Provide recommendations regarding the identification and implementation of new stormwater management program activities.
- Review and provide recommendations on the Stormwater Management Program Master Plan.
- Provide recommendations concerning gaps or inconsistencies in Town stormwater management services, facilities, programs, policies, and regulations and recommend improvement alternatives.
- Provide recommendations for priorities and scheduling of watershed master planning and development of drainage basin plans.
- Assist Town staff in working with stakeholder groups to implement program objectives and activities.
- Assist Town staff with public education and outreach activities that promote the Town's Stormwater Management Program.
- Assist Town staff in meeting the mission and achieving the identified goals and objectives of the Town's Stormwater Management Program.
- Provide recommendations for internal program evaluation and reporting mechanisms, and assist Town staff in periodically reporting to the Town Council on program effectiveness.

2. **Number of Types of Members.** The ordinance specifies that the Stormwater Management Utility Advisory Board shall consist of eleven (11) members appointed by the Town Council. Board representation shall include six (6) members who are owners of single-family residential property within Chapel Hill, four (4) members who are owners or employees of companies owning property within Chapel Hill used for multi-family, business, commercial, or non-profit purposes, and one (1) member employed by the University of North Carolina at Chapel Hill.

3. **Length of Terms.** Members serve staggered, three-year terms, and shall not be eligible for more than two consecutive three-year terms.

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Vacancies shall be filled only for the remainder of the unexpired term of the vacant position.

4. **Appointment.** The Council appoints members of the Board.

Enabling Legislation: Consult the [Code of Ordinances](#), Chapter 23, Article I (23-11 and following).

Established by Ordinance ([2004-06-14/O-9](#)).

I. Sustainability Committee

1. **Purpose.** The Sustainability Committee be charged with maintaining a general overview of the sustainability of the Town, to specifically include the following responsibilities:

- Provide guidance to the Planning Board regarding sustainability principles to be adopted as part of the Comprehensive Plan review process.
- Monitor implementation of principles and policies as adopted by the Council as part of the Comprehensive Plan review process by performing the following tasks:
 1. Review and make recommendations to the Council on sustainability principles, plans, and policies.
 2. Coordinate with Town boards and commissions to advance sustainability principles, plans, and policies established by the Council.
 3. Seek information from other organizations to aid in the development of strategies, programs and initiatives that will further the sustainability goals established by the Council.
 4. Provide a representative to the Town's Community Design Commission to review, as appropriate, proposed development projects in keeping with the sustainability goals established by the Council.

The committee builds on reports produced by the Sustainable Development Task Force from 1995 to 1998.

1. **Number and Type of Members.** The Sustainability Committee is comprised of eleven (11) Town Residents of which three citizens are chosen to represent environmental protection, economic vitality, and social justice, respectively.

2. **Length of Term.** Members serve staggered, three-year terms, and shall not be eligible for more than two consecutive three-year terms

3. **Appointment.** The Council appoints the members of the Committee.

Enabling Legislation: Resolution (2007-05-07/R-15), (2008-06-25/R-1), and (2008-09-22/R-0.1).

m. Transportation Board

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1. **Purpose.** The Transportation Board is charged by ordinance with the following duties and powers:

- Advise the Council, Town Manager and staff concerning transportation matters.
- Advise the Council, Town Manager and staff concerning the policies and operations of the public transit system for the Town, including review of the Transportation Department budget and making comments and recommendations to the Manager and to the Council with respect thereto, and approving route changes, headways and schedule changes as recommended by the Town Manager or Transportation Director within the budgetary and service levels authorized by the Council.
- Advise the Council, Planning Board, Town Manager and staff concerning the traffic impact and traffic plans for significant development and redevelopment, e.g., special use, large subdivision rezoning requests.
- Advise the Council and Town Manager, and coordinate with the Planning Board, on transportation planning for the community, including preparation and revision of the Thoroughfare Plan and implementation of the Plan through Transportation Improvement Plan requests to the State.
- Advise the Council and Town Manager regarding plans and policies for bicycling and bikeway facilities, and regarding pedestrian access and safety.
- Advise the Council and Town Manager regarding the planning, development and operation of on-street and off-street parking and parking facilities under the Town's control; and regarding ordinances and other policies for taxi and other franchise carrier operations within and around the Town.

2. **Number and Type of Members.** The Transportation Board consists of nine (9) members. Eight (8) must be residents of the Town and one (1) will be appointed by the UNC Student Body President. Also to include a liaison appointed by the Chapel Hill-Carrboro City Schools as an ex-officio member.

