

# ORANGE COUNTY BOARD OF COMMISSIONERS

## AGENDA

BOCC Work Session

October 9, 2012

Meeting – 7:00 p.m.

Link Government Services Center (Downstairs)

200 S. Cameron Street

Hillsborough, NC

- |               |    |  |
|---------------|----|--|
| (7:00 – 7:45) | 1. | Community Giving Fund for Orange County                            |
| (7:45 – 8:30) | 2. | Review of Kennel Regulations                                       |
| (8:30 – 9:45) | 3. | Specific Policies for Board of County Commissioner Advisory Boards |

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** October 9, 2012

**Action Agenda  
Item No. 1**

**SUBJECT:** Community Giving Fund for Orange County

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**DEPARTMENT:** County Manager

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT(S):**

County Department Survey Results  
Triangle Community Foundation – Nuts  
and Bolts of Nonprofit Agency Funds  
and Agency Fund Services and Fees

**INFORMATION CONTACT:**

Frank Clifton, Jr., County Manager,  
(919) 245-2306  
Michael Talbert, Assistant County  
Manager, (919) 245-2308  
Bob Marotto, Animal Services Director,  
(919) 968-2287  
Colleen Bridger, MPH, PHD, Health  
Director, (919) 245-2412

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**PURPOSE:** To update the Board of County Commissioners (BOCC) about a staff initiative to create a Community Giving Fund to raise and receive donations intended to support, enhance, and extend County services and County-supported activities.

**BACKGROUND:** A staff initiative has been underway to explore creating a centralized Community Giving Fund for Orange County. The fund would allow residents of Orange County (and others) to donate money, property, or stocks and bonds to Orange County in a targeted manner.

The notion of a Community Giving Fund has been evaluated to take into account some key considerations. It is intended to be an encompassing fund for Orange County government so that funds could be given to any department or activity through this fund. All gifts would be tax deductible and earmarked according to intent or wishes of the donor so that they are used for the purpose for which they are given and acknowledged as such.

By creating such a fund, it would become possible to have unified communication about giving to County government for Orange County. There could be a branding process, and all departments would be able to include the campaign brand on their outreach literature to inform residents that it is possible for them to give to the County in designated ways.

Additionally, a fund would create a framework for receiving and holding substantial donations, whether cash, stocks, bonds or real property. Logistically, it would become easier to receive and direct gifts toward targeted uses, and it would allow the County to properly acknowledge such donations and provide donors with tax-related paperwork.

The notion of a Community Giving Fund evolved through a process that involved the County Attorney and Financial Services Director as well as the County Manager and interested Department Directors. The steps of this process to date have included the following:

- A survey of Department Directors in January 2012 to gather information about whether and if so how different departments now receive donations from the public (see attached results).
- A review of the survey results at the February 2012 monthly meeting of Department Directors with the County Manager.
- A meeting of two Department Directors on May 3, 2012 with the Director of Development and Community Partnerships with the Triangle Community Foundation (TCF) to discuss the possibility of a community fund partnership.
- A meeting on May 31, 2012 with the County Manager, Assistant County Managers, County Attorney, and interested and/or involved department directors to identify concerns and next steps in light of the discussion with TCF.
- A meeting of two Assistant County Managers (one being the County's Chief Financial Officer), the County Attorney and two department directors on June 22, 2012 with TCF's Legal & Policy Advisor/Director of Planned Giving and Director of Development and Community Partnerships.
- A meeting of several Department Directors and one Assistant County Manager on July 11, 2012 with the Executive Director of the Chapel Hill/Carrboro Public School Foundation.

Initially, a driving issue was whether Orange County should create its own foundation or partner with an existing foundation to create a community fund. As the process unfolded, staff became unanimous in their opinion that a partnership with a well-administered foundation such as the Triangle Community Foundation is the preferred approach. The primary reason for this preference is that the framework for receiving, acknowledging and investing donations is already in place. Also, costs related to staffing and governance would be held to a minimum by this approach.

One concern was whether the Community Giving Fund could be identified effectively as a homegrown pursuit if it was created through a foundation partnership. However, staff has become confident that this concern can be addressed and resolved by partnering with an interested and flexible foundation. In the case of TCF, for instance, there was agreement among staff that the Community Giving Fund could not only have a Hillsborough address, but also be wholly identified and branded as an Orange County pursuit. In other words, there is no need to identify an Orange County giving fund as a TCF fund or pursuit.

As the preceding comments suggest, involved County staff have come to consider TCF as a strong fit for the development of this fund. Currently, the foundation has no local government partnerships of this kind, but is very interested in developing in this direction

Another reason TCF appears to be a very good fit is that it has its own real estate foundation. As a result, TCF is capable of receiving property, appraising property value, and liquidating property. Moreover, the foundation already does outreach to the estate planning community and it is capable of doing so in a unified way for Orange County. This would entail notifying estate planners that Orange County residents may designate part of their estate through the Community Giving Fund and specify the use to which the gift will be directed.

Finally, staff has been favorably impressed by the fact that TCF is concerned with Orange County itself as well as community issues throughout the region. According to TCF staff, the foundation has representation on its board from Orange County and it currently disburses approximately a third of its annual funds within Orange County.

**FINANCIAL IMPACT:** None. The hope is that creation of a Community Giving Fund will, over time, garner substantial donations that may support, enhance, and extend County services and County-supported activities

**RECOMMENDATION(S):** The Manager recommends that the Board receive the update on the effort of staff to create a Community Giving Fund and provide staff with direction regarding this initiative.

## Orange County Foundation: Department Survey Results

Department Directors in Orange County were recently asked to respond to a survey about if and how they receive donations from the public. Questions included what types of donations were received, whether those were routed to the general budget or specific causes, and whether outreach and solicitation were being done.

Of the 17 respondents, nine reported that they do not currently receive donations. None of these nine departments reported initiatives or plans to change this in the near future. Of the eight departments that do currently receive donations, money and volunteer time were among the most notable ways in which this is being done. The Department of Aging had the most goods donated, but mainly in the form of large one-time gifts, such as a grand piano valued at \$10,000. Animal Services and the Library had more quantities of smaller goods donated, such as food/bedding and cds/books, respectively.

Volunteer time was a major way in which departments receive assistance from the public, with Animal Services, Orange County Partnership to End Homelessness, the Department of Aging, and the Health Department relying most heavily on volunteer time.

Money was the most traditional way in which donations are being given, with a range of whether such donations go into general operating budgets or specific line items and causes. Most departments receiving donations to at least minimal outreach, mainly in the form of flyers and online presence. Only Animal Services is currently receiving donations online.

A summary of survey responses can be seen in the tables below.

