

ORANGE COUNTY BOARD OF COMMISSIONERS

AGENDA

BOCC Regular Work Session
May 14, 2013
Meeting – 7:00 p.m.
Southern Human Services Center
2501 Homestead Road
Chapel Hill, NC

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|----------------|----|--|
| (7:00 – 8:00) | 1. | Review of Draft Orange County Public Library Strategic Plan 2013-2016 |
| (8:00 – 8:30) | 2. | Assessment of Jail Alternative Programs |
| (8:30 – 9:20) | 3. | Agricultural Support Enterprises |
| (9:20 – 10:30) | 4. | Follow Up Discussion from January 29, 2013 Work Session on Board Protocols/Advisory Board Procedures |

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: May 14, 2013

**Action Agenda
Item No. 1**

SUBJECT: Review of Draft Orange County Public Library Strategic Plan 2013-2016

DEPARTMENT: Library

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

- A. June 8, 2012 Award Letter from NC Department of Cultural Resources, State Library of North Carolina of Library
- B. CV for Dr. Anthony Chow, UNC-Greensboro, School of Education
- C. Draft Orange County Public Library Strategic Plan and Appendices

INFORMATION CONTACT:

Lucinda Munger, Library Director, (919) 245-2528

PURPOSE: To receive a presentation from State Library of North Carolina consultant Dr. Anthony Chow, and provide comments on the completed draft of the Orange County Public Library Strategic Plan 2013-2016.

BACKGROUND: With the dissolution of the Hyconeechee Regional Library system, the Orange County Library received a grant in June 2012 from the North Carolina Department of Cultural Resources, State Library of North Carolina ("State Library of NC") for the purpose of developing and completing a strategic plan for the County operated library system. The purpose and intent of the study is to identify trends associated with the provision of library services as well as operational needs within the system. This strategic plan only covers the provision of library services from a County standpoint and does not include libraries operated by local municipalities.

Dr. Anthony Chow, with UNC-Greensboro, has been working on the plan for the past year in coordination with library staff members. Approximately 500 community members participated in the initial community needs analysis (involving interviews of community leaders (n=11), community forums (n=4), two staff focus groups, and online and hard copy survey responses gathered both inside the library and in the community) and another 300 individuals participated in nine (9) community focus groups and hard copy and online surveys focused on community input into the strategic plan. In March 2013 a separate community leader's survey was sent to the BOCC, the Towns of Hillsborough and Carrboro, Managers, those interviewed in the fall, and the members of the 2007 Library Services Task Force.

Please refer to Appendix C of the Strategic Plan for a listing of the interviews and other public meeting schedules.

Dr. Chow's grant contract requires the submittal of the report to the State Library of North Carolina by June 28, 2013. The final document will be presented early this fall. BOCC members are encouraged to offer comments and suggestions on the plan. Comments must be received by June 3, 2013 in order for them to be incorporated into the report.

Based on the feedback provided during tonight's presentation and discussion, Dr. Chow and library staff will update the document with the long-term goal of having the Board adopt the plan as a guiding instrument for future.

FINANCIAL IMPACT: Work on the project was completed through grant funds received by the State Library of North Carolina. Staff review and comment on the plan has been handled through existing budgetary outlays and will not require additional budgetary commitments beyond existing staff funding levels.

Based upon Board feedback staff will pursue future budgetary allocations to meet the goals and objectives of the plan. Staffing proposals will be developed to implement the recommendations approved by the Board.

RECOMMENDATION(S): The Manager recommends that the Board receive Dr. Chow's presentation and provide feedback on the document, and provide any subsequent comments to library staff by June 3, 2013.



North Carolina Department of Cultural Resources

State Library of North Carolina
Library Development Section

Beverly Eaves Perdue, Governor
Linda A. Carlisle, Secretary

Cal Shepard, State Librarian

June 8, 2012

Lucinda Munger, Director
Orange County Public Library
137 West Margaret Lane
Hillsborough, NC 27278

Dear Lucinda,

Your planning grant application has been approved for funding. We would also like to invite you to participate in the Community Needs Assessment Project, a new LSTA funded pilot. The purpose of this project is to assist libraries with identifying and analyzing the needs of their communities. Understanding community needs is the first step in developing a strategic plan that works for your community. We believe this step will be crucial for the five new county libraries as they establish their new identities.

Your planning grant application was one of the applications that included a community needs assessment. Your library was selected for this pilot because we believe that your library's participation in this project will enhance your work as well as that of the others.

How will the pilot project work?

Your library will work with Dr. Anthony Chow (funded by the State library) to complete the Needs Assessment (NA). Typical activities include gathering demographic data about your communities, conducting a patron survey, interviews (or focus groups) with local government officials, other stakeholders and nonusers. Dr. Chow will guide you through the process and create a written final report. At the end you will have a good picture of local community needs.

The State Library sees these needs assessment projects as a lead in to effective strategic planning. Once you have completed the needs assessment you will be able to proceed with your strategic planning grant. The application will most likely need some adjustments to the timeline, budget, and expected outcomes.

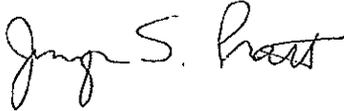
The first step in this pilot project will be a meeting in Raleigh on July 12, 2012 to connect the State Library, Selected Consultants, and the Participating Libraries. During this meeting we will discuss the process of conducting a needs assessment and agree on a template to be used for conducting the Needs Assessment. Each NA should be completed by December 2012; then Strategic Planning work may begin for those interested in continuing.

What are my next steps?

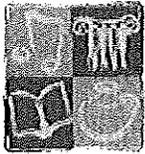
Review the Roles and Responsibilities and RSVP to accept the invitation to participate by June 22, 2012. RSVP to Raye Oldham at <raye.oldham@ncdcr.gov>. State Library staff will coordinate arrangements for the meeting and will provide information to participants.

Please feel free to contact me if you have any questions.

Sincerely,



Jennifer S. Pratt
 Chief of Library Development
 State Library of North Carolina
 4640 Mail Service Center
 Raleigh, NC 27699-4840
 919-807-7415 ph
 919-733-8748 fax
jennifer.pratt@ncdcr.gov



NORTH CAROLINA
 DEPARTMENT OF
 CULTURAL
 RESOURCES
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**COMMUNITY NEEDS ASSESSMENT PROJECT
ROLES AND RESPONSIBILITIES**

State Library

- Contract with Selected Consultants
- Select and invite library directors and 1 additional library-related participant (staff member, board member, town/county official, friends member, etc.)
- Attend and participate in July 12, 2012 meeting in Raleigh
- Provide consultant, lodging, meeting, materials, and on-site meals to participating libraries; provide mileage, meal, and parking reimbursement (at state allowable rates) to participating libraries.
- Award Planning Grant to libraries upon receipt of Needs Assessment final report; send Planning Grant Agreements to library for signatures

Selected Consultants

- Attend and participate in July 12, 2012 meeting in Raleigh
- Finalize Needs Assessment guidelines and template developed at July 12 meeting; share with State Library and Participating Libraries
- Work through Needs Assessment activities with clients
- Complete Needs Assessment work by December 2012
- Provide a Needs Assessment written final report to each client library and the State Library
- Transition work with client libraries to Strategic Planning
- Complete Planning Grant activities by June 30, 2013
- Provide a Strategic Plan written final report to each client library

Participating Libraries

- RSVP to State Library by June 22, 2012
- Attend and participate in July 12, 2012 meeting in Raleigh
- Help develop Needs Assessment guidelines and template at July 12 meeting
- Work with Selected Consultant on Needs Assessment for their library community
- Complete Needs Assessment work by December 2012
- Return Planning Grant Agreements to State Library
- Contract with Selected Consultant for Strategic Planning
- Transition work with Selected Consultant to Strategic Planning
- Complete Planning Grant activities by June 30, 2013; submit all reimbursement requests by July 15, 2013

Dr. Anthony Chow CV

Anthony S. Chow, Ph.D.

Assistant Professor

Department of Library and Information Studies

The University of North Carolina at Greensboro

School of Education

1300 Spring Garden St.

School of Education Building, #450

Greensboro, NC 27402-6170

336.334.3411

aschow@uncg.edu

Education

- 2008 Ph.D. Instructional Systems, Florida State University, Tallahassee, FL
Dissertation: *The role of systems design and educational informatics in educational reform.*
- 1998 M.S. Educational Psychology, Learning & Cognition, Florida State University, Tallahassee, FL
Thesis: *The Impact of Computer-based instruction on the academic performance of high school geometry students.*
- 1992 B.A. Developmental Psychology (Cum Laude), Philosophy minor, San Francisco State University, San Francisco, CA.

Academic Experience

- 2006 - **Assistant Professor**

The University of North Carolina at Greensboro, Greensboro, NC.

Department of Library and Information Studies

Courses: administration and management, emerging technology, web design and usability, information use and users, HCI

2012 – Present - **Director of Online Learning**

Establish online learning strategic directions for the School of Education including strategic planning, business activities (i.e. establishing funding model, marketing, identification, and allocation of resources), instructional design, course development, technology support, and assessment and evaluation.

2000-2006 **Research Associate**

The Florida State University, Tallahassee, FL.

College of Information

Courses: usability, information needs and preferences, information technology management

2004 – 2006 - **FSU Information Technology Director**

Managed IT services for FSU's College of Information, which involved both user services for 30 faculty and 800 students and oversight of college website. Supervised three full time staff, six graduate assistants, and 15 student workers working in the IT department, Web services, and user services help desk.

2002-2006 - **FSU iLab Director**

Founded the College of Information's user services department, help desk, and student community IT services and Web project program. Students were paired with community and professional organizations to develop websites and provide IT support.

2002-2006 - **FSU Usability Center Director**

Coordinated the College of Information's usability center. Maintained equipment and conducted usability tests for students and clients.

2002-2004 – **FSU Museum Lab Director**

Directed innovative program that digitized select artwork from FSU's three museums to be used for educational purposes by k-12 and university students. Designed website, managed Web developer, and oversaw operations.

2000-2002 – FSU Distance Learning Coordinator

Oversight of the School of Information Studies' distance learning program, the largest program on campus with over 800 students. Managed three full-time employees and responsible for instructional design and technology support for faculty and staff and course technology, coordination, development, and troubleshooting.

1992 Teaching Assistant

The San Francisco State University

Course: Asian American History

1991 Teaching Assistant

The Florida State University, Tallahassee, FL

Course: Developmental Psychology

Research & Scholarly Activity**Publications**

Chow, A., Hewitt, K., & Downs, H. (2013). Systems Thinking and Technology Integration as

Catalysts for School Change in High Need Schools: IMPACT V and the Alignment of Organizational Ends and Means. *Educational Research for Social Change* (accepted with revisions).

Nemati, H., Walls, J., & Chow, A. (2013). *Cultural Differences in Privacy Coping and Information Sharing*

Behaviors in Social Media: A Comparison of US and Chinese Users (submitted). Proceedings of the Nineteenth Americas Conference on Information Systems, Chicago, Illinois, August 15-17, 2013.

Chow, A. & Rich, M. (2013). The Ideal Qualities and Tasks of Library Leaders: Perspectives of

Academic, Public, School, and Special Library Administrators. *Library Leadership & Management*, Vol. 27, No 1/2, 2013.

Chow, A. & Croxton, R. (2013). A Usability Evaluation of Academic Virtual Reference Services *College & Research Libraries* (in press; accepted on Jan 11, 2013).