3. **Length of Term.** Members who are Town Residents serve staggered, three-year terms, and shall not be eligible for more than two consecutive three-year terms. The UNC student member will serve a one-year term and may be reappointed to additional terms.

4. **Appointment.** The Council appoints the Town Resident Transportation Board members.

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Enabling Legislation: Consult the [Code of Ordinances](#), Chapter 2, Article VIII (2-130 and following). See also (2003-10-08/R-8) and (2011-06-13/O5)

3. Semi-Autonomous Boards and Commissions

These are boards and commissions which have been granted the power to act independently of the Town Council in most instances but on occasion serve in an advisory capacity to the Council.

a. Board of Adjustment

1. **Purpose.** The Board of Adjustment, through the process of appeal and review, may determine that variances to the zoning regulations of the Town be permitted.

It may also reverse any order, requirement, decision, or determination of the administrative official charged with enforcement of the Land Use Management Ordinance. It may serve as an appeals board for other matters assigned to it under the Town [Code of Ordinances](#).

2. **Number and Type of Members.** The Board consists of ten (10) members. Eight (8) members, appointed by the Council, shall reside within the corporate limits of Chapel Hill. One (1) member, appointed by the Orange County Board of Commissioners, shall reside within the Town's extraterritorial planning jurisdiction (ETJ). One (1) member, appointed by the Orange County Board of Commissioners, shall reside within the Town's Joint Planning Transition Area (JPA). The Town appoints two (2) alternate members and the County appoints one (1) alternate member residing within the Town' ETJ or JPA.

3. **Length of Term.** Members serve staggered, three-year terms and shall not be eligible for more than two consecutive three-year terms. Vacancies shall be filled for the unexpired term only.

4. **Appointment.** The Council appoints the Chapel Hill representatives to the Board.

Enabling Legislation: Consult the Land Use Management Ordinance, Article 8, Section 8.3 and following).

b. Historic District Commission

1. **Purpose.** General responsibilities of the Commission are to guide physical change within the historic districts of Chapel Hill in such a way as to promote, enhance, and preserve the character of the districts. See Article 8, Sec. 8.4 of the Land Use Management Ordinance for specific responsibilities and powers.

2. **Number and Type of Members.** The Commission consists of ten (10) members. Ordinance requires that a majority of the members shall "have demonstrated special interest, experience, or education in history or architecture." All members must reside within the planning jurisdiction of Chapel Hill.

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3. **Length of Term.** Members serve staggered, three-year terms and shall not be eligible for more than two consecutive three-year terms. Vacancies shall be filled for the unexpired term only.

4. **Appointment.** The Council appoints the Commissioners.

Enabling Legislation: Consult the Land Use Management Ordinance, Article 8, Section 8.4 and following).

c. Planning Board

1. **Purpose.** The general functions of the Planning Board are as follows:

- To acquire and maintain in current form such basic information and materials on the physical growth and development of the Town and its environs as are necessary for an understanding of past trends, present conditions, and forces at work to cause changes in these conditions;
- To prepare and, from time to time, recommend revisions to the Comprehensive Plan for physical development of the Town;
- To develop and recommend principles and policies for guiding action in the development of the Town;
- To prepare and recommend to the Council ordinances promoting orderly development along the lines indicated in the Comprehensive Plan;
- To determine whether specific proposed developments conform to the principles and requirements of the Comprehensive Plan for the growth and development of the Town; and
- To keep the Council and the public informed and advised as to these matters.

2. **Number and Type of Members.** The Planning Board is composed of ten (10) members. Eight (8) members, appointed by the Council, shall reside within the corporate limits of Chapel Hill. One (1) member, appointed by the Orange County Board of Commissioners, shall reside within the Town's extraterritorial planning jurisdiction. One (1) member, appointed by the Orange County Board of Commissioners, shall reside within the Town's Joint Planning Transition Area.

3. **Length of Term.** Members serve staggered, three-year terms and shall not be eligible for more than two consecutive three-year terms. Vacancies shall be filled for the unexpired term only.

4. **Appointment.** The Council appoints the Chapel Hill representatives.

Enabling Legislation: Consult the [Land Use Management Ordinance, Article 8, Section 8.2 and following](#)). See also the Town Code of Ordinances Subpart A Charter, Chapter 5, Article II, Section 5.10.