### Departments Currently Receiving Donations

Department	Donations now?	Primary Type of Donation	Estimated Amount	Other Types?	Estimated Amount	Donation destination	Online Donations?	Notes
Aging	Yes	Money and goods	\$5,000+ not including goods	Volunteers	\$557,046	Both specific and general	No	Use friends group for some; do outreach
Animal Services	Yes	Money & Goods	\$25,000 not including goods	Volunteer time	~5 FTE in hours	General budget and dedicated	Yes	Outreach done for donations
DEAPR	Yes	Money	\$2,000 - \$10,000	Goods & Volunteer time		General categories	No	Some outreach for recreation
Emergency Services	Yes	money	\$1,000	Volunteer time	1 FTE	General budget, except pink campaign	No	Outreach done for Pink Campaign
Health	Yes	Volunteer time		Goods	Less than \$3,000	Specific line items allowed	No	

Library	Yes	Money & goods	Over \$3,000	Volunteer time	At least \$2,000		No	Use a friends group
Housing, Human Rights & Community Development	Yes	Money	\$6,000 for Project Connect; \$1,000 for Job Partners	Volunteer time	Over \$100,000	Specific initiatives		Outreach done
Social Services	Yes	Money	\$50,000 - \$70,000	Volunteer time		Specific line items	Only for Toys for Tots	

#### Departments Not Currently Receiving Donations

Department	Donations now?	Primary Type of Donation	Estimated Amount	Other Types?	Estimated Amount	Donation destination	Online Donations?	Notes
Asset management Services	No	N/A	N/A	N/A	N/A	N/A	N/A	
BOCC	No	N/A	N/A	N/A	N/A	N/A	N/A	
Board of Elections	No	N/A	N/A	N/A	N/A	N/A	N/A	
Child Support	No	N/A	N/A	N/A	N/A	N/A	N/A	
Economic Development	No	N/A	N/A	N/A	N/A	N/A	N/A	
Human Resources	No	N/A	N/A	N/A	N/A	N/A	N/A	
IT	No	N/A	N/A	N/A	N/A	N/A	N/A	
Register of Deeds	No	N/A	N/A	N/A	N/A	N/A	N/A	Not allowed by law
Solid Waste	No	N/A	N/A	N/A	N/A	N/A	N/A	
Tax Administration	No	N/A	N/A	N/A	N/A	N/A	N/A	



## Nuts and Bolts of Nonprofit Agency Funds

Triangle Community Foundation partners with nonprofit organizations by offering an array of services for endowments or operating reserves. Having a fund at TCF allows a nonprofit to concentrate on its core mission rather than investment management and reporting.

### What is a Nonprofit Agency Fund?

By definition, an Agency Fund is established by a charity at a community foundation for the charity's own benefit. Agency funds:

- > are created by 501c3 publicly supported nonprofits with a transfer of assets
- > make grants back to the nonprofit (and to no other organization) on a scheduled basis or on demand
- > maintain a \$10,000 minimum balance

### Investment Options

Upon the transfer of assets, a nonprofit selects one of TCF's investment portfolios based on the nonprofit's risk tolerance, financial goals and donor restrictions. Details about the asset allocation and managers that comprise TCF's investment portfolios are available upon request.

Agency funds can be invested as:

- > Permanently Endowed
- > Equity Oriented Nonendowed
- > Fixed Income Oriented Nonendowed
- > Pass-through Nonendowed (not invested)

### Endowed vs. Nonendowed

**Endowed Agency Funds** are permanent funds which can distribute up to 5% of the fund's value (the "Spendable") on an annual basis. Endowments help ensure the long-term sustainability of an organization by providing a permanent source of support. TCF offers one investment portfolio for endowed funds.

- > The spending policy (currently 5%) is set by TCF's Board of Directors. Each quarter the Spendable is calculated on the balance of the endowed fund. In order to minimize market volatility, the calculation takes into account the fund's daily average for the present quarter and the average balance for the trailing 12 quarters.
- > The nonprofit can request distributions of the fund's Spendable every quarter or every year, reinvest the Spendable into the endowment, or allow the Spendable to accumulate. The Spendable is not invested and does not earn income for the fund.

**Nonendowed Agency Funds** are invested funds that allow greater flexibility because distributions are not limited by the 5% spending policy. The nonprofit can request distribution in any amount above the required fund minimum. Nonprofits choose from three investment portfolios for nonendowed funds.

### Accounting of an Agency Fund on Form 990

Financial accounting standards require that assets transferred by a nonprofit to an Agency Fund be accounted for both as an asset of the nonprofit and as a liability by TCF. The nonprofit includes the assets on its books and reports the balance of its Agency Fund as of the close of its fiscal year. (Line 10, Part IV on Form 990 or Line 24, Part 1 on Form 990-EZ) TCF issues quarterly statements which show fund balance, earnings, gifts and distributions. For assistance with completion of Form 990, nonprofits should seek professional tax advice.

### Legal Control

Distinct from the accounting rules above, a nonprofit transfer of assets to an Agency Fund at TCF also transfers legal ownership and fiduciary responsibility of the assets. As a result, all distributions from Agency Funds are subject to approval by TCF's Board of Directors. Approval is routinely granted from nonendowed funds and from the accrued Spendable of endowed funds.

### Can a Nonprofit Request More than 5% of its Endowed Agency Fund?

Approval of a distribution in an amount *greater* than the accrued 5% Spendable triggers the fiduciary responsibility vested in the Foundation's Board of Directors. TCF's Board holds a *variance power* over all Foundation assets, which is the power to modify a restriction or condition on the distribution of funds for a specified charitable purpose. The reservation of variance power to TCF's Board of Directors is necessary to the Foundation's tax-exempt status as a publicly-supported charity.

A nonprofit may request a single distribution from an endowed Agency Fund beyond the accrued 5% Spendable provided one of the following conditions is met:

- > The distribution is for the purpose of enabling the nonprofit to acquire or renovate a capital asset;
- or
- > The nonprofit faces unexpected financial needs not likely to recur which the distribution will address.

Requests for such distributions are not binding on the Foundation and will be submitted to the Foundation's Board of Directors for approval.

### Gifts to an Agency Fund from Nonprofit Supporters

Donors can contribute unrestricted gifts directly to a nonprofit Agency Fund at TCF, whether endowed or nonendowed. Cash contributions can be made online by credit card and by check made payable to TCF or to the Fund by name. TCF also accepts gifts of publicly-traded securities, business interests, or real estate. The Foundation staff can assist with complex gifts, and will provide written acknowledgement of all gifts to Agency Funds.

### TCF Services for Agency Funds

Nonprofits that create Agency Funds at the Foundation enjoy a variety of unique benefits and services.

- > **Expert Financial Management.** TCF offers diversified investment portfolios overseen by an investment committee and an independent investment advisor under a sound investment policy.
- > **Personalized Consultation.** Foundation staff can work with a nonprofit on complex gifts, planned giving and nonprofit best practices.
- > **Recognition.** Organizations that have Agency Funds are recognized as nonprofit partners in TCF print and online publications.
- > **Convenient Fund Access.** Fund activity and TCF news can be reviewed online. Printed fund statements are mailed within 45 days after the end of each quarter.
- > **Connections.** Be part of the broader TCF family; join Foundation convenings on community issues and needs.

For more information on Agency Funds, contact Libby Richards, TCF's Nonprofit and Community Engagement Officer  
324 Blackwell Street, Suite 1220, Durham NC 27701 • 919.474.8370 • libby@trianglecf.org



## AGENCY FUND SERVICES AND FEES

Triangle Community Foundation helps advance the missions of a growing core of nonprofits through expert guidance and a wide array of services. TCF provides fiscal management, investment options, capacity-building resources, and other services to meet the full spectrum of nonprofit needs. Our goal is to provide a cost-effective solution that strengthens capacity and enables an organization to focus on its programs and mission.

### Fund Services Provided by TCF

- GIVE** Weekly gift processing and acknowledgements for donations made to agency fund at TCF  
Expert assistance with gifts of estate, retirement, tangible property and other complex assets  
Planned giving training and resources for agency staff by TCF Director of Planned Giving  
Personal consultation available for deferred gift planning for agency fund donors
- GROW** Diverse investment options based on time horizon and risk tolerance  
Professional investment oversight by TCF board of directors and its investment advisor  
Prudent financial management and accounting of charitable dollars  
Monthly investment performance reports and quarterly fund statements
- CONNECT** Dedicated TCF staff assigned to agency fund to assist with gifts, resources, distributions  
Convenient, secure online access to fund and TCF information  
Recognition as nonprofit partner in TCF print publications and social media  
Invitations to private TCF events with donors, nonprofits, civic and business leaders  
Capacity-building grants available to agency fundholders for consulting with ESC on board governance, strategic planning, executive coaching, and/or financial diagnostic reviews
- GRANT** Weekly grants processing available for non-endowed fund distributions  
Endowment monitoring and quarterly distributions of spendable

### Fees for TCF Services

Administrative Fee to TCF: 1% annual fee; minimum \$300 (based on fund balance)

- Administrative fees cover the cost of all fund services listed above.
- Assessed quarterly, withdrawn from fund's principal and reflected on each quarterly fund statement.