- Chow, A., Baity, C., Zamarripa, M, Chappell, P., Rachlin, D., & Vinson, C., (2012). The information needs of virtual users: a study of Second Life libraries. *The Library Quarterly*, Vol. 82, No. 4, October 2012.
- Chow, A., Figley, A. & Sherrard, J. (2012, October). *The usability of school library websites: a nationwide study*. Association for Educational Communications and Technology Annual Conference Proceedings, October 31-Nov. 2, Louisville, KY.
- Chow, A., Sockman, B.R. & Richer, K. (2012, October). *Systemic Change Going Public: Prelude to Scene 2*. Association for Educational Communications and Technology Annual Conference Proceedings, October 31-Nov. 2, Louisville, KY.
- Chow, A., Smith, K.M., & Sun, K.S. (2012). Youth as Design Partners – Age-Appropriate Web Sites for Middle and High School Students. *Journal of Educational Technology & Society*, October 2012 Vol. 15, Issue 4.
- Chow, A. & Croxton, R. (2012). Information Seeking Behavior and Reference Medium Preferences: Differences among Faculty, Staff, and Students. *Reference and User Services Quarterly*, Featured Article, Spring 2012 issue, v.51 (3).
- Chow, A. (2011, November). *School Librarians and Web Usability: Why Would I Want to Use That?* Association for Educational Communications and Technology Annual Conference Proceedings, November 9-11, Jacksonville, FL.
- Chow, A., & Guerra-Lopez, I.J. (2011, November). *Educational informatics: designing performance-based measurement systems for rapid response learning environments*. Association for Educational Communications and Technology Annual Conference Proceedings, November 9-11, Jacksonville, FL.
- Iyer, L., Zhao, X., Chow, A., & Tate, S. (2011, December). *Computer Science and Information Technology (CSIT) Identity: An Integrative Theory to Explain Gender Gap in IT*. International Conference on Information Systems Proceedings, December 4-7, Shanghai, China.

- Chow, A.S., Gwynn, J.D., Shaw, T.L., Martensen, D., & Smith, M. (2011). Changing Times, Changing Requirements: Implications for LIS Education. *Library and Information Science Research Electronic Journal*, 21(1).
- Chow, A.S., Whitlock, M., & Phillip, L. (2011). A catalyst for educational change: the role of career and technical education in Georgia's statewide educational improvement efforts. *American Leadership Quarterly* Vol. 9, Issue 1, Winter 2011.
- Chow, A. & Whitlock, M. (2010). Systemic Educational Change and Society. *The International Journal of Science in Society*, Volume 1, Issue 4, pp.127-134.
- Chow, A. & Bucknall, T. (2009). Usability Engineering and Technology Integration in Libraries. *The International Journal of Science in Society*, [Volume 1, Issue 3](#), pp.81-90.
- Chow, A. & Andrews, S. (2007). *A "Second Life": Can this online, virtual reality world be used to increase the overall quality of learning and instruction in a graduate level distance learning program?* The Association for Educational Communications and Technology Annual Conference Proceedings.
- Kitsantas, A., & Chow, A. (2007). College students perceived threat and preference for seeking help in traditional, distributed and distance learning environments. *Computers and Education*, 48(3), 383-395.
- Chow, A. (2006). *The Use of Performance Technology in Creating a National Model High School*. The Association for Educational Communications and Technology Annual Conference Proceedings.
- Heo, M. & Chow, A. (2005). The Impact of Computer Augmented Online Learning and

Assessment. *Educational Technology & Society*, 8(1), 113-125.

Sommer, S., Young, T., & Chow, A. (2005). *Library without walls: The George Washington project*.

Congress on Research and Dance Annual Conference Proceedings.

Schaller, D., Chow, A., Marty, P., Heo, M., & Allison-Bunnell, S. (2004). *To Flash or not to Flash?*

Usability and user engagement of HTML vs. Flash. Museums and the Web Annual Conference Proceedings.

Conference Presentations

Chow, A., Hewitt, K., & Downs, H. (2013, October). *Systems Thinking and Technology Integration as*

Catalysts for School Change in High Need Schools (accepted)? A paper to be presented at the Association for Educational Communications and Technology Annual Conference, October 30-Nov. 2, Anaheim, CA.

Chow, A., Duffy, F., & Sockman (2013, October). *A Systems Perspective: What is a Quality*

Education and What Should Students be Able to Do after They Graduate (accepted)? A paper to be presented at the Association for Educational Communications and Technology Annual Conference, October 30-Nov. 2, Anaheim, CA.

Sockman, B., Chow, A., Richter, K., Aslan, S., & Scott, A. (2013, October). *Impacting Perceptions of*

Practitioners for a Refined Understanding of Educational Systemic Change through a Practitioner Focused On-line Presence (accepted)? A paper to be presented at the Association for Educational Communications and Technology Annual Conference, October 30-Nov. 2, Anaheim, CA.

Oguz, F., Chow, A., Chu, C. & Smith-Decoster, M. (2013, January). *Online Student Experience: Inquiry*

Supporting LIS Education. A paper presented at the Association for Library and Information Science Education Annual Conference, Jan. 22-25, Seattle, WA.

Chow, A., Figley, A. & Sherrard, J. (2012, October). *The usability of school library websites: a*

nationwide study. A paper presented at the Association for Educational Communications and Technology

Annual Conference, October 31-Nov. 2, Louisville, KY.

Chow, A., Gray, P. & Lavender, L. (2012, October). *Interdisciplinary Design, Collaboration, and*

Educational Informatics. A paper presented at the Association for Educational Communications and Technology Annual Conference, October 31-Nov. 2, Louisville, KY.

Chow, A. & Gray, P. (2012, October). *Wired for Music (W4M) – Teaching STEM through the music of natural sounds*. A paper presented at the Association for Educational Communications and Technology Annual Conference, October 31-Nov. 2, Louisville, KY.

Sockman, B.R., Chow, A. & Richer, K. (2012, October). *Systemic Change Going Public: Prelude to*

Scene 2. A paper presented at the Association for Educational Communications and Technology Annual Conference, October 31-Nov. 2, Louisville, KY.

Chow, A. & Figley, A. (2012, March). *Designing Age-Appropriate School Library Websites: Why,*

What, Whom, and How. A paper to be presented at the NCTIES Conference, March 7th – 9th, Raleigh, NC (accepted).

Iyer, L., Zhao, X., Chow, A., & Tate, S. (2011, December). *Computer Science and Information*

Technology (CSIT) Identity: An Integrative Theory to Explain Gender Gaps in IT. A paper presented at the International Conference on Information Systems, December 4-7, Shanghai, China.

Chow, A. (2011, November). *School Librarians and Web Usability: Why Would I Want to Use That? A*

paper presented at the Association for Educational Communications and Technology Annual Conference, November 9-11, Jacksonville, FL.

Chow, A., & Guerra-Lopez, I.J. (2011, November). *Educational informatics: designing performance-*

based measurement systems for rapid response learning environments. A paper presented at the Association for Educational Communications and Technology Annual Conference, November 9-11, Jacksonville, FL.

Chow, A., Sells, S., & Figley, A. (2011, November). *Shaping the Future: Strategic Planning and School*

Libraries. A paper presented at the Association for Educational Communications and Technology

Annual Conference, November 9-11, Jacksonville, FL.

Chow, A. (2011, October). *How am I Doing? School Librarian Self-Efficacy and Gauging*

Relationships with Other School Stakeholders. A paper presented at the North Carolina School Library Media Association Annual Conference, October 6-8, Winston Salem, NC.

Chow, A., Figley, A., & Sherard, J. (2011, October). *Are School Library Websites Age-*

Appropriate? Cognitive and Affective Information Seeking Domains of Youth. A paper presented at the North Carolina School Library Media Association Annual Conference, October 6-8, Winston Salem, NC.

Chow, A. & Figley, A. (2011, October). *School Library Strategic Planning: Case Studies in Four*

North Carolina Public Schools. A paper presented at the North Carolina School Library Media Association Annual Conference, October 6-8, Winston Salem, NC.

Chow, A., Bridges, M., Commander, P., & Figley, A. (2011, October). *What does a typical library*

website look like? Comparisons of public and academic library websites from a nationwide study. A paper presented at the bi-annual North Carolina Library Association conference, October 5-8, Hickory, NC.

Chow, A., Burris, C., Baity, C., Rachlin, D., & Howard, M. (2011, October). *To Fine or Not to Fine:*

This is the Question. A paper presented at the bi-annual North Carolina Library Association conference, October 5-8, Hickory, NC.

Chow, A., Price, A., & Bell, B. (2011, October). *For Service or Profit: How come our library café is not*

profitable? A Case Study of a Downtown Public Library Café. A paper presented at the bi-annual North Carolina Library Association conference, October 5-8, Hickory, NC.

Chow, A., Allred, K., & Gann, L. (2010, November). *United we stand: school librarians and*

principals working together. A paper presented at the North Carolina School Library Media Association Annual Conference, Winston Salem, NC.

- Chow, A. (2010, October). *Educational Informatics and Systemic Change*. A paper presented at the Association for Educational Communications and Technology Annual Conference, Anaheim, CA.
- Chow, A. (2010, August). *Usability and Interface Design*. A presentation at the Students and Technology in Academia, Research, and Service (STARS) Annual Conference, Orlando, FL.
- Chow, A. & Smith, K. (2010, January). *Age Appropriate Web Design: High School and Middle School Students as Design Partners*. A paper presented at the Association for Library and Information Science Education Annual Conference, Boston, MA. Nominated for ALISE Best Paper award (only 13 selected).
- Chow, A., Bazirjian & Smith, M. (2010, January). *Closing the Diversity Gap in LIS Education and Librarianship*. A paper presented at the Association for Library and Information Science Education Annual Conference, Boston, MA. Nominated for ALISE Best Paper award (only 13 selected).
- Chow, A., Baity, C., Chappell, P., Rachlin, D., Vinson, C., & Zamarripa, M. (2010, March). *When Real and Virtual Worlds Collide: A Public Library's Management of a Second Life Library*. A virtual paper presented at ALA Virtual Communities and Libraries Membership Interest Group online conference.
- Chow, A., Baity, C., Chappell, P., Rachlin, D., Vinson, C., & Zamarripa, M. (2010, January). *When Real and Virtual Worlds Collide: A Second Life Library*. A poster presented at the Association for Library and Information Science Education Annual Conference, Boston, MA.
- Chow, A., Baity, C., Burris, C., Rachlin, D., & Smith, M. (2010, January). *To Fine or Not to Fine: Is Punishment or Reinforcement a Stronger Motivator for Library Patrons?* A poster presented at the Association for Library and Information Science Education Annual Conference, Boston, MA.
- Chow, A., Alston, J., & Bottoms, A. (2010, January). *Diversity & Retention in Librarianship: The Role of Advising & Mentoring?* A poster presented at the Association for Library and Information Science Education Annual Conference, Boston, MA.

- Chow, A. & Whitlock, M. (2009, October). *Leadership and Systemic Educational Change*. Paper presented at the Association for Educational Communications and Technology Annual Conference, Louisville, KY.
- Chow, A. & Bucknall, T. (2009, August). *Usability Engineering and Technology Integration in Libraries*. Virtual paper presented at the International Science and Society Conference, Cambridge, England.
- Chow, A. & Whitlock, M. (2009, August). *Systemic Educational Change and Society: Georgia's Central Educational Center and Career Academies*. Virtual paper presented at the International Science and Society Conference, Cambridge, England.
- Chow, A. (2009, August). *Web 2.0 Technologies*. A paper presented at the STARS Alliance Annual Meeting, Tallahassee, Florida.
- Chow, A., Smith, M., Hargett, A., & Chappell, P. (2009, August). *Building Relationships with School Counselors: Creating Regional Impact Zones*. A poster presented at the STARS Alliance Annual Meeting, Tallahassee, Florida.
- Chow, A., Chappell, P., & Shaw, T. (2009, August). *The 12 Questions and Four Master Keys of World Class Leaders*. A paper presented at the STARS Alliance Annual Meeting, Tallahassee, Florida.
- Chow, A., Shaw, T., & Hargett, A. (2009, August). *The Impact of the STARS Alliance Program on the Enrollment, Graduation Rate, and GPA of Participating Institutions*. A paper presented at the STARS Alliance Annual Meeting, Tallahassee, Florida.
- Chow, A., Smith, M., & Shaw, T. (2009, August). *Effectiveness of the STARS Marketing*

Kits. A paper presented at the STARS Alliance Annual Meeting, Tallahassee, Florida.