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4. Autonomous Boards and Commissions

The Chapel Hill Downtown Partnership and the Orange Water and Sewer Authority are the only autonomous boards or commissions.

a. Chapel Hill Downtown Partnership

1. **Purpose.** The non-profit Chapel Hill Downtown Partnership was created to bring the resources of the Town, the University, and downtown community together to maintain, enhance, and promote downtown as the social, cultural, and spiritual center of Chapel Hill through economic development.

2. **Number and Types of Members.** The Chapel Hill Downtown Partnership Board of Directors is composed of seven (7) members: four (4) appointed by the Town Council, two (2) appointed by the University, and one (1) appointed by those six members.

At least one of the Town's appointees must be an owner of downtown property, and at least one must be an owner of a business located in the downtown.

3. **Length of Term.** Initially, the Town will appoint two persons to two-year terms and two persons to three-year terms; the University will appoint one person to a two-year term and one person to a three-year term. Thereafter, the six members of the Board of Directors appointed by the Town and University will serve staggered, two-year terms. The seventh member will serve a one-year term.

Members appointed by the Town shall be eligible to serve no more than two consecutive terms.

4. **Appointment.** The Council appoints the Town's representatives.

Established by Resolution ([2004-04-14/R-17](#)). See also by-laws adopted on July 28, 2004 and amended June 14, 2006. September 2005 name changed from Downtown Economic Development Corporation to Chapel Hill Downtown Partnership.

b. Orange Water and Sewer Authority

1. **Purpose.** OWASA is granted authority by the General Statutes and was created by joint resolutions of Orange County and the Towns of Chapel Hill and Carrboro. It exists to the end that Orange County may be in the most efficient and economical manner protected for its future growth in connection with necessary water and sewer facilities.

2. **Number and Type of Members.** The OWASA Board of Directors is composed of nine (9) members: five (5) appointed by the Council of Chapel Hill (must be residents of the Town of Chapel Hill); two (2) appointed by the Board of Aldermen of Carrboro; and two (2) appointed by the Orange County Commissioners.

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3. **Length of Term.** Directors serve three-year terms. In accordance with the board by-laws, OWASA board members appointed to a mid-term vacancy serve the remaining unexpired term rather than a full three-year term, and are eligible to serve two consecutive three-year terms after serving the unexpired term. If a term extension is made, it is an extension of the existing term, not the beginning of another term, and the new appointee after the extension expiration will serve a full three-year term.

4. **Appointment.** The Chapel Hill members are appointed by the Council.

Enabling Legislation GS 162A-5. See also (77-O-10) as enacted in February 1997.

5. Task Forces

Task Forces are established for a limited amount of time as needed to study and report on specific issues of importance to the Council.

6. General Procedures

- a. **Annual Report.** Advisory boards and commissions shall report to the Council annually at the time most appropriate for the board.
- b. **Orientation to Boards.** The Town Manager or his/her designee is responsible for giving boards and commissions information on Town policies and procedures, including the purposes, powers and duties of each board, procedures for reporting to Council, attendance requirements and the boards' role in the appointment process.
- c. **Participation in Meetings.** Members must be physically present in order to participate in an advisory body meeting.
- d. **Reimbursement of Expenses.** The following guidelines set forth Town policy regarding advances and reimbursement of expenses incurred by members of boards or commissions (excluding OWASA, an autonomous board).

1. **Out-of-Town Travel and Expenses to Relevant Conferences, Training Sessions and Meetings.** The Town will pay costs for registration, lodging, transportation and meal expenses in accord with the Town's travel policy and as approved with the adopted budget.
2. **Reimbursement Procedures.** If an advance for out-of-town travel is obtained, proof of expenses incurred (receipts) must be submitted to the Finance Department, through the department providing support to the board or commission after the trip. Any unspent money must be returned. If a reimbursement is requested, receipts must be attached to the appropriate travel expense forms.

Requests for reimbursement will usually be honored within two weeks of official documentation of expenses.

E. Council Liaison to Boards and Commissions

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A Council member is frequently designated as a liaison to a particular board or commission. The main function of the liaison is communication. The liaison may apprise the board or commission of general Council purposes and may convey ideas and concerns from the board or commission to the Council.

Council liaisons are not voting members of any board or commission, inasmuch as such members might be faced with voting on an issue as a recommendation of the board or commission, and then considering the report or recommendation of the board or commission in such member's capacity as a member of the Council.

Council liaisons may attend regular or special meetings of the advisory board or commission, but their regular attendance is not required.

The Council has instructed Council liaisons to report activities of their particular boards or commissions to the Council in the way the liaisons deem appropriate, once a year.