Investment Management Fee: 0.62% to 0.82% annual fee (collected by investment managers)

- Investment management fees (IMF) include all custodial, advising, and asset manager fees.
- IMFs are separate from TCF administrative fee and vary based on investment portfolio selected.
- IMFs are embedded in all portfolio returns; investment performance is reported net of IMF.
- TCF does not receive fee revenue from the investment management of funds.

**Contact:** Jess Aylor, Director of Development and Community Partnerships  
Triangle Community Foundation ♦ 919-474-8370 ext 142 ♦ Jessica@trianglecf.org

**ORANGE COUNTY  
BOARD OF COMMISSIONERS  
ACTION AGENDA ITEM ABSTRACT  
Meeting Date: October 9, 2012**

**Action Agenda  
Item No. 2**

**SUBJECT:** Review of Kennel Regulations

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**DEPARTMENT:** Planning and Inspections

**PUBLIC HEARING: (Y/N)**

No

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**ATTACHMENT(S):**

**INFORMATION CONTACT:**

A. Section 5.6.5 of the UDO – Regulations  
Governing Development of Kennels, Class  
II

Michael D. Harvey, Planner III, 245-2597  
Craig Benedict, Director, 245-2575

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**PURPOSE:** To review existing permitting and land use development regulations governing the development of Kennels, Class I and Class II within Orange County.

**BACKGROUND:** In developing the first phase of the Unified Development Ordinance (UDO), questions arose over the definition, and permitting, of kennels. Concerns ranged from where each classification of kennel was allowed to be developed to the appropriateness of existing development requirements. A chief concern also centered on the permitting process associated with Kennel, Class II operations within the Rural Buffer (RB) general use zoning district.

In January of 2012 the BOCC re-approved an ordinance amendment to the UDO, a major component of which made existing kennel definitions utilized by the Planning Department more compatible with existing Animal Service definitions for what constitutes a Kennel, Class I and II. These definitions are as follows:

- Kennel, Class I:

*The keeping of more than six but less than 20 animals of any species, excluding domesticated livestock, on a parcel of property for the purpose of showing, competition, hunting, or sport. All animals shall be owned by the property owner.*

*A Kennel (Class I) can be considered a customary accessory use to a residential land use.*

- Kennel, Class II:

An establishment involving animals of any species, excluding domesticated livestock, engaged in any of the following:

- a) *The owning or keeping, for any purpose, of 20 or more animals;*
- b) *The selling and/or training of guard dogs or security dogs;*
- c) *The keeping of more than five animals at any given time for the purpose of breeding, boarding, or rehabilitation.*

*The operator of a Kennel (Class II) shall be allowed to reside on the property to ensure the continuous care of the animals kept on-site.*

Staff was asked to bring this item back to the Board to allow for additional discussion and review of permitting processes and development regulations associated with both classifications of kennel operations.

Permit Processes: Currently the Kennel, Class I land use is allowed within the:

- Rural Buffer (RB)
- Agricultural Residential (AR)
- Rural Residential (R-1)
- Community Commercial (CC-3)
- General Commercial (GC-4)
- Agricultural Services (AS)

general use zoning districts as a permitted use of property (i.e. staff review and approval of a site plan). There are currently no specific development standards associated with a Kennel, Class I operation such as additional setback standards, land use buffers, etc.

A Kennel, Class II is allowed in the:

- Rural Buffer (RB)
- Agricultural Residential (AR)
- Rural Residential (R-1)
- Community Commercial (CC-3)
- General Commercial (GC-4)
- Agricultural Services (AS)
- Economic Development Buckhorn Higher Intensity (EDB-2), and
- Economic Development Eno Higher Intensity (EDE-2)

subject to the review and approval of a Class B Special Use Permit application by the Orange County Board of Adjustment. Standards governing the development of a Kennel, Class II are contained within Section 5.6.5 of the UDO and include:

1. A setback of 150 feet from all property lines for any building, structure, dog run, or exercise yard not wholly enclosed within a building,
2. The erection of a fence 6 feet in height around unenclosed dog runs,
3. Erection of signage outlining emergency contact information for the kennel operator,
4. Approval of the proposed kennel design by Animal Services.

As with all Class B Special Use Permits, the Board of Adjustment holds a public hearing to review the proposed application. This hearing is held in a quasi-judicial setting meaning the decision is based on the sworn testimony and evidence entered into the record by those for and against the project.

The permit is issued if the Board finds the applicant has demonstrated compliance with applicable specific standards governing the development as embodied in Section 5.6.5, compliance with the general findings of fact denoted in Section 5.3.2, and if there is no evidence entered into the record demonstrating the applicant has not met the burden of proof as required within Section 5.3.2 (A) (1) of the UDO.

Issues: During the initial phase of developing the UDO, as well as the processing of the aforementioned text amendment, BOCC and Planning Board members indicated a need for additional discussion on kennels, including the following topics:

- a. Should a Kennel, Class II operation, viewed by many as a non-residential land use, continue to be permitted within the Rural Buffer (RB) zoning district.

*Staff Comment:* This seems to be a question posed by both BOCC and Planning Board members.

When the RB zoning district was created, the County took existing permitted land uses within the Rural Residential (R1) zoning district and applied them. At the time Kennels, Class II was a permitted use in the R1 district subject to the issuance of a Class B Special Use Permit.

Staff believes it is still acceptable to allow this land use within the RB district given the permit review process and development restrictions.

- b. Are the current number limits established within the aforementioned definitions reasonable or should there be some modification to specify a different number of allowable animals for kennels in and outside of the RB district.

*Staff Comment:* From staff's standpoint the aforementioned limits appear to have been initiated to ensure uniformity between the various classification(s) of kennel operations recognized, and permitted, by Animal Services and Planning.

Recent amendments eliminated contradictions with respect to these definitions. Staff incorporated Animal Services Director Bob Marotto's suggestions with respect to the new definitions of each kennel classification.

Staff is unsure how the existing number restrictions were created and if Planning adopted Animal Service standards or vice versa. What staff can say is the definitions are now consistent with one another.

Staff does not believe it is reasonable to have different 'animal thresholds' for different general use zoning districts (i.e. RB versus AR) as this would only create confusion for both Animal Service and Planning staff.

- c. Should Kennel, Class II operations be approved through the Class A Special Use Permitting process in the RB zoning district (i.e. acted upon by the Board of County Commissioners).

*Staff Comment:* From staff's standpoint the required findings and process are virtually the same with the notable exception that a Class A Special Use Permit is acted upon by the BOCC, with a recommendation from the Planning Board, and the Class B permit is acted upon solely by the Board of Adjustment.

If the applicant establishes the project complies with the applicable development standard(s), the permit is required to be issued. There does not appear to be a compelling reason to alter current review processes.

- d. Should there be specific development standards associated with a Kennel, Class I operation.

*Staff Comment:* From staff's standpoint there may be a need for development criteria even through the use is permitted by right. Staff would suggest the Board to consider the following:

- i. Setbacks for runs or buildings housing animals from property lines,
  - ii. Minimum land use buffer. Staff would recommend the Type A 20 foot land use buffer as a minimum requirement.
- e. Is there an opportunity for flexibility in allowing Kennel, Class II operations as a permitted use in the rural areas of the County.

*Staff Comment:* From staff's standpoint the existing process is reasonable and should not be altered.

- f. Does there need to be additional development criteria associated with the actual kennel operation contained within the UDO. Current standards require the review and approval of the facility by Animal Services prior to the issuance of a permit authorizing development activity.