Chow, A., Whitlock, M., & Philip, L. (2009, April). *A Georgia Model for Educational Reform – The Central Educational Center and Career Academies*. Paper presented at the American Educational Research Association Annual Conference, San Diego, CA.

Chow, A., Livas, M., Russell, T., Hill, Joan, & Smith, M. (2009, January). *Increasing LIS Diversity – A University Case Study*. Poster presented at the Association for Library and Information Science Education Annual Conference, Denver, CO.

Jones, K. & Chow, A. (2009, January). *Assistive Technologies in North Carolina Academic Libraries in the Triad*. Poster presented at the Association for Library and Information Science Education Annual Conference, Denver, CO.

Chow, A. & Winkler, H. (2009, January). *Comparing virtual reference services – Is there a difference?* Poster presented at the Association for Library and Information Science Education Annual Conference, Denver, CO.

Chow, A., Gwynn, D., Martensen, D., & Shaw, T. (2009, January). *Changing times, changing requirements - the evolution of an LIS Department*. Poster presented at the Association for Library and Information Science Education Annual Conference, Denver, CO.

Chow, A., Mui, Z., & Gavin, R. (2008, October). *Quality Media Centers, Quality Schools - is there really a connection?* Paper presented at the North Carolina School Library Media Association Conference.

Chow, A., Mui, Z., & Gavin, R. (2008, October). *School Library Media Best Practices Web portal*. Paper presented at the North Carolina School Library Media Association Conference.

- Owens, I., Bazirjian, R., Krauter, M., & Chow, A. (2008, October). *The Role of Library Education in Increasing Diversity*. Paper presented at the Association of Research Libraries National Diversity in Libraries Conference (October 2008).
- Chow, A., Darnell, B., Smith, K., & Combs, R. (2008, January). *Information Architecture, Marketing, and Usability and the Design of the STARS Alliance Web Portal*. Research presented at the Association for Library and Information Science Education Annual Conference, Philadelphia, PA.
- Chow, A. & Andrews, S. (2007, October). *A "Second Life": Can this online, virtual reality world be used to increase the overall quality of learning and instruction in a graduate level distance learning program?* Paper presented at the Association for Educational Communications and Technology Annual Conference, Anaheim, CA.
- Chow, A. & Whitlock, M. (2007, July). *Leading through vision, culture, and relevance: The impact a chief executive officer of a charter school has had on student and teacher engagement*. Research presented at the Pi Lambda Theta Leadership Conference, Richmond, VA.
- Chow, A., Whitlock, M., & Moore, S. (2007, July). *Seamless Education: The Educational Conspiracy across stakeholders in Georgia*. Research presented at the Pi Lambda Theta Leadership Conference, Richmond, VA.
- Chow, A. & Bradburn, F. (2007, Raleigh). *Contributing to educational excellence: aligning NCWiseOwl.org with the needs of teachers and students*. Research presented at the North Carolina Association for Educational Communications and Technology Annual Conference.
- Chow, A., Click, A., & Johnson, K. (2007, January). *That's what I'm talking about! Designing Web sites using age-oriented graphic design and information architecture*. Research presented

at the Association for Library and Information Science Education Annual Conference ,
Seattle, WA.

Chow, A. (2006, October). *The Use of Performance Technology in Creating a National Model High School*.
Research presented at the Association for Educational Communications and Technology
Annual Conference, Orlando, FL.

Chow, A. (2006, October). *The Florida governor's e-Mansion Web site - education and the use of Web and
virtual tour Technology*. Research presented at The Association for Educational
Communications and Technology Annual Conference, Orlando, FL.

Chow, A. (2006, January). *Usability evaluation: increasing the precision of results through quantitative and
qualitative methods* . Research presented at the Association for Library and Information
Science Education Annual Conference, San Antonio, TX.

Sommer, S., Young, T., & Chow, A. (2005, March). *Library without walls: The George Washington project*.
Research presented at the Congress on Research and Dance Annual Conference,
Tallahassee, FL.

Chow, A. & Park, S. (2004, October). *Opening doors: the use of performance systems analysis in identifying gaps
and assisting in organizational alignment*. Research presented at the Association for Educational
Communications and Technology Annual Conference, Chicago, IL.

Moore, R., Whitlock, M., Harless, J., Connell, P, Ayers, J, & LaForge, C., Chow, A. (2004, June). *The
Central Educational Center*. Research presented at the Model Schools Conference Annual
Conference, Washington, DC.

Chow, A. (2003, October). *Information technology and situated, anchored learning*. Research presented at the

Association for Educational Communications and Technology Annual Conference, Dallas, TX.

Chow, A. & Schrader, L. (2003, April). *Year one results: a work-based charter school designed using a performance technology model*. Paper presented at the American Educational Research Association Annual Conference, Chicago, IL.

Chow, A., Harless, J., & Whitlock, M. (2003, April). *Implementation of the ABCD performance system in a public charter school*. Research presented at the International Society for Performance Improvement Annual Conference, Boston, MA.

Chow, A. (2003, February). *Regional & global issues in museum education*. Panel presentation at the Southern American Studies Association's Biennial Conference, Tallahassee, FL.

Chow, A. & Driscoll, M. (2002, October). *Chat and online learning*. Paper presented at the Association for Educational Communications and Technology Annual Conference, Anaheim, CA

Kitsantas, A. & Chow, A. (2002, April). *College student help seeking*. Paper presented at the American Psychology Association Annual Conference, New Orleans, LA.

Chow, A. & Kitsantas, A. (2002, April). *College student self-efficacy beliefs, perceived threat, and preference for seeking help in traditional, distributed, and distance learning environments*. Paper presented at the American Educational Research Association Annual Conference, Boston, MA.

Chow, A. & Kitsantas, A. (2001, February). *Student help seeking behavior across classroom-based and distance learning environments*. Paper presented at the Florida Educational Research Association Annual Conference, Marco Island, FL. Paper of the year finalist.

Chow, A. & Pargman, D. (1997, February). *Computer based instruction and the development of expertise of high school football players*. Poster presented at the Association of American Sports Psychologists Annual Conference, Cape Cod, MA.

Books

Chow, A. & Bucknall, T. (2011). *Library Technology and User Services: Planning, Integration, and Usability Engineering*. Cambridge, UK: Chandos.

Chow, A. (2008). *Systems Thinking and 21st Century Education: A case study of an American model for high school educational reform* Saarbrücken, Germany: Verlag Dr. Müller

Book Chapters

Chow, A. (2013). *The Usability of Digital Information Environments: Planning, Design, and Assessment*. In Evans & Baker (Eds) *Trends, Discovery and People in the Digital Age* (Chandos Digital Information Review). Cambridge, UK: Chandos

Chow, A. (2013). *Synchronous and Asynchronous Interaction: Access, Convenience, and Content*. In Ari Sigal (eds), *Advancing Librarian Education*, Hershey, PA:IGI Global.

Articles and Proposals Reviewed

- Educational Research for Social Change (1) – February 2013
- Journal of Learning Spaces (1) – October 2012
- Aslib Proceedings (1) – December 2011
- Learning and Individual Differences (1) – October 2011
- Journal of Learning Spaces (2) – July 2011
- Journal of the American Society for Information Science and Technology (1) (JASIST) – June 2011
- Association of Educational Communications and Technologies (3) (AECT – February 2011)
- Journal of the American Society for Information Science and Technology (1) (JASIST) - July 2010

- International Journal of Science and Society (2) – November 2009
- IEEE Journal (1) – September 2008
- AERA Conference Proposals (2) – September 2008

Editorial Board

- Journal of Learning Spaces (2010 - present)

Contracts & Grants

\$2,168,668.68. Gray, P., Chow, A., Sametz, L., Boseovski, J. (2013-2018). *Wired for Music: After-School*

BioMusic Initiative for Middle Schoolers. NSF - Advancing Informal STEM Learning (under submission).

\$7,500.00. Murray, C. & Chow, A. (2013-2014). *Preliminary Usability Testing of the National Online*

Resource Center on Violence Against Women (VAWnet.org). UNCG Regular Faculty Grant (Funded).

\$4,000.00. Tate, S., Iyer, L., & Chow, A. (2011-2013). *UNCG STARS Student Leadership*

Corps. A Subcontract with UNCC funded by NSF STARS Scaling project (funded).

\$2,000.00. Lavendar, L., Allen, A. & Chow, A. (2011). *A Model for Collaborative Teaching and*

Integrated Learning. Advancement of Teaching and Learning Grant (funded).

\$4,700.00 - *To fine or not to fine: is punishment or reinforcement a stronger motivator for library patrons?* UNCG

New Faculty Grant (April 2009 to August 2010).

\$24,000.00 - *The STARS Alliance: Marketing and Evaluation* (February 2010-January 2011)

\$81,531.00 – *The STARS Alliance: A Southeastern Partnership for Diverse Participation in Computing*

Extension (March 2008 – February 2010)

\$45,100.00 – *The STARS Alliance: A Southeastern Partnership for Diverse Participation in Computing* (March

2007 – February 2008)

\$500.00 - 2007 NSF AECT Junior Faculty Member Research Symposium Participant. Anaheim, CA.

(One of 17 selected nationwide)

\$2,000.00 - 2007 Leadership in Education for Asian Pacifics (LEAP) Leadership Training Recipient.

Pomona, CA. (One of 50 selected nationwide; selected by chancellor to represent UNCG)

- \$4,743.00 – *Usability Study for North Carolina Department of Public Instruction* (January – April 2007)
- \$9,600.00 – *Web Graphic Design & Information Architecture NSF funded Research Experience for Undergraduates* (REUs; Fall 2006-Spring 2007)
- \$2,000,000.00 – *Broadening Participation in Computing NSF Grant* (January 2006-December 2008).
- \$35,000.00 – *Web Design for the Tallahassee Museum* (September 2005 – July 2006).
- \$30,000.00 – [Web Design & Digitization for Governor's Mansion Online Learning Resource Center](#) (July 2003–2006)
- \$16,000.00 – [Web Design & Project Management for Cuba Human Rights Project](#) (July 2003 – 2006)
- \$7,000.00 – *Web Design & Usability Engineer for Library without Walls Web Project* (May 2004-2006)
- \$6,500.00 – *Web Design and Usability Engineer for the College of Social Work* (August 2005 – 2006)
- \$6,500.00 – *Web Design & Project Management for Geriatric Needs Assessment Web Project* (July 2004-Feb. 2005)
- \$3,093.00 - *Usability engineer and project manager for Interface Design Usability Evaluation* (February-March 2004)
- \$1,790.00 – *Usability engineer and project manager for netLibrary Interface Design Usability Evaluation* (June 2003)
- \$18,500.00 – *Performance Systems Analysis of Central Educational Center* (May 2002 – Aug. 2003)
- \$17,000.00 – *Web Design & Development for Information Institute* (May 2001 – May 2004).
- \$10,000.00 – [Instructional Design & Development LSTA Toolkit for Florida State Library System](#) (December 2002 – December 2003)
- \$17,000.00 – [Web Design & Development for Antarctic Research Facility](#) (Recurring; February 2002 – 2006)
- \$8,000.00 – *Web Design & Development for Museum Lab Project* (May 2002 – May 2004)
- \$4,500.00 – *Training Analysis of PATLive Training Program* (May 2002 – June 2002).

Unfunded Grant Proposals

\$1,250,000.00. Murray, C., Smith, P., Chow, A., & Oguz, F. (2012-2017). *Usability Testing of VAWnet*

with Domestic Violence Service Providers. National Institutes of Health (NIH) research grant.

\$393,894.81. Iyer, L., Zhao, X., Chow, A., Tate, S., & Zhan, J. (2012-2015). *Collaborative Research:*

GSE/RES: Persistence Research in Computing Education (PRiCE) - Examining Gender Differences in Computing Identity. National Science Foundation (NSF) Gender in Science and Engineering research grant.