F. Appointment Procedures

1. **Appointment Process** (Resolution 85-R 29; amended by Resolution [89 1 23/R 9](#); amended by Resolution 2012-03-26/R-9)

In January of each year, the Town Clerk shall notify the Council and all Chairs of boards and commissions of those members of boards and commissions whose terms expire June 30. The Town Clerk shall advertise vacancies from February through April in a newspaper or newspapers of general circulation within the community and such other means as may be deemed effective, including, but not limited to, mailings to community organizations, public service announcements, and letters of invitation to citizens who have expressed interest throughout the year, and posting the advertisement for vacancies to the Town's website.

Beginning in March, the Town Clerk shall distribute to the respective boards and commissions the applications that have been received to date from eligible citizens wishing to serve. The Town Clerk will not forward applications to boards and commissions if the applicant's eligibility has not been determined. Upon verification of an applicant's eligibility the Town Clerk shall forward the application to the board or commission for consideration.

The Council requests that the boards and commissions review all applications and recommend candidates to the Council for each vacancy, unless the board or commission declines to do so. The board or commission's recommendation shall be submitted in writing to the Town Clerk no later than April 25. If a board or commission elects not to recommend applicants, it is requested that the board or commission notify the Town Clerk of this decision in writing by April 25. Notwithstanding recommendations from boards and commissions, the Town Clerk shall forward the names and applications of all eligible persons interested in appointment for the vacancy on a board or commission and the board or commission recommendations to the Council for its consideration. The Council may choose to not consider appointments without a recommendation from the board or commission.

Applications received after the Monday prior to the Council's regular business meeting at which appointments are scheduled shall be held until another vacancy occurs, thus allowing the Town Clerk to verify the applicant's eligibility and the board or commission to make a recommendation.

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Mid-term vacancies shall be filled from applications on file without special advertising efforts unless requested by the Council. However, any application from an individual currently serving on a standing advisory body will not be considered for a mid-term vacancy on a standing advisory body. The board or commission shall submit a recommendation for these appointments to the Town Clerk no later than the Monday prior to the Council's regular business meeting at which appointments for the vacancy are scheduled, unless the board or commission declines to do so and notifies the Town Clerk in writing by the Monday prior to the Council's regular business meeting at which the vacancies are scheduled to be filled. The Council may choose to not consider appointments without a recommendation from the board or commission. Additional applications received after this time will not be considered until the next vacancy occurs.

If possible, Council members are to mark and sign their ballots prior to the meeting, and forward them to the Town Clerk at any time prior to the start of the meeting. The Town Clerk will provide the results of the balloting at the appropriate time during the Council's meeting. If vacancies remain (applicants did not receive 5 or more votes), the Council may immediately hold further rounds of balloting to fill the vacancies, or may postpone filling these vacancies until the next regular meeting.

Beginning with the first regular meeting in May, and through the second regular meeting in June (four consecutive regular meetings of the Council), the Council may consider appointments to three or more boards and commissions per meeting.

2. Term Expirations

All board and commission terms shall expire on June 30. However, members of boards and commissions may serve until their successors have been appointed.

3. Consecutive Terms

No one shall serve on an advisory board or commission for more than two consecutive full terms. Following a one-year absence, an individual is eligible to serve again on the same board or commission. The Council may reappoint an individual to a board or commission for an additional one-year term following two consecutive terms, by resolution for the purpose of completing ongoing projects.

4. Oath of Office

All members of standing boards or commissions must be sworn in by the Town Clerk or her designee and sign an Oath of Office prior to voting on matters before the board.

5. Ethics Guidelines

All advisory board and commission members and applicants shall agree to comply with the following ethics guidelines adopted by the Council on March 1, 1999:

• Ethics Guidelines for Town Advisory Boards and Commissions

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue

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or transaction under consideration. Any member who violates this provision may be subject to removal from the board or commission.

If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area.

Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

6. Resignations

Resignations shall be submitted in writing to the chair of the board or commission, who shall forward the original written resignation to the Town Clerk for Council notification.