*Staff Comment:* Staff does not believe it would be prudent to include development standards governing the actual physical development of a kennel facility in the UDO. Animal Services is ultimately responsible for ensuring the facility is geared towards the protection of the animals(s) housed at the facility. Planning staff should not be interjected into this process as well.

- g. Should required land use buffers be more readily defined instead being handled on a case-by-case basis depending on the underlying general use zoning district.

*Staff Comment:* Staff would appreciate any suggestions. Staff has looked at requiring a 50 foot minimum land use buffer, but has met with some concern in the rural areas of the County that this may be too restrictive.

- h. Is the current 150 foot setback from adjacent property lines sufficient or does it need to be increased.

*Staff Comment:* Staff would appreciate any suggestions from the BOCC as to increases in setbacks. The Board may also want to consider requiring such facilities have direct frontage along a State maintained roadway as part of the permitting process.

- i. Should there be allowances made for animal rescue operations and affording them additional opportunities to develop a kennel facility.

*Staff Comment:* Staff does not believe additional allowances for rehabilitation of animals is necessary and believes current definitions and processes are adequate.

**FINANCIAL IMPACT:** Consideration of this item, and the processing of any amendments generated as a result of this discussion, will not create the need for additional funding for the provision of County services. Existing Planning staff will accomplish any work associated with the development of text amendments arising out of the discussion.

**RECOMMENDATION(S):** The Manager recommends the Board:

1. Discuss the merit of issues associated with the review and permitting of Kennels, Class I and II, with the intent to determine if further regulations are required; and
2. If necessary, direct staff to prepare formal text amendments accordingly.

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**5.6.4 Junkyards**

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**(A) Standards for Class A Special Use Permit****(1) Submittal Requirements –**

In addition to the information required by Section 2.7, the following information shall be supplied as part of the application for approval of this use:

- (a) Detailed plans and specifications for the site screening proposed.
- (b) Description of type and number of motorized machines to be employed upon site.
- (c) Indicate on the site plan the extent of area to be used for the storage of junked or wrecked motor vehicles

**(2) Standards for Evaluation -**

- (a) The site shall be screened from adjacent property by a minimum of an eight foot high solid fence or equal, uninterrupted except for required vehicle access points.
- (b) No materials shall be stored closer than 50 feet to the public right of way or 30 feet to the property lines.
- (c) Site is of adequate size to protect adjacent properties from adverse effects of the junkyard.

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**5.6.5 Kennels (Class II)**

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**(A) Standards for Class B Special Use Permit****(1) Submittal Requirements –**

In addition to the information required by Section 2.7, the following information shall be supplied as part of the application for approval of this use:

- (a) Plans for all kennels, exercise yards, dog runs, pens and related improvements, including signage.
- (b) Site plan showing the improvements listed in a) above, other structures on the same lot, and structures on adjacent property.

**(2) Standards of Evaluation –**

- (a) The site is of adequate size to protect adjacent properties from adverse effects of the kennel.
- (b) No part of any building, structure, dog run, pen, or exercise yard in which animals are housed or exercised shall be closer than 150 feet from a property line, except property occupied by the owner/operator of the kennel. These minimum distances shall not apply if all portions of the facility, in which animals are housed, are wholly enclosed within a building.
- (c) Any kennel, including primary enclosures or runs, which is not wholly enclosed within a building shall be enclosed by a security fence at least six feet in height.
- (d) The site plan shows parking, access areas and screening devices for all buildings and animal boarding facilities existing or proposed for the property.
- (e) The site plan shall be reviewed by the Orange County Animal Services Department, and found in conformance with the Animal Control Ordinance.

- (f) Building plans for all kennel facilities shall be reviewed and approved by the Orange County Animal Services Department prior to issuance of any building permits.
- (g) A sign clearly visible from the ground shall be posted at the main entrance to the facility and shall contain the names, addresses, and telephone numbers where persons responsible for the facility may be contacted at any hour of the day or night. The sign shall comply with dimensional requirements as set forth within this Ordinance.
- (h) A Class II Kennel Permit shall be obtained from Orange County Animal Services within the first 30 days of occupancy. Failure to obtain and maintain a valid Class II Kennel Permit or other related permits which may be required by the USDA or Wildlife Resources Commission will result in revocation of the Special Use Permit.

### 5.6.6 Riding Stables

#### (A) Standards for Class B Special Use Permit

##### (1) Submittal Requirements –

In addition to the information required by Section 2.7, the following information shall be supplied as part of the application for approval of this use:

- (a) Plans for all barns, boarding facilities, exercise yards, riding arenas, and related improvements, including signage.
- (b) Site plan showing the improvements listed in a) above, other structures on the same lot, and structures on adjacent property.

##### (2) Standards of Evaluation –

- (a) The site is of adequate size to protect adjacent properties from adverse effects of the riding stable.
- (b) No part of any building, structure, exercise yard, or riding arena, in which animals are housed or exercised shall be closer than 150 feet from a property line, except property occupied by the owner/operator of the facility. These minimum distances shall not apply if all portions of the facility, in which animals are housed, are wholly enclosed within a building.
- (c) The site plan shows parking, access areas and screening devices for buildings, riding arenas, and boarding facilities.
- (d) A sign clearly visible from the ground shall be posted at the main entrance to the facility and shall contain the names, addresses, and telephone numbers where persons responsible for the facility may be contacted at any hour of the day or night. The sign shall comply with dimensional requirements as set forth within this Ordinance.

### 5.6.7 Bed & Breakfast

#### (A) General Standards

##### (1) Submittal Requirements

- (a) A site plan, prepared in accordance with the requirements of Section 2.5, containing the following: (Per Section 2.5.2 professional design and certification is not required for Rural Guest Establishments with three guestrooms or less—bed & breakfasts.)
  - (i) Location, width, and type of all internal vehicular and pedestrian circulation, and parking requirements.

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** October 9, 2012

**Action Agenda  
Item No.   3**

**SUBJECT:** Specific Policies for Board of County Commissioner Advisory Boards

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**DEPARTMENT:** County Attorney

**PUBLIC HEARING: (Y/N)**

No
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**ATTACHMENT(S):**

Specific Policies For:

Orange Unified Transportation Board  
Agricultural Preservation Board  
Animal Services Advisory Board  
Visitors Bureau  
Planning Board  
Commission for the Environment

**INFORMATION CONTACT:**

John Roberts, 245-2318

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**PURPOSE:** To review and comment on the final drafts of the board-specific policies for six advisory boards.

**BACKGROUND:** On February 21, 2012 the Board of Commissioners approved the General Advisory Board Policy and authorized the County Attorney to 1) work with staff of various departments to create specific policy documents that apply to and govern each individual advisory board and 2) bring the policies forward to the BOCC for review. The attached policies have been completed and are ready for Board of Commissioners' review and comment. The intent of these policies is to give guidance to department staff and to direct the advisory boards in the performance of their duties, establishing their membership, establishing their charge and goals, and establishing their procedures for debate and discussion.

**FINANCIAL IMPACT:** None.

**RECOMMENDATION(S):** The Manager recommends the Board review and comment on the specific policies for the six advisory boards.

## Orange Unified Transportation (OUT) BOARD POLICIES AND PROCEDURES

### SECTION I: SCOPE

#### A. Purpose

1. To establish a policy and procedures whereby the Orange County Board of Commissioners will establish the specific policies and procedures governing the Orange Unified Transportation (OUT) Board.
2. The Orange County Board of Commissioners may appoint an advisory board whose duty is to serve in an advisory capacity in regards to planning and programming transportation infrastructure improvements and other County transportation planning initiatives, as determined by the Board of Commissioners.