\$1,199,933.00. Gray, P., Chow, A., Teachout, D., & Sametz, L. (2011-2014). *Wired for Music:*

An After-School Program Using Technology-Driven BioMusic Activities to Engage Underrepresented Middle Grades Students in STEM. NSF Innovative Technology Experiences for Students and Teachers (ITEST) grant proposal.

\$513,014.00. Iyer, L., Zhao, X., Chow, A., & Tate, S. (2011-2014). *Examining Computer*

Science and Information Technology (CSIT) Identity to Explain Gender Gaps in STEM Education. NSF Gender in Science and Engineering grant proposal (submitted)

\$94,000.00 – *School Library Media Best Practices: Why are they not being implemented in schools?* IMLS

National Leadership Grant (October 2009 to September 2010).

\$34,500.00 - *UNCG Teacher e-Solutions Web Portal* (2008). North Carolina General

Administration internal grant request. Primary Investigator Anthony Chow and Karen Gavigan.

\$501,739.50 - *Promoting the Integration of Mathematics and Pedagogy Among Preservice Elementary Teachers*

Using a Critical Thinking Framework [Pi-Map] (October 2007).

\$956,678.00 - *School Library Media Best Practices: Cultivating the power of libraries, technology, and education*

through reflection, collaboration, and partnership (IMLS Leadership Grant)

\$5,659.40 - *The impact of an online media delivery system on teacher attitude, usage, and*

student learning outcomes (2007). Ingenta Research Award. Primary Investigator Anthony Chow

Service Experience

National

2012-2013 AECT Systemic Change Division President-Elect

- 2010-2011 AECT Systemic Change Board of Director
 2008-2009 AECT Systemic Change division Communication Officer

State

- 2012 - NCLA Advocacy Chair-Elect
 2010- North Carolina Advocacy Committee

University

- 2012 - University Benefits Committee
 2012 - Division of Continual Learning Advisory Committee
 2011 - UNCG Research Grants Committee; Social and Behavioral Sciences Subcommittee Chair
 2008-2011 UNCG Grievance Committee
 2006-2009 UNCG Academic Regulations & Policy Committee
 2006-2008 UNCG BELL (Building Entrepreneurial Learning for Life) Taskforce
 2006 UNCG Library Revisioning Taskforce
 2005-2006 Faculty Service Learning Advisory Committee
 2004-2005 Board of Advisor – FSU International Center

School

- 2013 - School of Education Online Committee
 2012 - School of Education Technology SIG
 2011 - 2012 School of Education Online Learning Ad-hoc Committee (Chair)
 2009 - School of Education Teaching Excellence Committee (Co-Chair)
 2007 - School of Education Curriculum Committee (Chair, Fall 2008 to Fall 2011)
 2006 - School of Education Social Committee (Chair, Fall 2010 to present)

- 2007-2008 Executive Council member-at-large (voted by faculty)
- 2007 School of Education Web Developer Hiring Committee
- 2007 School of Education IT Consultant Hiring Committee
- 2006-2007 School of Education Director of Research Hiring Committee
- 2005-2006 FSU College of Information Undergraduate Program Team
- 2005-2006 FSU College of Information Undergraduate Recruitment
- 2005-2006 Founder and Faculty Advisor, FSU Chapter of Association of IT Professionals (AITP)

Department

- 2010 - Instructional Student Services Committee (2010, Chair 2011-2012)
- 2008-2009 LIS Assessment Committee (Chair)
- 2006-2010 LIS Technology Committee
- 2006-2008 LIS Curriculum Committee (Chair, 2007-2008)

Community

- 2010 - [Greensboro Public Library Advocacy Committee](#)
- 2009 - North Carolina National Advocacy Representative

Additional Professional Experience

- 2006 - Instructional Technology and Evaluation Consultant
- 1997-2001 Knowledge is Power, Inc. (Owner)
- 1999-2000 Manager, Quality Assurance and Training, Homes.com, Tallahassee, FL
- 1997-1999 Training Coordinator, Management Analyst, Florida Department of Revenue, Tallahassee, FL
- 1995-1996 Counselor and Research, Education, and Media Coordinator, Bay View Clubhouse, San Francisco, CA
- 1991-1994 Legal Assistant, Hancock, Rothert, & Bunshoft, San Francisco, CA

- 1989-1991 Marine Corps Officer Candidate, U.S. Marine Corps, Quantico, VA
- 1990-1991 Tutor Coordinator, AACE Tutoring Program, San Francisco, VA

Consulting

- 2012-2013 Consultant, Library Strategic Planning – Orange County Public Library
- 2012-2013 Consultant, Library Strategic Planning – Gaston County Library
- 2012-2013 Consultant, Library Strategic Planning – Camden County Library
- 2012-2013 Consultant, Library Strategic Planning – Charlotte Mecklenburg Library
- 2005 - Educational consultant, Seamlessed.com
- 2005-2007 Educational consultant, Quality School Assessment Instrument
- 2005-2006 Web design, Our e-bills.com
- 2004-2006 Tallahassee Museum
- 2004-2006 Educational researcher, Web designer– Georgia Department of Education CEC Dissemination Project

Additional Relevant Experience

- 2007 Leadership Development Program for Higher Education, 2007, Pomona, CA.
- 1993-1994 San Francisco School Board Candidate, 1994, San Francisco, CA
- 1992-1996 San Francisco Suicide Prevention Crisis Counselor, 1992-1996, San Francisco, CA
- 1992-1996 Commercial Modeling, San Francisco, CA
- 1992-1996 Chinese American Democratic Club (Vice-president in 1993, President 1994), San Francisco, CA
- 1987-1988 Walk-on, University of Florida Football, Gainesville, FL

Professional Associations

- Association for Library and Information Science Education (ALISE)
- Association for Educational Communications and Technology (AECT)
- American Society of Information Science and Technology (ASIST)
- North Carolina School Library Media Association (NCSLMA)

- North Carolina Library Association (NCLA)
- Phi Kappa Phi Honor Society

Notable Awards and Distinctions

- 2013 Nominated for School of Education Teaching Excellence Award
- 2013 UNCG Division of Continual Learning (DCL) Faculty Fellow
- 2012 RUSQ Journal Featured Article
- 2011 Recipient of the UNCG School of Education Teaching Excellence Award (only one recipient)
- 2011 Directory of Revolutionaries--Transforming Education Systems
- 2010 ALISE Best Paper Award Nominee (2 of only 13 papers selected)
- 2007 NSF AECT Junior Faculty Member Research Symposium Participant (One of 17 selected nationwide)
- 2007 Who's Who in America
- 2007 Who's Who in American Education
- 2007 Leadership in Education for Asian Pacifics (LEAP) Leadership Training Recipient (One of 50 selected nationwide; selected by chancellor to represent UNCG)
- 2005 FSU College of Information Teacher of the Year Award finalist
- 2005 Judge, Best of the Web competition (Center for Digital Education)
- 2004 Best of the Web Digital Education Achievement Award Winner
- 2002 Pi Lambda Theta Honor Society
- 2000 Phi Kappa Phi Honor Society
- 1998 Davis Productivity Award (Florida Department of Revenue)
- 1996-97 FSU College of Education Teaching Fellow (1270 GRE)
- 1994 San Francisco Suicide Prevention Volunteer of the Year
- 1987 Stan Dietrich Award Winner – senior high scholar/athlete of the year



DRAFT

Orange County Public Library Strategic Plan 2013-2016

“Libraries provide access to the world of technology through wireless connection, and public computers. They also provide meeting places for adults and teenagers, in addition to providing useful programs in maintaining the community's economic growth. Most important of all, libraries are often the first contact a child has outside of his home with the outside world through "Story Time" and can (be) the basis of that child's future education and success in the world” (Orange County resident, November 6, 2012)

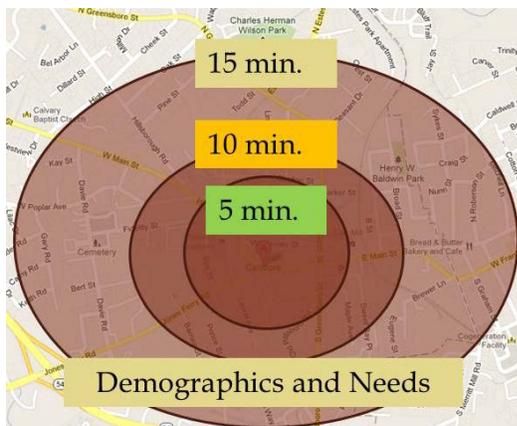
“I am unsure how it will all work out with the online resources starting to rev up - I love the downloadable books. However, I love having a place for my kids to go and rummage through books to really get a feel for different kinds of literature and to be exposed to so many things that would not happen online. I love that there are clubs that meet there and that there is a teen room and so many events for kids, both young and older” (Orange County resident, November 11, 2012)

Executive Summary

Funded by the North Carolina State Library, Dr. Anthony Chow, a state library consultant, helped conduct a community needs analysis (CNA) for the Orange County Public Library (OCPL) over a three month period from September to November 2012. This was followed up by a comprehensive four month strategic planning process that took place from January to April 2013. Approximately 500 community members participated in the initial community needs analysis (involving interviews of community leaders (n=11), community forums (n=4), two staff focus groups, and online and hard copy survey responses gathered both inside the library and outside in the community) and another 300 members participated in nine community focus groups and hard copy and online surveys focused on community input into the strategic plan.

The State of Public Libraries

The arrival of the information age has actually led to an increase in the use of public libraries across the nation and diversified the way libraries are being used. A recent Pew study funded by the Bill and Melinda Gates Foundation found that 60% of American youth 16 through 29 still visit libraries¹ and total per capita visits and circulation have seen a steady increase in North Carolina libraries since 2000². Fifty-nine percent of Americans used a public library in the past 12 months and their primary uses were browsing (73%), borrowing print books (73%), conducting research (54%), and seeking help from a librarian (50%)³. A series of North Carolina community needs assessments found they prioritize five primary services – books and other print and non-print material to read, children and youth programming, technology use and access, library as place, and education and self-enlightenment (Chow, 2013).



21st Century Libraries

The library needs of people differ across age, race, socio-economic status, regional location, etc. The information age has brought with it the age of data and the ability for organizations and information systems to be more responsive and agile in meeting the unique needs of its users. What does the 21st Century library look like? The answer depends on the people that will be using it, which continue to evolve and diversify in the United States and is

¹ Haughney, C. (2012). Young People Frequent Libraries, Study Finds. New York Times, October 22, 2012

² IMLS (2010). North Carolina Public Libraries FY 2010. Retrieved on May 1, 2013 from http://www.imls.gov/assets/1/AssetManager/PLS_FY2010_SP_NorthCarolina.pdf

³ Zickuhr, K, Rainie, L, Purcell, K. (2013). Library Services in the Digital Age. Pew Internet and American Life Research Project. Retrieved on May 1, 2013 from <http://libraries.pewinternet.org/2013/01/22/library-services/>

largely defined by people who live within 15 to 20 minutes of the location.

Community Needs Analysis

Qualitative factor analysis and quantitative statistical analysis of the data suggests clear trends in community preferences for information services, entertainment, and library services. Staff also identified high priority issues for the library. Interview and community forum results suggest consistent ideas around the role of the library and its opportunities for improvement. Common themes emerged when examining all of the data collectively.

Orange County exceeds state and national averages in a number of areas – higher white population, higher levels of education, higher levels of income, and higher housing values. The Hispanic/Latino, 8% of the Orange County population, and the Asian community, 6.7% of the population, rapidly grew by 109% and 89%, respectively, over the past ten years. Library services, library usage, and per capita spending also have grown in parallel to these other Orange County indicators over the past ten years.