7. Residence of Appointees

a. The Council's appointees to the following boards and commissions shall reside within the Town limits of Chapel Hill:

- Bicycle and Pedestrian Advisory Board a
- Board of Adjustment b
- Cemeteries Advisory Board
- Chapel Hill Downtown Partnership g
- Chapel Hill Public Arts Commission e
- Community Design Commission f-
- Community Policing Advisory Committee
- Greenways Commission
- Historic District Commission f
- Human Services Advisory Board
- Library Board of Trustees b
- Orange Water and Sewer Authority d
- Parks and Recreation Commission b
- Personnel Appeals Committee

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- Planning Board b
- Public Housing Program Advisory Board c
- Stormwater Management Utility Advisory Board h
- Sustainability Committee
- Transportation Board

a Note that the Town Council appoints one (1) representative from the Town of Carrboro, one (1) representative outside the town limits of Chapel Hill from either Durham City/County or Chatham County, and one (1) representative from Orange County to this board. The University appoints one (1) representative of its bicycle management staff.

b Note that the Orange County Commissioners also make appointments to these boards.

c See [II.D.2.j.2 exception for Carrboro residents](#).

d Note that the Orange County Commissioners and the Town of Carrboro also make appointments to this board.

e Note that the Town Council appoints one (1) representative from the Town of Carrboro to this commission.

f Note that those residing within the planning jurisdiction may also be appointed.

g See [II.D.4.a.2 exception for downtown business and property owners](#).

h See [II.D.2.k.2 for exceptions](#).

b. Ad hoc committees and task forces:

Appointees to ad hoc committees and task forces including but not limited to those listed below will generally be Town residents, but may include residents of surrounding areas.

In considering appointments to any board, committee or task force where the membership is not otherwise restricted by law or ordinance, the Council may appoint non-residents, not to exceed 40% of membership, to an ad hoc committee or task force by following the Council's normal procedure for voting on appointments.

8. Dual Membership

An incumbent on a standing board, as listed in [II.F.7.a Residence of Appointees](#), shall not be considered for appointment to another standing board unless he or she resigns before filing an application, or is in the last six months of a term. Members of a standing board are eligible for appointment to an ad hoc committee or task force concurrent with their service on a standing board. Individuals may serve on multiple ad hoc committees or task forces concurrently.

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9. Application File

The Town Clerk shall keep applications on file for a 12-month period beginning on July 1st and ending on June 30th. Applicants who are not appointed within this time will be notified and encouraged to reapply.

10. Applicants' Preference for Boards

Applicants are strongly encouraged to apply for only one board, but may apply for up to two boards if their preferences are ranked.

11. Appointments to Vacancies Due to Resignations

When a vacancy occurs before the scheduled end of a term, the person appointed to such a vacancy shall complete the term of the seat. The individual will then be eligible for two additional full-terms on the board.

12. Leave of Absence

Leaves of absence from boards shall be approved by the Council and shall not exceed five months. No interim appointments will be made.

13. Information on Composition of Membership

At the meeting when board recommendations and applications are submitted to the Council, the Town Clerk shall give the Council a report on the race and gender composition of each board and commission. In addition, the application for membership on Town boards and commissions shall include a request for the applicant's occupation and avocation. The application form shall also include a statement encouraging interested applicants to visit a meeting of the board or commission they are interested in serving on.

14. Final Action

Appointment: The Council shall consider and make appointments in an open meeting.

15. Voting

a. Ballots.

The practice of the Council has been to vote by ballot when making appointments to boards and commissions. North Carolina Law states the following regarding ballot voting: "If a public body decides to vote by written ballot, each member of the body so voting shall sign his or her ballot; and the minutes of the public body shall show the vote of each member voting. The ballots shall be available for public inspection in the Office of the Town Clerk or secretary to the public body immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed."

b. Procedure.

1. Ballots for appointments to boards and commissions shall be provided by the Town Clerk to the Council prior to a scheduled Council meeting,

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normally at the same time as distribution of the Agenda packet for that meeting.

2. Immediately prior to the start of the Council meeting, the Town Clerk will collect ballots from each Council member. Council members must sign their ballots. Ballots are to be folded once prior to delivery to the Town Clerk to ensure that votes remain private until the appropriate time for the votes to be announced. Ballots will not be available for viewing until after the results of the balloting have been announced by the Mayor, except that any Council member may request the return of his or her ballot as provided in (4) below.
3. The Town Clerk will tabulate the votes of each Council member, and report the results to the Mayor in writing. The Town Clerk will fold the tabulation once in order to keep the results of the balloting private. Once the Council has reached the point in the Agenda reserved for appointments, the Mayor will announce the results of the voting.
4. Should a Council member elect to revise a ballot he or she may do so at any time prior to the announcement by the Mayor of the results of the balloting, by retrieving the ballot from the Town Clerk.
5. Should a tie vote result, or if a candidate or candidates did not receive the necessary minimum five (5) votes, the Council may elect to vote a second time, or, to delay appointment(s) to a future Council meeting.