#### B. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards.
2. The Orange County Advisory Board Policy serves as the underlying policy document to which the OUT Board, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as "Exhibit A".
3. In the event that there is a conflict between the Orange County Advisory Board Policy and this Policies and Procedures document this Policies and Procedures document shall control.

#### C. Charge

1. The OUT Board is charged with advising the Board of County Commissioners on the planning and programming of transportation infrastructure improvements and other County transportation planning initiatives, as directed by the Board.
2. From time to time the OUT Board may be directed to provide input on regulations on which the Planning Board has primary statutory and local ordinance advisory duties. In such instances, the OUT Board shall serve in an advisory capacity to the Planning Board.

### SECTION II: GOALS AND OBJECTIVES

#### A. Goals

The Transportation Element of the 2030 Comprehensive Plan includes the County's goals for transportation planning and provides guidance for the OUT Board, Planning Board, Board of County Commissioners, and staff.

#### B. Objectives

The OUT Board shall:

1. Identify and provide prioritization recommendations on the County's roadway and transit needs.
2. Assist in development and review of updates to the Transportation Element of the Comprehensive Plan.
3. Provide recommendations to the Board regarding Federal and State legislation affecting transportation in Orange County.
4. Provide recommendations on innovative techniques and methods to improve the efficiency and capacity of existing and future transportation systems.
5. Carry out special projects as assigned by the Board of Commissioners.
6. Serve as an advisory body to the Administrative Staff of the Orange Public Transit (OPT) System. The roles of assistance may include but are not limited to being:
  - a. A forum to discuss relevant issues related to public transportation;
  - b. An advocate in promoting new or expanded transit services;
  - c. Sounding board on program operations, goal setting and monitoring;
  - d. As a guardian of passenger rights for the general public and special targeted populations; and
  - e. When directed by the BOCC, recommends NCDOT grants, contracts, and studies that affect the current or future service levels of public transportation in Orange County.

### SECTION III: MEMBERSHIP

#### A. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.

#### B. Composition

1. The OUT Board is composed of fourteen (14) voting members.
2. The OUT Board is composed of zero (0) alternate members.
3. Members shall represent (demographic, geographic, cultural and professional characteristics):
  - a. Seven members, one from each township:
    - Little River Township
    - Cedar Grove Township
    - Cheeks Township
    - Hillsborough Township
    - Eno Township
    - Bingham Township

- Chapel Hill Township
- b. ~~Four~~ Three members from the following advisory boards having transportation interests:
- Commission for the Environment
  - Economic Development Commission
  - Planning Board
- c. Three at-large members with expertise or specific interests in the following areas:
- Bicycle transportation
  - Pedestrian access and safety
  - Public Transit
4. Appointed members shall serve a term of three years with initial terms staggered as follows:
- a. The following five members shall serve an initial term of one year; thereafter three years:
- i. Little River Township representative
  - ii. Bingham Township representative
  - iii. Chapel Hill Township representative
  - iv. Orange County Commission for the Environment representative
  - v. Pedestrian access and safety advocate
- b. The following ~~four~~ three members shall serve an initial term of two years; thereafter three years:
- i. Cheeks Township representative
  - ii. Eno Township representative
  - iii. Public Transit advocate
- c. The following five members shall serve an initial term of three years:
- i. Cedar Grove Township representative
  - ii. Hillsborough Township representative
  - iii. Orange County Economic Development Commission representative
  - iv. Planning Board representative
  - v. Bicycle transportation advocate
5. The OUT Board shall elect by majority vote a Chair and Vice Chair from among its members at a meeting in June of each year.

#### SECTION IV.MEETINGS

#### A. Staffing

1. Orange County staff may serve a support function to the OUT Board upon the approval of the Orange County Manager.

#### B. Agendas

1. Items for agendas shall be approved by the OUT Board Chair and Orange County staff.

#### C. Date, Time, and Location of Regular Meetings

1. Regular meetings of the OUT Board shall be held as needed to address items that require Board action consistent with its Charge and Duties identified herein. Meetings are held on the third Wednesday of the month. The start time and location of the meeting shall be included on the agenda and shall typically be 7:00 p.m. at the Orange County West Campus Office Building located at 131 West Margaret Lane, Hillsborough. The OUT Board Chair, in consultation with staff, shall have the authority to change the start time and location of a regular meeting to meet any special circumstances, provided the information is included on the distributed agenda.

### SECTION V. ORIENTATION

#### A. Attendance

1. Each member shall attend an orientation presented by the Planning and Inspections department to familiarize the advisory board members with the operation of County government, the Planning and Inspections department rules, and the operating procedures of the advisory board.
2. Each voting member will be encouraged to complete the orientation within six weeks of his or her appointment.

### SECTION VI. BY-LAWS

#### A. By-Laws

1. Any Bylaws adopted by the OUT Board are void and no further bylaws shall be adopted. Procedure shall be governed solely by this policy document and the General Advisory Board Policy Document.
2. Should the OUT Board determine modifications to policies and procedures are necessary, the OUT Board may petition the Board of County Commissioners for such modifications.

## AGRICULTURAL PRESERVATION BOARD POLICIES AND PROCEDURES

### SECTION I: SCOPE

#### A. Purpose

1. To establish a policy and procedures whereby the Orange County Board of Commissioners will establish the specific policies and procedures governing the Agricultural Preservation Board.
2. The Orange County Board of Commissioners may appoint an advisory board whose duty is to serve in an advisory capacity to recommend programs, studies, Voluntary Agricultural Districts and other emerging issues or topics of interest concerning agriculture and agricultural preservation.

#### B. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards.
2. Chapter 106, Article 61 of the North Carolina General Statutes governing preservation of farmland.
3. Chapter 48 of the Orange County Code of Ordinances.
4. The Orange County Advisory Board Policy serves as the underlying policy document to which the Agricultural Preservation Board, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as "Exhibit A".
5. In the event that there is a conflict between Chapter 48 of the Orange County Code of Ordinances, the Orange County Advisory Board Policy, and this Policies and Procedures document this Policies priority shall be as follows; Chapter 48 of the Orange County Code of Ordinances, this Policies and Procedures document, the Orange County Advisory Board Policy.

#### C. Charge

1. The charge of the Agricultural Preservation Board is as follows:  
It is the expressed policy of Orange County and the Agricultural Preservation Board to conserve, protect and encourage the preservation and improvement of agricultural land within the County boundaries as a critical component of the County's cultural and rural character and its economy by virtue of the production of food, fiber and other products. (Code of Ordinances, Chapter 48-3)

### SECTION II: GOALS AND OBJECTIVES

#### A. Goals

1. The Agricultural Preservation Board shall work to:

- i. reduce the loss of productive and existing farmland by promoting agricultural values and general welfare of the County,
- ii. recognize the existence of important farmlands by seeking to minimize risks of nuisance suits that arise from the onset of other land uses,
- iii. encourage participation in voluntary programs to preserve and protect farmland from non-farm development, and
- iv. increase identity and awareness of the agricultural community, and its role in the economic and cultural quality of life for all County residents.

#### B. Objectives

1. The Agricultural Preservation Board shall undertake the following objectives toward these goals:
2. Develop recommendations for implementation of the Voluntary Agricultural Districts and Enhanced Voluntary Agricultural Districts programs, including making recommendations for approval of farms applying for designation in Agricultural Districts; certify qualifying farmland for such Districts as defined in the Voluntary Farmland Protection Program Ordinance (Code of Ordinances, Section 48-7); review and make recommendations concerning amendments to this ordinance; develop public education programs and materials to promote agriculture and agricultural preservation; review and approve the form of the agreement for Voluntary Agricultural Districts; conduct public hearings and hold joint public hearings with the Board of County Commissioners on public projects likely to have an impact on agricultural operations within Orange County; consider appeals to decisions on Voluntary Agricultural Districts (as provided in COO, Chapter 48-8); hold public hearings if action is taken to condemn any certified farms and qualifying farmland (Chapter 48-11); advise the Board of County Commissioners on projects, programs or issues likely to have an impact on the agricultural economy or activities within the County that will affect Agricultural Districts; develop studies, plans and reports as directed by the Board of Commissioners or State of North Carolina; consult with other agencies involved in the preservation or production of agriculture as needed; develop an annual report to the N.C. Commissioner of Agriculture, Board of Commissioners and others on the status of the Voluntary Agricultural District program; perform other related tasks and duties and pursue other research and advise on other topics as directed by the Board of Commissioners; and provide recommendations and input on the Orange County Agricultural Development and Protection Plan and Lands Legacy Program, as per Chapter 48, section 48.5(e)(9) of the Code of Ordinances.