Community Input

Results from the interviews and community forums suggest that OCPL can best ensure it is aligned with the county's strategic needs through continuing to provide high quality services to all residents of Orange County. Its value and contributions to the community were consistently recognized across all methods of data collection. The central themes that emerged were to continue to **reach out to the underserved, continue evolving with emerging technology, and continue to allocate the appropriate resources to ensure this happens.**

The typical information needs of the community is an integrated mix of traditional resources (i.e. books, print newspapers, reference, archives, movies, and audio music and books) and high technology via online (i.e. Internet-based activities such as email, web surfing, blogs, online news, social networking), computing (desktop and laptop), and mobile (Tablets, smart phones) technologies. Orange County residents consume information in a wide variety of mediums and expect their libraries to provide information in a similar fashion with an essential recognition that not all people have equal access to technology or literary resources.

With the emergence of the information-age, libraries have both stayed the same in terms of its pervasive goal of providing information and educational and social services to the community; the means, however, in which it now does this along with an extended suite of services including technology training and support, employment resources, and renewed value in serving as a community resource center have grown. The definition of patron has become more diverse and expanded to truly all member of society. As schools and society embrace technology, libraries and their staff must equally embrace, become skilled in, and provide relevant resources and access. As society rapidly changes, however, the emphasis on quality books must remain as the library's core function.

The community envisions its ideal library as a centerpiece of the community both in terms of resources and services but also in aesthetic form and beauty that enriches all those that use it. Outside of a world-class collection of books, services, and technology and digital resources, the ideal library would be a

vibrant community center focusing on both the community's repository of information and training but also as the community's hub for cultural exchange, self-empowerment, and civic activity. This library would emphasize user-centered design in all that it does and make use of pervasive user needs assessment, data mining, and use of big data to ensure it is well aligned and continuously improves in an agile, relevant, and efficient fashion. This library would also have seamless services throughout the county and reach out to those who traditionally face major barriers such as transportation, illiteracy, and poverty. This library would have information common areas to encourage and support collaboration and group work, as well as private space for studying, research, training, and literacy tutoring. In addition, this library would have lots of community space and a business incubation center that supports the unique business needs of small business and entrepreneurs.

The library's primary strengths are its staff and existing high quality resources and services, as well as strong county and community support. Its main opportunities for improvement involve **continuing to work towards seamless library services with municipalities such as Chapel Hill, increase outreach and partnership activities with fellow city and county agencies and other community organizations, continuing to offer relevant programming and services, and seeking to reach out to underserved populations.**

The community surveys suggest that its highest, most prevalent sources of information and entertainment are books, email, browsing the Internet, watching TV, using cellphones, listening to music on the radio and CD, reading/watching news online, and reading print newspapers. Orange County residents overwhelmingly view libraries as a place whose most important services include books for adults, maintaining a Website that provides access to its digital resources and services, free wireless access, public computing, books for children and teens, programs for children, and e-books.

On the whole, the community is very satisfied with overall library services although they would like to see a greater increase in number of materials and services with an emphasis on maintaining an up-to-date and relevant collection and technology services. They would like to see both hours and parking improved. They view libraries as very relevant, a community resource that levels the playing field for all residents, provides free access to quality resources and entertainment, and community engagement.

A number of statistically significant differences were identified by demographic factors. Women placed a higher value on a number of information and library services than men. Black or African American participants placed a significantly higher value on laptops, MP3 players, and tablets than all other groups and were less satisfied with library parking, locations, and computer access. In terms of age, the 65+ age group were more dissatisfied with library location and hours than all other age groups. Those without a computing device at home placed a significantly higher value on magazine and newspapers and foreign language library services than those who had technology at home. In terms of library usage, those who used the library daily or every week placed the highest priority on study space, laptops, tablets, and wireless access, while those who use the library once or twice a year prioritized these the least.

Staff Input

The Orange County staff are proud of their work, believe they are effectively meeting the needs of the community, but also believe there is room for improvement. The priorities for provision of library and information services are well aligned with the community's. Staff feel that the strengths of the library are the commitment and work of the staff, especially in regards to customer service and children's services in particular, and are also very proud of their main library facility and the high level of support and resources provided by the county and community. Their primary opportunities for improvement and, what they believe should be the library's top priorities, are the need to **increase marketing, outreach and advocacy, address and increase staff morale, continue to improve programming, services and resources, and continue to embrace new technologies and digital services and the requisite trainings** that need to go with them.

Based on the results of this study, the following six priority areas were recommended for consideration as strategic goals and objectives for the Orange County Library system:

- 1) **Develop a countywide seamless library services integration plan.**
- 2) **Identify list of prioritized and aligned library and information services by library demographic profile.**
- 3) **Develop a technology integration plan.**
- 4) **Develop a comprehensive marketing and outreach plan emphasizing partnerships and community collaboration.**
- 5) **Prioritize funding to strengthen its core suite of services.**
- 6) **Prioritize high quality organizational communication, training, and culture.**

The full needs analysis report submitted to OCPL and the State Library can be found as [Appendix A](#). A complete list of the community needs analysis interviews, focus groups and forums is in [Appendix C](#).

Strategic Planning

The strategic planning process began in January 2013 and involved convening an Internal Departmental Work Group comprised of both external and internal members of the library (See [Appendix B](#).) This committee was charged with taking the results of the needs analysis and developing OCPL's 2013-2016 Strategic Plan. This plan includes a vision and mission statement, organizational values and core competencies, and high priority goals and objectives to be accomplished over the next three years. The Internal Departmental Work Group met four times from January through April 2013, including two four-hour work meetings, which led to the creation of a draft strategic plan. The Library staff also met in parallel to this process in two half-day sessions to ensure that all OCPL staff had input. The resulting draft strategic plan, which combined input from both the work group and staff, was then released to the public, which involve nine community focus groups, a hard copy mail survey to 1,000 randomly selected Orange County residents, and a public online survey.

The strategic planning focus groups were targeted towards select segments of the Orange County community including seniors, teenagers, the Hispanic and Karen communities, and members from northern Orange County.

The focus group results found that the strategic plan resonated with the community but specific needs unique to each group were identified. **Seniors** felt that the book collection was stronger for children than adults, there was an increased need for more local history and preservation and computer classes, and that many seniors do not own DVD players and therefore cannot play movies on DVD. **Teens** wanted later hours (after school), a safe place to “hang out,” more events such as movie night, opportunities to volunteer, more study areas, more production software such as Photoshop and music production, more quiet spaces for research and reading, access to computer and printing services, health information and programming including building and maintaining relationships, physical, social, emotional, and psychological issues, information on parenting skills for teenagers (young mothers), and artistic events such as poetry slams and book clubs. They also reported feeling disrespected by some librarians and that the book collection was not robust or current enough for many of them.

The **Hispanic focus group** was conducted entirely in Spanish and this community mentioned the need for more collections and resources in Spanish, especially books in Spanish for children, access to computers, health resources, information on the Hispanic community especially history (for their kids born here), basic civil rights, and legal programs or assistance. One of the biggest reasons why they do not use the library as much is there is not a tradition or culture of library usage in their community; they suggested a good way to increase usage would be exhibitions that interest them and, in general, reaching out more to them where they are, as opposed to expecting them to either want to or even know how to go to the library. For example, if the Director of the Library would be willing to meet them at their apartment complex, outdoors, or even in a nearby park, they believe more members of their community would participate. Also sending material to them through their children at school is a good way to get information to them.

The **Karen focus group** results suggest that this community does not know much about the Orange County Public Libraries as they tend to visit Chapel Hill because of its proximity to where they live. They were also interested in their own community’s history (for their children growing up here). They use the library for books, CDs, DVDs, and computer access. They could really use the library for meeting space and access to other relevant services they need like literacy, legal assistance, financial management, information about the citizenship exam, etc. Most importantly, many in their community do not know how to effectively use public transportation to get to the library and helping them with this would be very beneficial.

A complete list of the strategic planning meetings and focus groups is in [Appendix C](#).

In response to the six strategic priority areas identified from the community needs analysis and community input on the draft strategic plan, the Orange County Public Library’s 2013-2016 Strategic Plan has been developed and is as follows.

Vision

Our vision articulates what success will look like in the future.

The Orange County Public Library aims to be the heart of the community by:

- offering relevant services, programs, collections and technologies
 - serving the entire community through collaborative efforts with organizations and County departments
 - being a welcoming gathering place for all
 - having a clear focus on the future and responding with creativity and innovation
-



Mission

Our mission statement reflects the commitment we are making to Orange County.

The mission of Orange County Public Library is to empower people by providing the opportunities and the place to find enjoyment, to enhance their lives, and to engage with each other and the world.



Values

To realize our vision and fulfill our mission, the following ideals direct us in our service to Orange County and interactions with one another.

1. Respectful Communication and Support

Practicing kindness, promoting open dialogues and creating an environment of encouragement

2. Fostering Fun and Lifelong Learning

Offering engaging, excellent programs and services, and promoting literacy and educational opportunities

3. Collaboration

Accomplishing more together with partners working toward common goals

4. Inclusiveness

Honoring diversity while making resources and services available to all

5. Commitment to Public Service

Providing a well-trained, enthusiastic staff that delivers superior customer service and responds to patron needs



Core Competencies

The value-added core services and functions we offer the people of Orange County.

1. Community Space

An inviting, versatile community gathering and meeting place that is full of life and activity, but that also offers dedicated quiet areas

2. Programs and Services

Engaging, excellent programs that inform, educate and entertain, and services tailored to the needs of patrons

3. Outreach

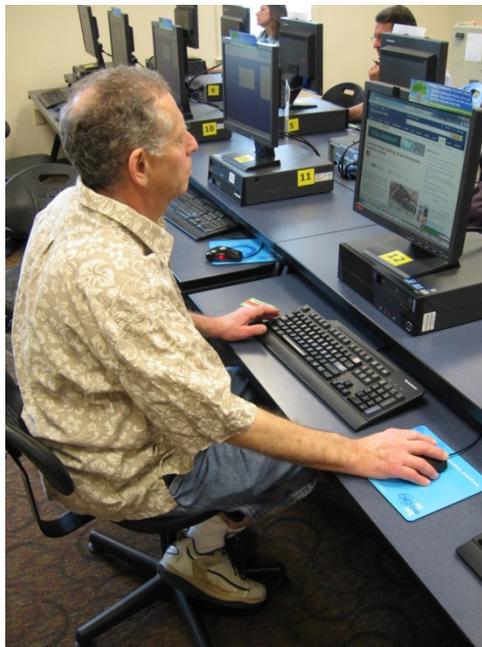
Establishing connections in the community to increase awareness and use of the library's services, programs and collections

4. Resources

Maintaining a robust, relevant and easy-to-access collection in print, digital and audiovisual formats

5. Staff

Knowledgeable, well-trained, and connected employees offering excellent customer service



Goals & Objectives

Goal 1 – Organizational Excellence (Area 6)

The well-being of the library as an organization is critical to the success of the overall strategic plan. Dedicated, engaged staff, who are committed to OCPL's vision and values and their role in fulfilling the mission, are the key to successful implementation of strategic initiatives.

Objectives

- 1.1 - Invest in professional development to maintain a motivated and skilled staff that provides outstanding customer service
- 1.2 - Create an effective internal communications system for the library to improve inter-departmental efficacy and functionality

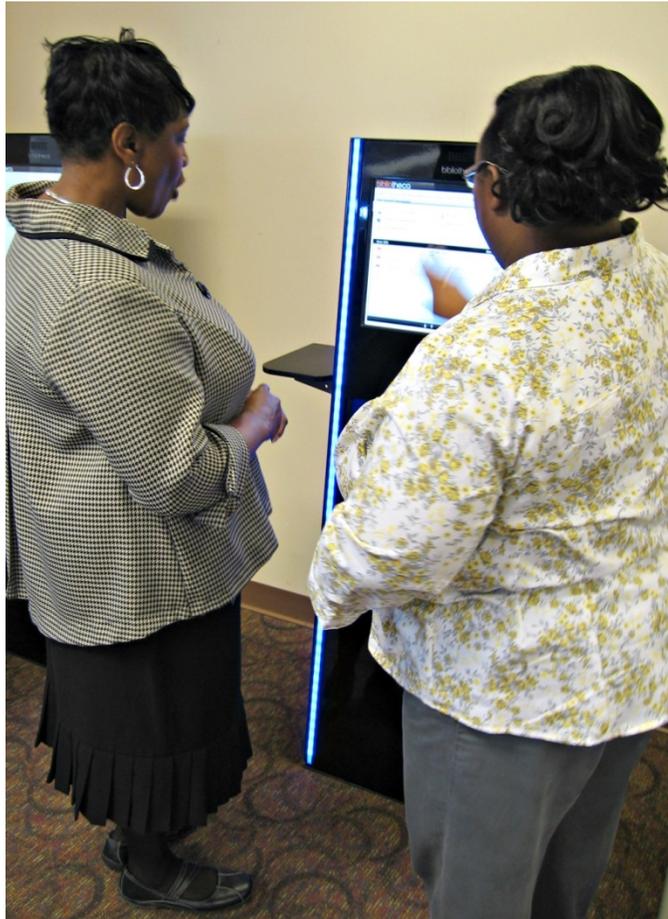


Goal 2 – Technology Literacy and Access (Area 3)

The library plays an important, democratizing role in ensuring that all Orange County residents have access to the tools and skills they need to use technology, whether for education or recreation. The need for technology and information literacy is magnified by the sheer volume of information and the vast range of sources we have access to today via any Internet-connected computer or mobile device.

Objectives

- 2.1 - Collaborate with county IT department to invest in infrastructure, equipment, and hardware to meet and exceed the needs of patrons
- 2.2 - Provide increased technology training opportunities for patrons of all ages and socioeconomic backgrounds
- 2.3 - Help patrons find reliable information sources by serving as a trusted guide
- 2.4 - Promote online resources and provide patrons with the guidance needed to better utilize them



Goal 3 – Resources and Programming (Areas 2, 3, & 5)

The value that OCPL's resources and programming bring to Orange County is immeasurable. With more than 100,000 print and audiovisual items, in addition to a rich digital collection of articles databases and e-books, OCPL knows that free and easy access to our collections offers patrons an array of opportunities to explore. Programs further enhance the cultural, educational and entertainment value of the library for people of all ages and walks of life.

Objectives

- 3.1 - Maintain a quality materials collection of current and diverse items customized to fit the community's needs and wants
- 3.2 - Improve access to library collections
- 3.3 - Strategically develop, fund, and offer programs for all ages that educate, engage and entertain



Goal 4 – Seamless Library Services (Area 1)

Orange County's 400 square miles encompass several communities and towns that are served by two distinct library systems. Based upon feedback from the Community Needs Assessment, respondents stated a clear preference for library facilities and services that are easily accessible to all residents of Orange County.

Objectives

- 4.1 - Provide full access to library services specifically designed to meet the unique needs of Orange County
 - 4.2 - Expand partnerships with Chapel Hill Public Library by 2016 to better serve all county residents
-



Goal 5 – Building Community Connections (Area 4)

Community connections are fostered through partnerships and awareness. We recognize that we can achieve more in partnership with others than we can on our own. By taking a deliberate and thoughtful approach to initiating and expanding relationships with government and community-based groups, OCPL can reach underserved populations and library non-users. Elevating public awareness of the library's resources, services and programs is also crucial to fulfilling the OCPL mission.

Objectives

- 5.1 - Identify and improve outreach to underserved populations
 - 5.2 - Cultivate relationships with K-12, community colleges (e.g. Durham Tech) and county departments
 - 5.3 - Hire a full-time, permanent communications specialist to create, conduct and manage a targeted marketing campaign highlighting library resources and purpose
 - 5.4 - Develop a framework for an active library volunteer program
-



Appendix A – Orange County Public Library Community Needs Analysis Results Report

Direct

URL: http://orangecountync.gov/library/documents/ocpl_community_needs_analysis_2013.pdf

Appendix B – Inter-Departmental Work Group

External Members

Rick Shaw, Department of Environment, Agriculture, Parks and Recreation
Shoshanna Sayers, Department of Housing, Human Rights and Community Development
Myra Austin, Department of Aging
Yvonne Scarlett, Economic Development
Jonathan Yeomans, Department of Social Services
Judy Butler, Department of Health

Library Staff

Lucinda Munger, Director
Andrea Tullos, Assistant Director
Amber Campbell, Systems Librarian
Erin Hils Shepherd, Communications Specialist
Anne Pusey, Adult and Teen Services Supervisor, Main Library
Jessica Arnold, Young Adult Librarian, Main Library
Samantha Thorne, Library Assistant, Carrboro Branch
Elizabeth Allen, Library Assistant, Main Library
Chantez Neymoss, Intern, School of Library and Information Science, UNC- Chapel Hill

Appendix C – Data Collection

CNA Interviews

September 19, 2012

1. Andrea Tullos, Library Assistant Director
2. BOCC Chair Bernadette Pelissier
3. Orange County Manager Frank Clifton
4. Friends of the Orange County Library, Co-Chairs Janet Flowers and Erin Shepherd
5. Lucinda Munger, Library Director

October 3, 2012

6. Aaron Nelson – Chapel Hill Chamber President
7. Patrick Rhodes – Orange County Schools Superintendent
8. Alex Brown – Carrboro Friends President

November 15, 2012

9. Jim Parker - Hillsborough Chamber President.
10. Amber Campbell, Systems Librarian
11. Nitya Fiorentino, Assistant to the Director
12. Dr. Rodney Trice –Chapel Hill /Carrboro Schools, Assoc. Superintendent

April 23, 2013

13. BOCC Chair Barry Jacobs

CNA Staff Focus Groups

October 3, 2012 – Two staff forums

CNA Community Forums

October 10th, 2012

1. 6-8pm at Gravelly Middle School, 401 West Ten Road, Efland, NC

October 18th, 2012

2. 10am-12 – Century Center, 100 N Greensboro Street, Carrboro
3. 2-4pm - - Century Center, 100 N Greensboro Street, Carrboro
4. 6-8pm – Maple View Agriculture Center, 3501 Dairyland Rd, Hillsborough NC

October 24th, 2012

5. Schley Grange Hall – 3416 Schley Road, Hillsborough NC

Strategic Planning Meetings

1. January 11, 2013 – Work group
2. January 24, 2013 – Work group
3. February 8, 2013 – OCPL Staff Day
4. February 11, 2013 – OCPL Staff Day
5. February 26, 2013 – Work group
6. April 23, 2013 - Workgroup

March 25, 2013 – Strategic Planning Focus Groups

7. Senior Center – Chapel Hill
8. Senior Center – Central Orange
9. Teens - Orange High School
10. Teens - Cedar Ridge High School
11. Evening Latino focus group (Human Right Center in Carrboro)

April 19, 2013 – Strategic Planning Focus Group

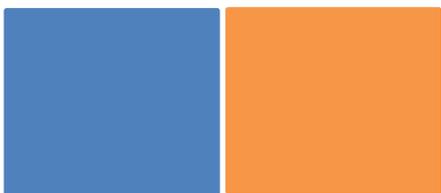
12. Karen Focus Group (Human Right Center in Carrboro)

April 23, 2013 – Strategic Planning Focus Group

13. Teens -Orange High School

May 6, 2013 – Strategic Planning Focus Group

14. Environment and Agricultural Center (EAC)



Surveys

Community Needs Assessment Survey (n=381)

Community Needs Assessment Leader's Survey (n=5)

Strategic Planning Survey (n=198)

Strategic Planning Leader's Survey (n=9)



**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: May 14, 2013

**Action Agenda
Item No. 2**

SUBJECT: Assessment of Jail Alternative Programs

DEPARTMENT: County Manager

PUBLIC HEARING: (Y/N)

No

ATTACHMENTS:

- A. Orange County District Court
House Tour - Court Programs
Overview
- B. Solutions for Local Government
Scope of Services – Assessment of
Jail Alternative Programs

INFORMATION CONTACT:

Frank Clifton, 919-245-2300
Michael Talbert, 919-245-2308

PURPOSE: To review and discuss a proposed new County Jail project included in the FY 2013-18 Capital Investment Plan (CIP), and jail alternative programs.

BACKGROUND: In October 2012, the NC Council of State authorized issuance of a 50 year land lease to Orange County for approximately 6.8 acres for construction of a Jail facility. The proposed new Jail is included in the County's FY 2013-18 CIP with an estimated total project cost of \$30,250,000. A consultant has been retained to evaluate the site and determine the best configuration of the potential site, along with any constraints (environmental/regulatory for example) that might impact the development. Site related planning costs have been included in the CIP at \$250,000 for FY 2013-14. Construction cost estimates from firms in the business of building detention facilities range from \$80,000 to \$120,000 per bed. The new jail is intended to house a minimum of 250 prisoners and provide support spaces needed for such a facility. Site design costs are planned for FY 2015-16, and Architectural/Engineering costs are included in FY 2016-17, with construction costs in FY 2017-18.

The proposed new Jail project involves the review of jail alternative programs, individual program's effectiveness and impact on the inmate population of the Orange County Jail. At the Board's August 30, 2012 work session, District Court Judge Joseph M. Buckner presented an overview of Court Programs to the Board. Attachment A is the Powerpoint presented by Judge Buckner that outlines Court Programs.

The County requested and has received a proposal from Solutions for Local Government, Inc., to assess Jail Alternative Programs in Orange County. Before planning for a new jail begins, a comprehensive assessment of jail alternative programs needs to be completed. Solutions for Local Government, Inc. has experience evaluating alternatives to incarceration related programs and assessing the impact on jail population. Attachment B outlines a proposed scope of services to evaluate current alternatives to incarceration programs.

FINANCIAL IMPACT: The possible cost to contract with Solutions for Local Government, Inc. for an Assessment of Jail Alternative Programs is quoted not to exceed \$15,180. Funds are available from the County Fund Balance, if the Board elects to proceed with the assessment.

RECOMMENDATION(S): The Manager recommends that the Board review the new County Jail project, jail programs that provide alternatives to incarceration, and provide direction to staff as to the next steps needed regarding alternatives to incarceration as a component to planning a new Jail.