### SECTION III: MEMBERSHIP

#### A. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.
2. Agricultural Board membership and authority is also granted and addressed by N.C. General Statutes 106-735 through 106-744 and Chapter 153A, and Chapter 48 of the Orange County Code of Ordinances.

#### B. Composition

1. See Chapter 48, Orange County Code of Ordinances.

### SECTION IV.MEETINGS

#### A. Staffing

1. Orange County staff from the Department of Environment, Agriculture, Parks and Recreation shall serve as staff support to the Agricultural Preservation Board, contingent upon the approval of the Orange County Manager.

#### B. Agendas

1. Items for agendas shall be approved by the Agricultural Preservation Board Chair and staff.
2. Regular meetings of the Board shall be held on the third Wednesday of each month at a time and location established by the Board. The Board may also choose to meet bi-monthly by cancelling regular meetings in selected months, as part of the annual adoption of the meeting schedule. When the regular meeting day falls on a holiday, the Board may call a special meeting.
3. Special meetings may be called by the Chair or by written request by two members of the Board, submitted to the Board or the Chair. Written or oral notice of meetings shall be given to all members at least 48 hours prior to the meeting and shall state the time, place and purpose of the meeting.
4. Quorum: A quorum shall consist of a majority of the appointed voting members (50%, plus one) of the Board. All issues shall be decided by a majority vote of the Board, except as otherwise stated herein or in the Code of Ordinances, Section 48.
5. Records: the Board shall keep meeting summaries or minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Department of Environment, Agriculture, Parks and Recreation and shall be a public record.

6. Cancellation: The Board may cancel meetings when there is no business for the Board or lack of a quorum is determined, by notice from the Chair or staff provided at least 24 hours prior to the scheduled meeting.

## SECTION V. ORIENTATION

### A. Attendance

1. Each member shall attend an orientation presented by the Department of Environment, Agriculture, Parks and Recreation and/or the officers of the Board to familiarize the advisory board members with the operation of County government, and the operating procedures of the advisory board.
2. Each voting member will be encouraged to complete the orientation within eight weeks of his or her appointment and participate in at least one site tour or visit (as deemed practical)

## SECTION VI. BY-LAWS

### A. By-Laws

1. Any Bylaws adopted by the Agricultural Preservation Board are void and no further bylaws shall be adopted. Procedure shall be governed solely by this policy document and the General Advisory Board Policy Document – as well as the Board rules and procedures found in the Code of Ordinances, Chapter 48.
2. Should the Agricultural Preservation Board determine modifications to policies and procedures are necessary the Board may petition the Board of County Commissioners for such modifications, to be made to this document and the Code of Ordinances, as applicable.

Appendix 1 – Text of Chapter 48.6 and Map of VAD Regions

## ANIMAL SERVICES ADVISORY BOARD POLICIES AND PROCEDURES

### SECTION I: SCOPE

#### A. Purpose

1. To establish a policy and procedure whereby the Orange County Board of Commissioners will establish the specific policies and procedures governing the Animal Services Advisory Board.
2. The Orange County Board of Commissioners may appoint an advisory board whose duty is to work with Animal Services staff and serve County Commissioners in an advisory capacity regarding animal services in Orange County.

#### B. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards.
2. The Orange County Advisory Board Policy serves as the underlying policy document to which the Animal Services Advisory Board, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as "Exhibit A".
3. In the event that there is a conflict between the Orange County Advisory Board Policy and this Policies and Procedures document this Policies and Procedures document shall control.

#### C. Charge

The charge of the Animal Services Advisory Board is as follows:

1. To advise the Board of County Commissioners on matters of concern regarding animal issues and animals services in Orange County.
2. To work with the Animal Services Director (or designee) on various policy concerns and issues regarding County animal services.
3. To carry out duty to hear Potentially Dangerous Dog Declaration appeals as proscribed by N.C. Gen. Stat. §67-4.1(c).

### SECTION II: GOALS AND OBJECTIVES

#### A. Goals

1. The Animal Services Advisory Board shall work with the Animal Services Director and designated staff to ensure quality animal services within Orange County.
2. The Animal Services Advisory Board shall work collaboratively with the Animal Services Director and staff.

#### B. Objectives

1. Advise the Board of County Commissioners on animal services as such.

2. Advise the Board of County Commissioners on the health, safety and quality of life as it relates to animals in Orange County.
3. Conduct fair and impartial hearings of appeals of potentially dangerous dog declaration and any other appeals as may be required by the Animal Services Department.

### SECTION III: MEMBERSHIP

#### A. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.

#### B. Composition

1. The Animal Services Advisory Board is composed of twelve (12) voting members.
2. Members shall represent:
  - a. The Townships of Carrboro (1), Chapel Hill (1) and Hillsborough (1);
  - b. Three (3) at-large representatives, two (2) of which reside in the unincorporated areas of the county;
  - c. Two (2) veterinarians, one of which shall be the veterinarian serving on the Orange County Board of Health;
  - d. Three (3) county residents whose experience demonstrates a commitment to animal welfare and/or advocacy;
  - e. One (1) professional animal handler, trainer or technician with a recognized credential or certification.

### SECTION IV. MEETINGS

#### A. Staffing

1. Orange County staff may serve a support function to advisory boards upon the approval of the Orange County Manager.

### SECTION V. COMMITTEES

1. Potentially Dangerous Dog Appeal Committee
  - a. Three (3) members of the Animal Services Advisory Board, selected by the Board Chair and approved by the board as a whole, shall form a Potentially Dangerous Dog Appeal Committee to satisfy Orange County's obligation under Chapter 67 of the North Carolina General Statute.

- b. At least one (1) member shall be a veterinarian and one (1) shall be a member whose position is based upon residency.
  - c. The responsibility of this committee is to determine whether or not a potentially dangerous dog declaration is warranted based upon the definition(s) set out by the North Carolina General Statute.
  - d. The Potentially Dangerous Dog Appeal Committee shall be convened as needed by the Animal Services Director.
  - e. In the event that a member is unable to attend within the timeline mandated by the North Carolina General Statute, the Animal Services Director may designate another voting member of the Animal Services Advisory Board to fill his or her place.
2. Other Appeal Committees
- a. Committees for other appeals (e.g., adoption denials) may be formed as needed.
  - b. These committees shall have no fewer than three members and the members shall be appointed by the Chair of the Animal Services Advisory Board.
  - c. A chair for such an appeal committee shall be designated by the Chair of the Animal Services Advisory Board.
  - d. The appeal committee chair shall be responsible for coordinating with the Animal Services Director to ensure that any such appeal is conducted in a timely and a judicious manner.

## SECTION VI. ORIENTATION

### A. Attendance

- 1. Within three months of his or her appointment, each member shall attend an orientation presented by the Animal Services Advisory Chair (or another officer) and the Animal Services Director (or designated staff) to familiarize the advisory board members with the operation of County government, the department organization and policies, and the operating procedures of the advisory board.

## SECTION VII. BY-LAWS

### A. By-Laws

- 1. Any bylaws adopted by the Animal Services Advisory Board are void and no further bylaws shall be adopted. Procedure shall be governed solely by this policy document and the General Advisory Board Policy Document.
- 2. Should the Animal Services Advisory Board determine modifications to policies and procedures are necessary the Animal Services Advisory Board may petition the Board of County Commissioners for such modifications.

## CHAPEL HILL ORANGE COUNTY VISITORS BUREAU BOARD POLICIES AND PROCEDURES

### SECTION I: SCOPE

#### A. Purpose

1. To establish a policy and procedures whereby the Orange County Board of Commissioners will establish the specific policies and procedures governing the Chapel Hill/Orange County Visitors Bureau Board.
2. The Orange County Board of Commissioners may appoint an advisory board whose duty is to serve in an advisory capacity to the Chapel Hill /Orange County Visitors Bureau Board.

#### B. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards.
2. The Orange County Advisory Board Policy serves as the underlying policy document to which the Chapel Hill/Orange County Visitors Bureau Board, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as "Exhibit A".
3. In the event that there is a conflict between the Orange County Advisory Board Policy and this Policies and Procedures document this Policies and Procedures document shall control.

#### C. Charge

1. The charge of the Chapel Hill/Orange County Visitors Bureau Board is as follows: To develop and coordinate visitor services in Orange County and to implement marketing programs that will enhance the economic activity and quality of life in the community.

The purpose for which the Chapel Hill/Orange County Visitors Bureau Board was formed: The Chapel Hill/Orange County Visitors Bureau (VB) was established in 1982 as a department of county government for the purpose of developing year-round sustainable tourism for the towns that comprise Orange County in a manner favorable to impact its economic well-being. The board's purpose is to serve in an advisory capacity to Orange County government by adopting an annual marketing plan and program of work for Visitor Bureau staff as necessary to carry out the Visitor Bureau's mission as stated above and below.

## SECTION II: GOALS AND OBJECTIVES

### A. Goals

1. The Chapel Hill/Orange County Visitors Bureau Board shall position Orange County as a desirable meeting and vacation destination to select visitor markets with careful consideration of the needs and assets of the communities that comprise Orange County
2. To work in cooperation with community organizations to achieve an effective, coordinated and comprehensive marketing program with high-quality collateral materials, on-line programs, and visitor services.
3. To serve as a county wide leader in developing strategies for consistently providing quality visitor services to travelers who visit Orange County.
4. To encourage longer stays, increased spending and repeat visits of travelers to Orange County.
5. To examine the range of visitor services available, to identify unmet needs and to encourage private businesses to meet those needs, as appropriate.
6. To operate in a manner that contributes to the economic development and quality of life that comprises Orange County.

### B. Objectives

1. To establish the Bureau as the premier destination marketing organization in the region. By highlighting the Orange County towns of Chapel Hill, Carrboro, Hillsborough and surrounding Efland. Improving the promotion of Orange County will inevitably enhance the promotions and quality of tourism opportunities throughout the county. The marketing initiatives will create awareness of the tourism assets of Orange County; increase the level of interest in Chapel Hill/Carrboro/Hillsborough destinations for leisure travel; and increase the level of interest in Orange County as a destination for business meetings and conferences.

## SECTION III: MEMBERSHIP

### A. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.

## B. Composition

<u>QTY</u>	<u>Representation</u>
1	Orange County/Hillsborough Chamber of Commerce
1	Chapel Hill/Carrboro Chamber of Commerce
1	Alliance for Historic Hillsborough
1	UNC – Chapel Hill
2	Orange County Lodging Assoc. (rep hotel under 100 & over
100 rooms)	
1	Town of Chapel Hill Council
1	Town of Hillsborough Council
1	Town of Carrboro Council
1	North Carolina H.S. Athletic Association
1	EDC Board– Orange County
1	Board of County Commissioners
1	Orange County Arts Commission Board Liaison
1	EDC – Town of Chapel Hill (ex-officio)
1	EDC – Town of Carrboro (ex-officio)
1	Chapel Hill Downtown Partnership (ex-officio)
1	At-large

## SECTION IV. MEETINGS

## A. Staffing

1. Orange County staff may, upon the approval of the Orange County Manager, serve support functions as follows:
  - a. Administrative Duties, meeting minutes

## SECTION V. ORIENTATION

## A. Attendance

1. Each member shall attend an orientation presented by the Orange County Staff for familiarize the advisory board members with the operation of County government, the Visitor Bureau's Department rules, and the operating procedures of the advisory board.
2. Each voting member will be encouraged to complete the orientation within six weeks of his or her appointment and participate in at least one meeting with the staff.

## SECTION VI. BY-LAWS

## A. By-Laws

1. Any Bylaws adopted by the Chapel Hill/Orange County Visitors Bureau Board are void and no further bylaws shall be adopted. Procedure shall be governed solely by this policy document and the General

Advisory Board Policy Document.

2. Should the Chapel Hill/Orange County Visitors Bureau Board determine modifications to policies and procedures are necessary the Chapel Hill/Orange County Visitors Bureau Board may petition the Board of County Commissioners for such modifications.

## PLANNING BOARD POLICIES AND PROCEDURES

### SECTION I: SCOPE

#### A. Purpose

1. To establish a policy and procedures whereby the Orange County Board of Commissioners will establish the specific policies and procedures governing the Planning Board.
2. The Orange County Board of Commissioners may appoint an advisory board whose duty is to serve in an advisory capacity to Orange County Board of Commissioners.

#### B. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards.
2. The Orange County Advisory Board Policy serves as the underlying policy document to which the Planning Board, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as "Exhibit A".
3. In the event that there is a conflict between the Orange County Advisory Board Policy and this Policies and Procedures document this Policies and Procedures document shall control.

#### C. Charge

1. The charge of the Planning Board is contained in Section 1.6.3 of the Orange County Unified Development Ordinance.

The purpose for which the Planning Board was formed: to serve in an advisory capacity to the Orange County Board of Commissioners in regards to planning, zoning, and subdivision matters, as provided in Section 1.6.3 of the Orange County Unified Development Ordinance.

### SECTION II: GOALS AND OBJECTIVES

#### A. Goals

1. The Planning Board shall carry out the duties contained in Section 1.6.3 of the Orange County Unified Development Ordinance to the best of its ability.

#### B. Objectives

1. Acting under the directives of the Board of County Commissioners and with County staff, the Planning Board shall pursue the duties contained in Section 1.6.3 of the Orange County Unified Development Ordinance.

### SECTION III: MEMBERSHIP

#### A. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.

B. Composition

1. Planning Board composition is detailed in Section 1.6.1 of the Orange County Unified Development Ordinance. Additional membership requirements are listed in said Section of the UDO.
2. The Planning Board does not have alternate members.

C. Chair, Vice Chair, and Secretary

1. The Planning Board shall elect by majority vote a Chair and Vice Chair from among its members at the regular meeting in January of each year.
2. Chair and Vice Chair terms of office shall correspond to the requirements of the Orange County Advisory Board Policy.
3. The Secretary of the Planning Board shall be the Planning Director or his/her designee.
4. The Chair and Secretary shall ensure that each Planning Board member is presented with a copy of the Planning Board's charge, scope of authority, membership responsibilities, and code of conduct when the Planning Board member is appointed to the Planning Board.

## SECTION IV. MEETINGS

A. Staffing

1. The Planning Director shall perform the duties set forth in Section 1.6.4 of the Orange County Unified Development Ordinance.