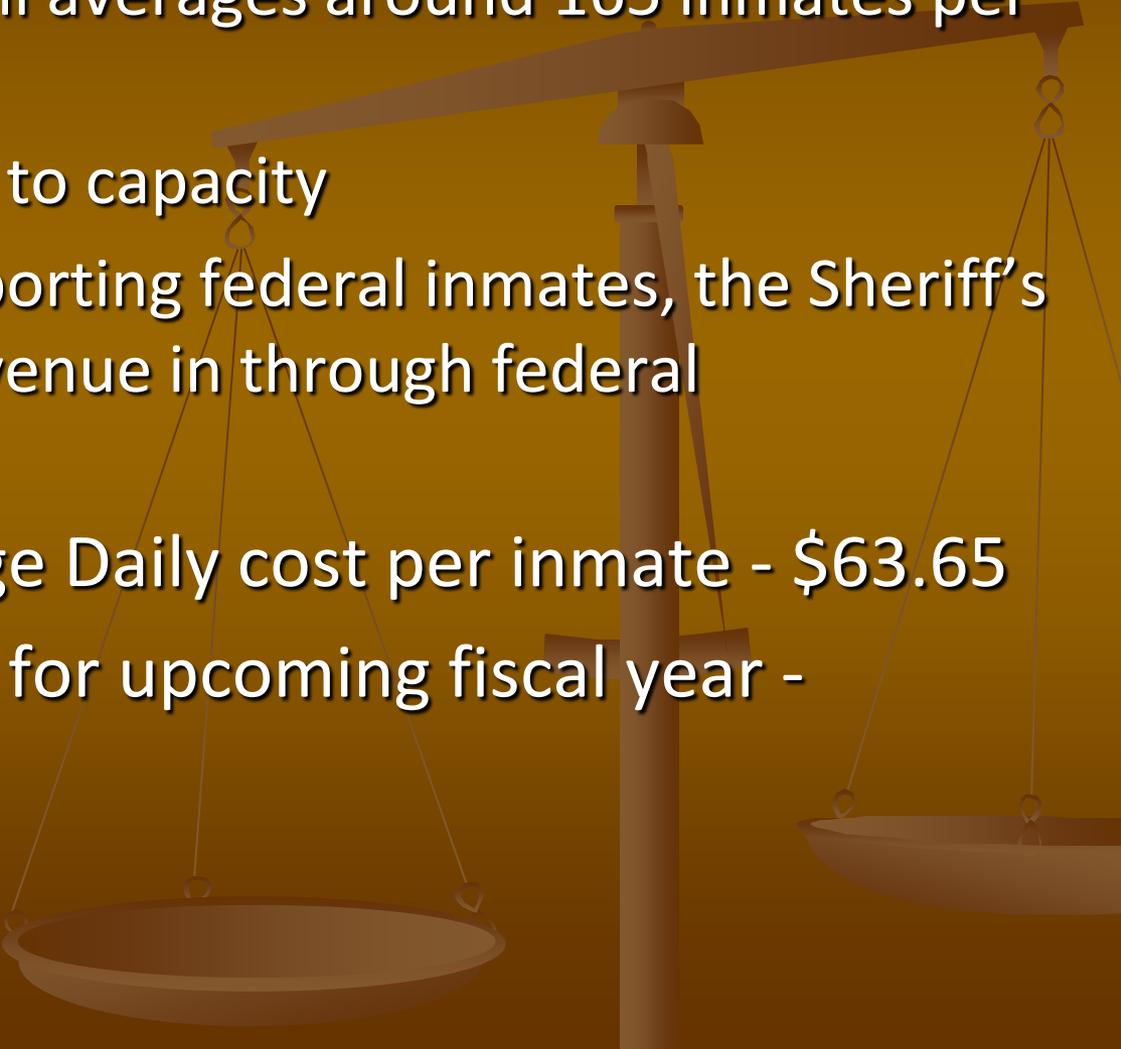
Orange County District Court House Tour



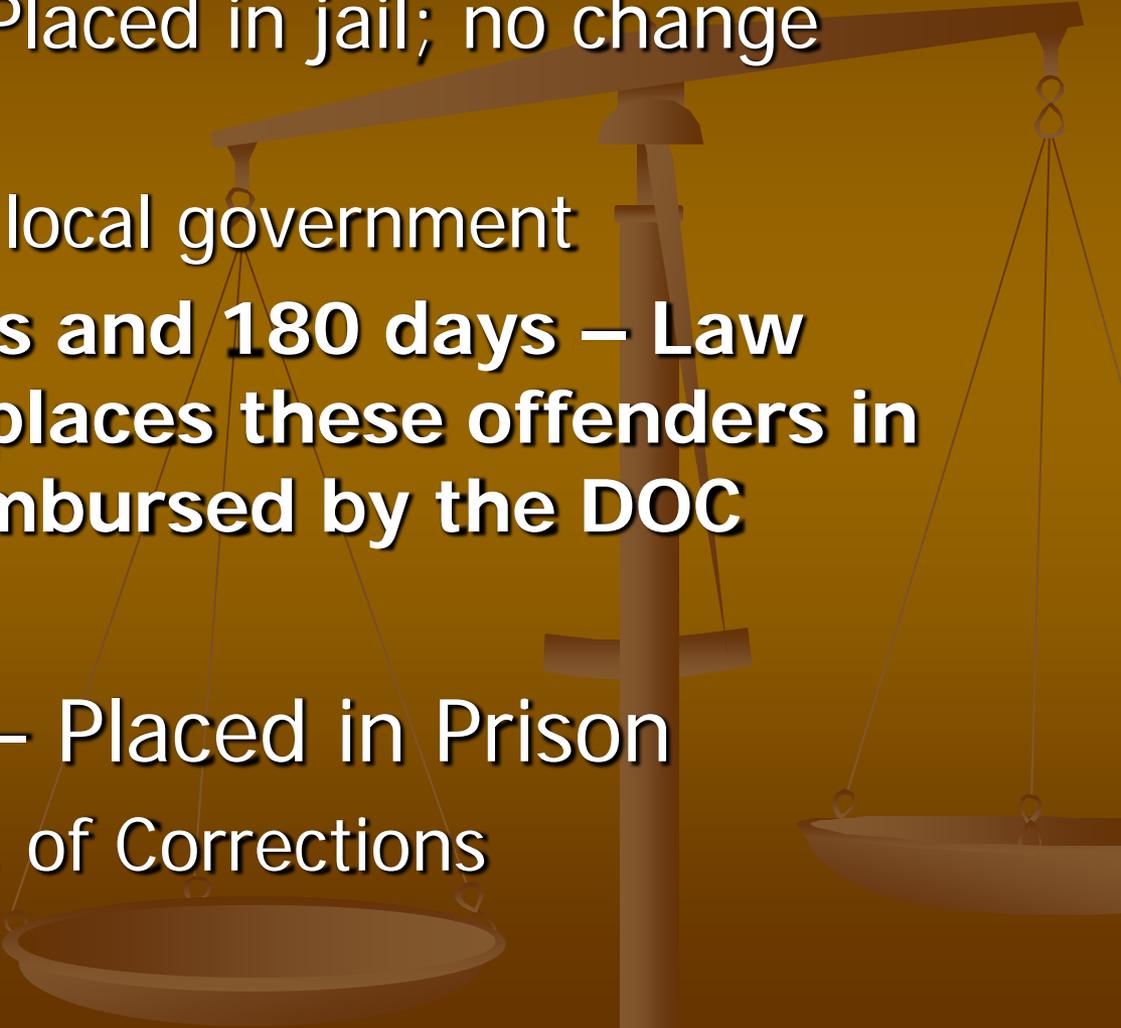
Court Programs Overview

Hillsborough, NC
January 23, 2012

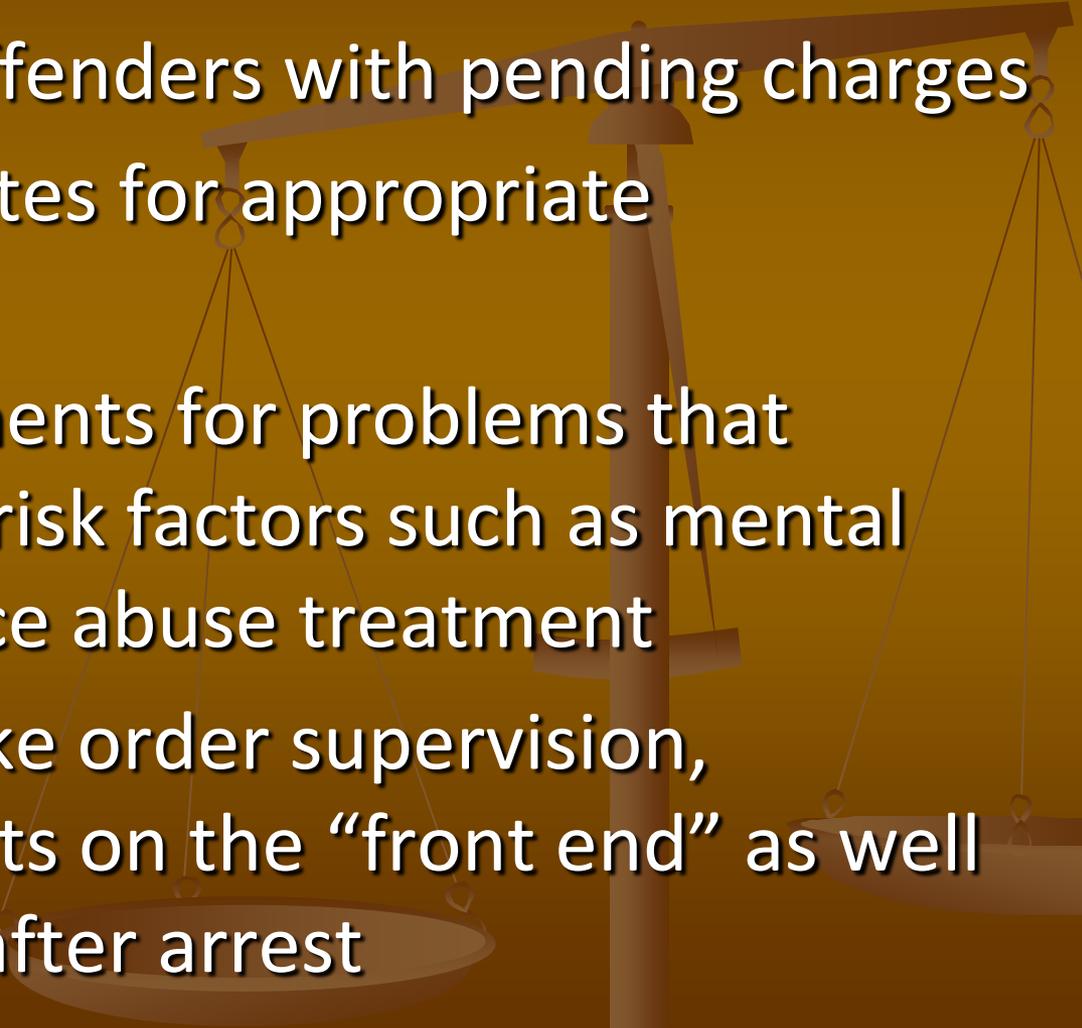
Current Jail Situation

- ❖ The Orange County Jail averages around 165 inmates per day
 - ❖ The jail is filled nearly to capacity
 - ❖ By housing and transporting federal inmates, the Sheriff's Department brings revenue in through federal reimbursements
 - ❖ Approximate Average Daily cost per inmate - \$63.65
 - ❖ Total projected cost for upcoming fiscal year - \$3,815,127
- 

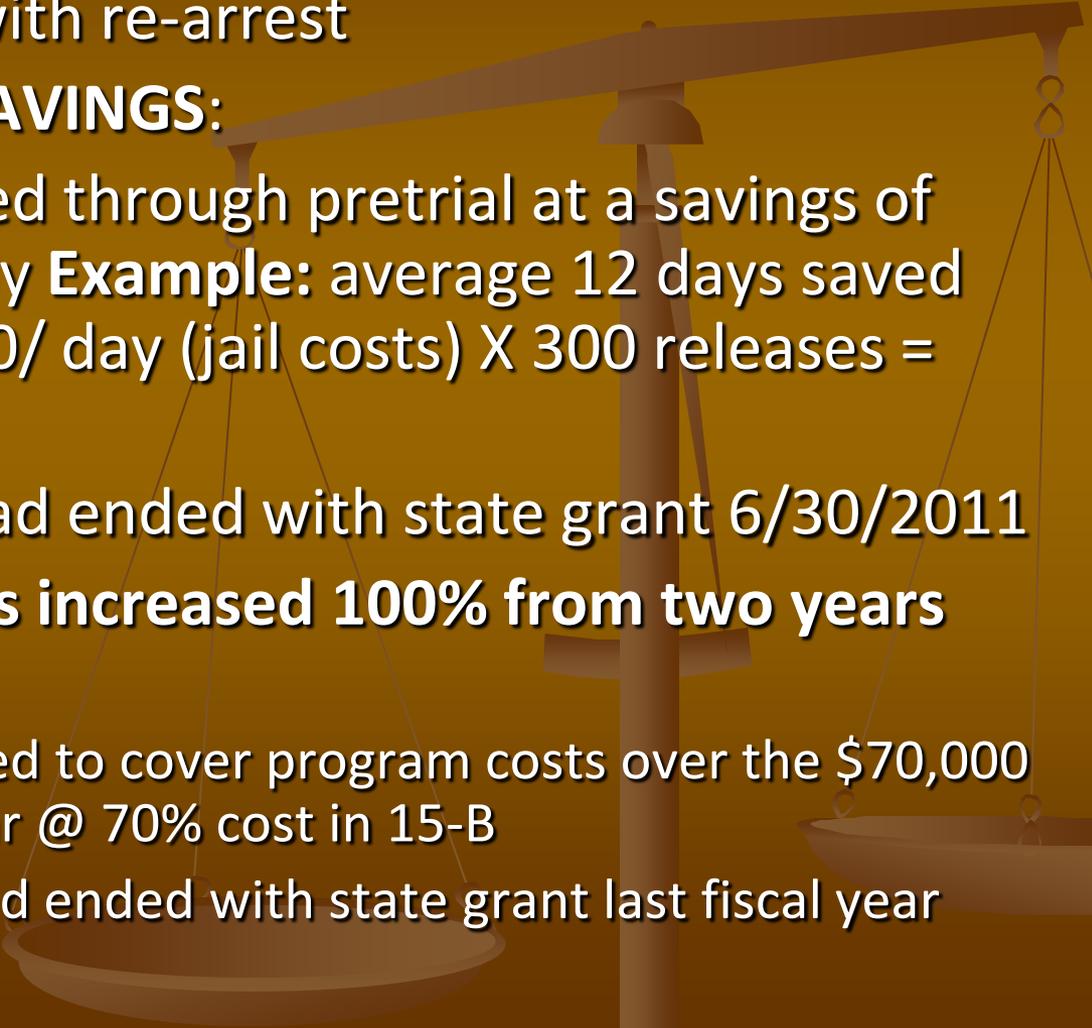
Sentencing Changes for Misdemeanants

- 90 days or less - Placed in jail; no change here.
 - Funded through local government
 - **Between 90 days and 180 days – Law passed in 2011 places these offenders in county jails, reimbursed by the DOC**
 - a local cost.
 - Over 180 days – Placed in Prison
 - Funded by Dept. of Corrections
- 