B. Agendas

1. Items for agendas shall be approved by the Planning Board Chair and staff.
2. The designated staff will develop and distribute to each member an agenda listing the matters to be considered at upcoming advisory board meetings. The regular meeting agenda and materials shall be distributed at least seven (7) calendar days before the regular meeting

C. Date, Time, and Location of Regular Meetings

1. Regular Meetings of the Planning Board shall be held on the first Wednesday of each month. The start time and location of the meeting shall be included on the agenda and shall typically be 7:00 p.m. at the Orange County West Campus Office Building located at 131 West Margaret Lane, Hillsborough. The Planning Board Chair, in

consultation with staff, shall have the authority to change the start time and location of a regular meeting to meet any special circumstances, provided the information is included on the distributed agenda.

#### D. Notice of Meetings

1. Notice of regular Planning Board meetings and agendas shall be made available to all members and interested parties, and to any person who requests such notice, at least seven (7) days in advance of the meeting by e-mail and by posting on the Orange County government website.
2. Notice of public hearings shall conform to the notice requirements of Section 2.3.6 and/or 2.8.7, as applicable, of the Orange County Unified Development Ordinance.
3. Agenda materials for public hearings shall be distributed to Planning Board members and posted on the Orange County government website for interested parties a minimum of ten (10) calendar days prior to the public hearing.

### SECTION V. ORIENTATION

#### A. Attendance

1. Each member shall attend an orientation presented by the Orange County Staff to familiarize the advisory board members with the operation of County government, the Planning Department rules, and the operating procedures of the advisory board.
2. Each voting member will be encouraged to complete the orientation within six weeks of his or her appointment and participate in at least one meeting with the staff.

### SECTION VI. BY-LAWS

#### A. By-Laws

1. Any Bylaws adopted by the Planning Board are void and no further bylaws shall be adopted. Procedure shall be governed solely by this policy document and the General Advisory Board Policy Document.
2. Should the Planning Board determine modifications to policies and procedures are necessary the Planning Board may petition the Board of County Commissioners for such modifications.

## ORANGE COUNTY COMMISSION FOR THE ENVIRONMENT POLICIES AND PROCEDURES

### SECTION I: SCOPE

- A. Purpose
  1. To establish a policy and procedures whereby the Orange County Board of Commissioners will establish the specific policies and procedures governing the Commission for the Environment.
  2. The Orange County Board of Commissioners may appoint an advisory board whose duty is to serve in an advisory capacity on matters affecting the environment, with particular emphasis on environmental protection.
- B. Authority
  1. North Carolina General Statute 153A-76 grants boards of commissioners the authority to establish advisory boards.
  2. The Orange County Advisory Board Policy serves as the underlying policy document to which the Commission for the Environment, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as "Exhibit A".
  3. In the event there is a conflict between the Orange County Advisory Board Policy and this Policies and Procedures document this Policies and Procedures document shall control.
- C. Charge
  1. The charge of the Commission for the Environment is to advise the Orange County Board of Commissioners on matters affecting the environment, with particular emphasis on environmental protection.

### SECTION II: GOALS AND OBJECTIVES

- A. The Commission for the Environment shall have the following goals and objectives:
  1. To advise the Orange County Board of Commissioners with regard to environmental policy, with particular emphasis on environmental protection.
  2. To educate the public and local officials on environmental issues.
  3. To perform special studies and projects on environmental questions as requested by the Orange County Board of Commissioners.

4. To recommend environmental initiatives to the Orange County Board of Commissioners.
5. To study changes in environmental science and environmental regulations in the pursuit of its duties.
6. To perform other duties as requested by the Orange County Board of Commissioners.

### SECTION III: MEMBERSHIP

#### A. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of County Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.

#### B. Composition

1. The Commission for the Environment is composed of fifteen voting members.
2. The Commission for the Environment has no appointed alternate members.
3. Five members shall have specific expertise in:
  - Air Quality
  - Biological Sciences
  - Engineering, (preferably in a field related to the environment)
  - Land Resources
  - Water Resources
4. Ten at-large members with some knowledge of environmental science and/or environmental issues including, but not limited to experts in the following fields:
  - Education
  - Energy
  - Law
  - Public Health
  - Public Policy
  - Solid Waste
  - Other areas that overlap with the five areas of specific expertise

5. The Commission for the Environment shall have no appointed ex officio members.

C. Officers

1. The elected officers of the Commission for the Environment shall consist of a Chair and a Vice Chair.

D. Election Procedures and Terms of Office

1. The Officers shall be elected by the Commission for the Environment from among its members at the regular meeting in November of each year. They shall take office at the following regular meeting.
2. The candidate for each office receiving a majority vote of the Commission for the Environment members present shall be declared elected.
3. The officers shall be elected for a term of one year. They shall be eligible to succeed themselves for not more than three consecutive terms.
4. Appointment to serve for any actual period of one (1) year or more will constitute a full term. Appointment for any actual period of less than one (1) year will constitute a partial or unexpired term.

#### SECTION IV. MEETINGS

A. Staffing

1. Orange County staff may serve a support function to advisory boards upon the approval of the Orange County Manager. Upon the approval of the Manager, the Department of Environment, Agriculture, Parks and Recreation (DEAPR) shall serve as staff to the Commission for the Environment. DEAPR shall keep all minutes and records of the Commission for the Environment and provide proper and legal notice of regular and special meetings to members of the public.

B. Agendas

1. Items for agendas shall be approved by the Commission for the Environment Chair and staff.
2. All business to be considered shall be listed on the agenda. To secure such consideration, a request must be received by the Chair at least seven days before any regular scheduled meeting. No other business may be considered except by majority vote of the Board members present. All special business or items not specifically noted on the regular meeting agenda may be deferred by the Commission for the Environment until the next regular meeting date.

3. The order of business at regular meetings shall be:
    - a. Call to order.
    - b. Consideration of additions or changes to the agenda.
    - c. Call for approval of minutes of previous meeting.
    - d. Consideration of remaining items on the agenda.
    - e. Adjournment.
  4. All meetings of the Commission for the Environment shall be open to the general public.
  5. The vote of a majority of those members present shall be sufficient to decide all matters before the Commission for the Environment, provided a quorum is present. During a meeting the members may decide to postpone a final decision to allow a document to be finalized for further consideration and to be voted upon via electronic mail (email), as long as the voting records are documented and included in the minutes of the next regularly scheduled meeting.
  6. For procedures not covered by these rules or the Orange County Advisory Board Policy, the Commission for the Environment shall follow the rules contained in *Roberts Rules of Order, Revised*.
- C. Date, Time and Location of Regular Meetings
1. Regular meetings of the Commission for the Environment shall be held the second Monday of each month at 7:30 p.m. at the Southern Human Services Center in Chapel Hill or the Environment and Agriculture Center in Hillsborough, or other place within Orange County designated by the Chair. The meetings shall adjourn not later than 9:30 p.m. unless extended for the meeting in session by vote of the members.
- D. Special Meetings
1. Special meetings may be called by the Chair or by the written request of at least three other members of the Commission for the Environment. The notice of such a meeting shall specify the purposes of the meeting and no other business may be considered except by unanimous consent of the Commission for the Environment members present.
- E. Meeting Notice
1. DEAPR shall give a minimum of five days notice for both regular and special meetings.

## SECTION V. ORIENTATION

### A. Attendance

1. Each member shall attend an orientation presented by the Department of Environment, Agriculture, Parks and Recreation (DEAPR) to familiarize the advisory board members with the operation of County government, the DEAPR policies and procedures, and the operating procedures of the advisory board.
2. Each voting member will be encouraged to complete the orientation within five weeks of his or her appointment and participate in at least one tour of locations relevant to the business of the Commission for the Environment.

## SECTION VI. BY-LAWS

### A. By-Laws

1. Any Bylaws adopted by the Commission for the Environment are void and no further bylaws shall be adopted. Procedure shall be governed solely by this policy document and the General Advisory Board Policy document.
2. Should the Commission for the Environment determine modifications to policies and procedures are necessary the Commission may petition the Board of County Commissioners for such modifications.