Pretrial Services

- Provides the judge with release from jail options for offenders -
 - ❖ Supervision for offenders with pending charges
 - ❖ Investigates inmates for appropriate recommendation
 - ❖ Facilitates placements for problems that manage offender risk factors such as mental health or substance abuse treatment
 - ❖ Pro-active on strike order supervision, preventing jail costs on the “front end” as well as avoiding costs after arrest
- 

Pretrial Services Creates a Social Safety Net:

- ❖ Calls attention to poor risk factors & revokes non-compliance promptly with re-arrest
 - ❖ **TREMENDOUS COST SAVINGS:**
 - ❖ 300 inmates released through pretrial at a savings of \$70 per day annually **Example:** average 12 days saved per defendant X \$70/ day (jail costs) X 300 releases = \$252,000 saved
 - ❖ Cost sharing of overhead ended with state grant 6/30/2011
 - ❖ **Admissions for services increased 100% from two years ago**
 - ❖ \$54,000 increase needed to cover program costs over the \$70,000 allocation from last year @ 70% cost in 15-B
 - ❖ cost sharing of overhead ended with state grant last fiscal year
- 

Drug Treatment Court

❖ Goal:

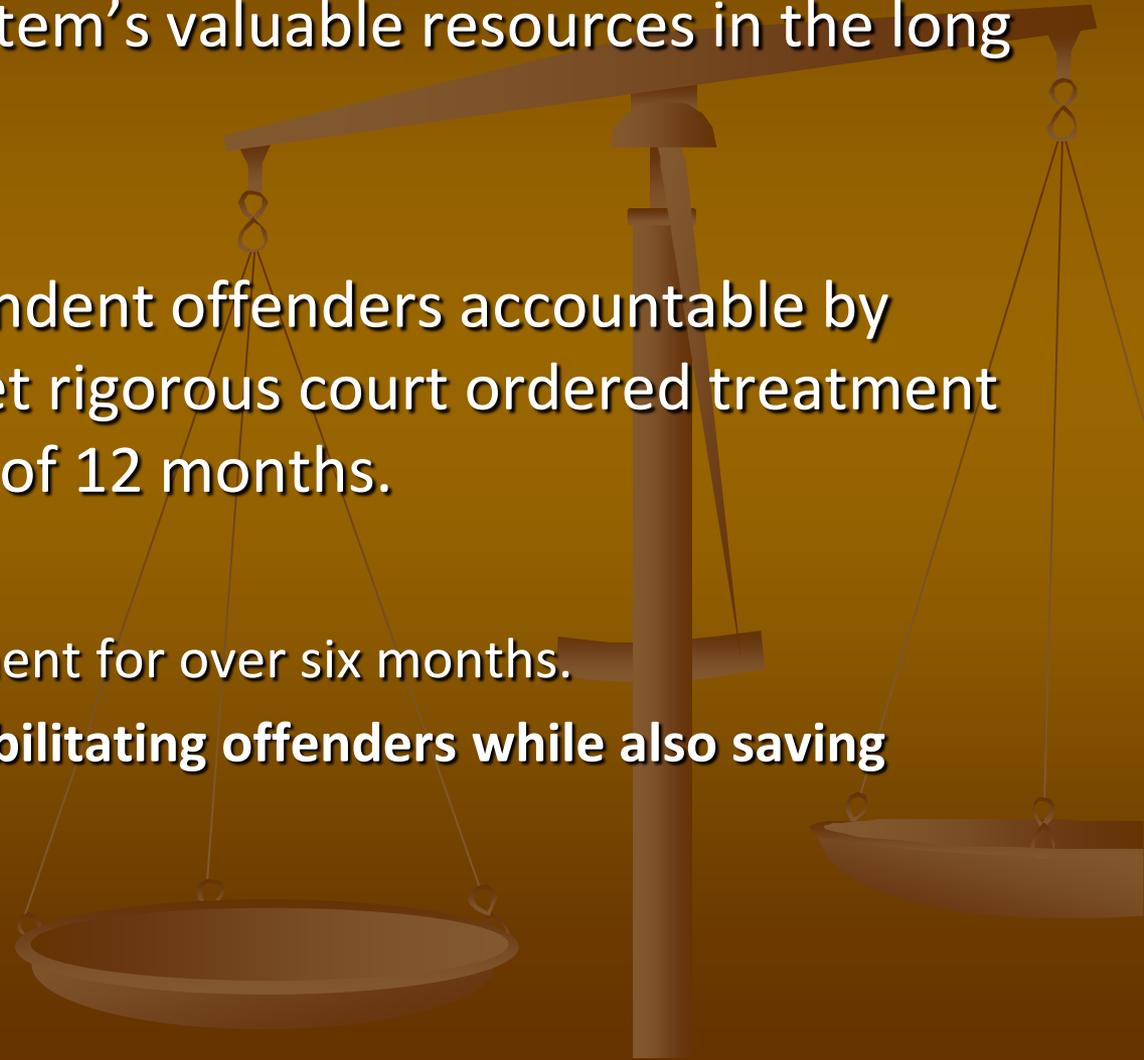
- ❖ Rehabilitate drug and alcohol offenders while also saving our justice and judicial system's valuable resources in the long run.

❖ Method:

- ❖ Hold chemically dependent offenders accountable by requiring them to meet rigorous court ordered treatment plans for a MINIMUM of 12 months.

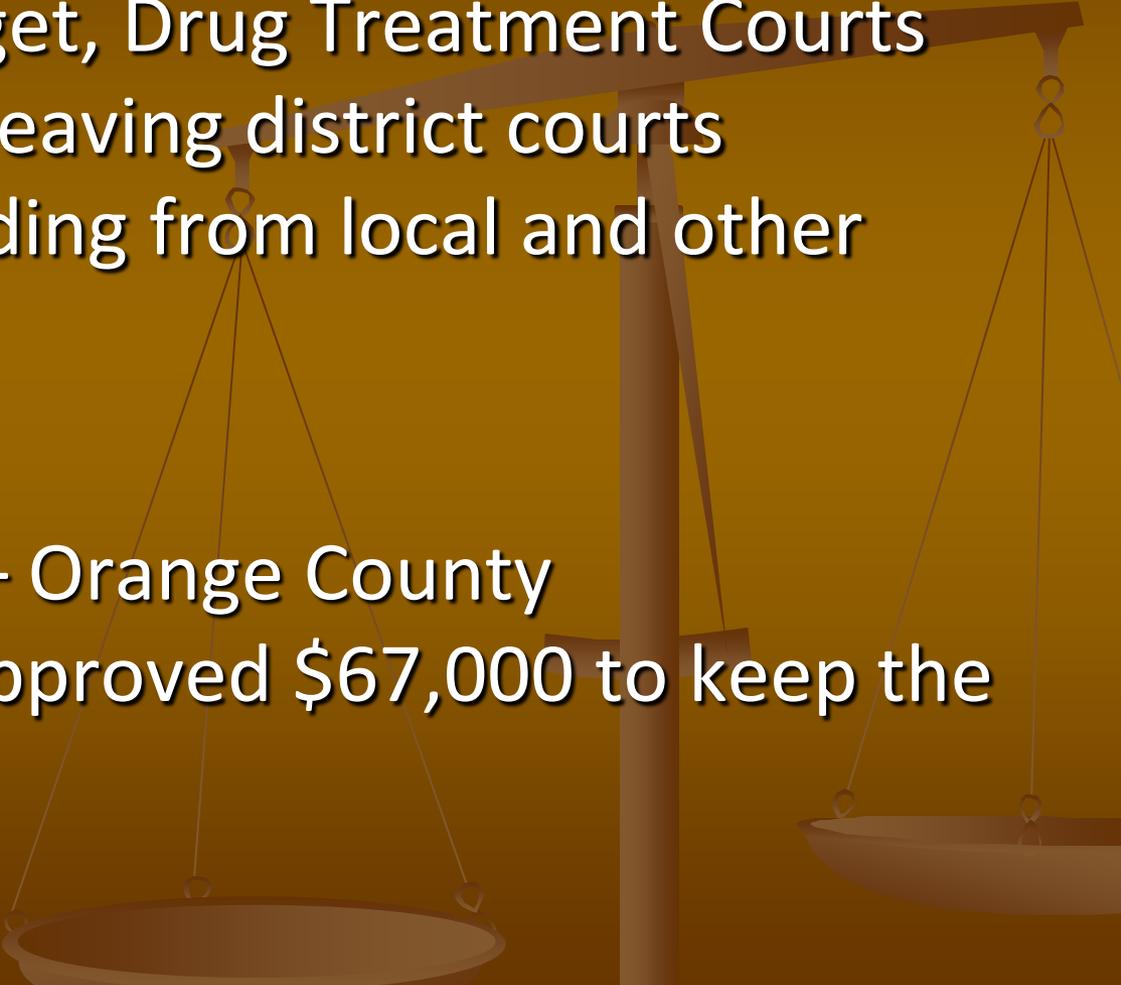
❖ Results:

- ❖ Over 2/3 remain in treatment for over six months.
- ❖ **Overall: Effective in rehabilitating offenders while also saving resources.**



Problem:

Drug Treatment Court's State Funding Cut

- ❖ In the state budget, Drug Treatment Courts were eliminated leaving district courts searching for funding from local and other sources.
 - ❖ For FY 2011/12 – Orange County Commissioners approved \$67,000 to keep the court operational
 - ❖ In 2011 DTC served 61 offenders and
- 

DTC Cost Savings

- An example of cost savings: From July to September 2011, we had 5 graduates with suspended sentences totaling over 7 years in prison, however, they served a combined 12 days jail while in DTC, totaling \$763.80 (12 days jail* 63.65). This county and the state did not have to pay for approximately 2543 days of jail/prison, or approximately \$161,862.

Community Resource Court

❖ Goal of Community Resource Court:

- ❖ Collaboration between mental health and judicial professionals to provide support for offenders suffering from diagnosed mental health conditions.

❖ Method:

- ❖ Require these offenders to complete CRC court, as a way to keep them out of trouble, rehabilitate them, provide support, and eventually have their charges dropped.

❖ Results :

- ❖ Around 50 participants per year/Orange Co. only – (54 in 2010)
- ❖ Graduation rate has averaged 50% over the last 10 years.
- ❖ Local studies show recidivism is slowed after CRC involvement.

What is Community Resource Court? (CRC)

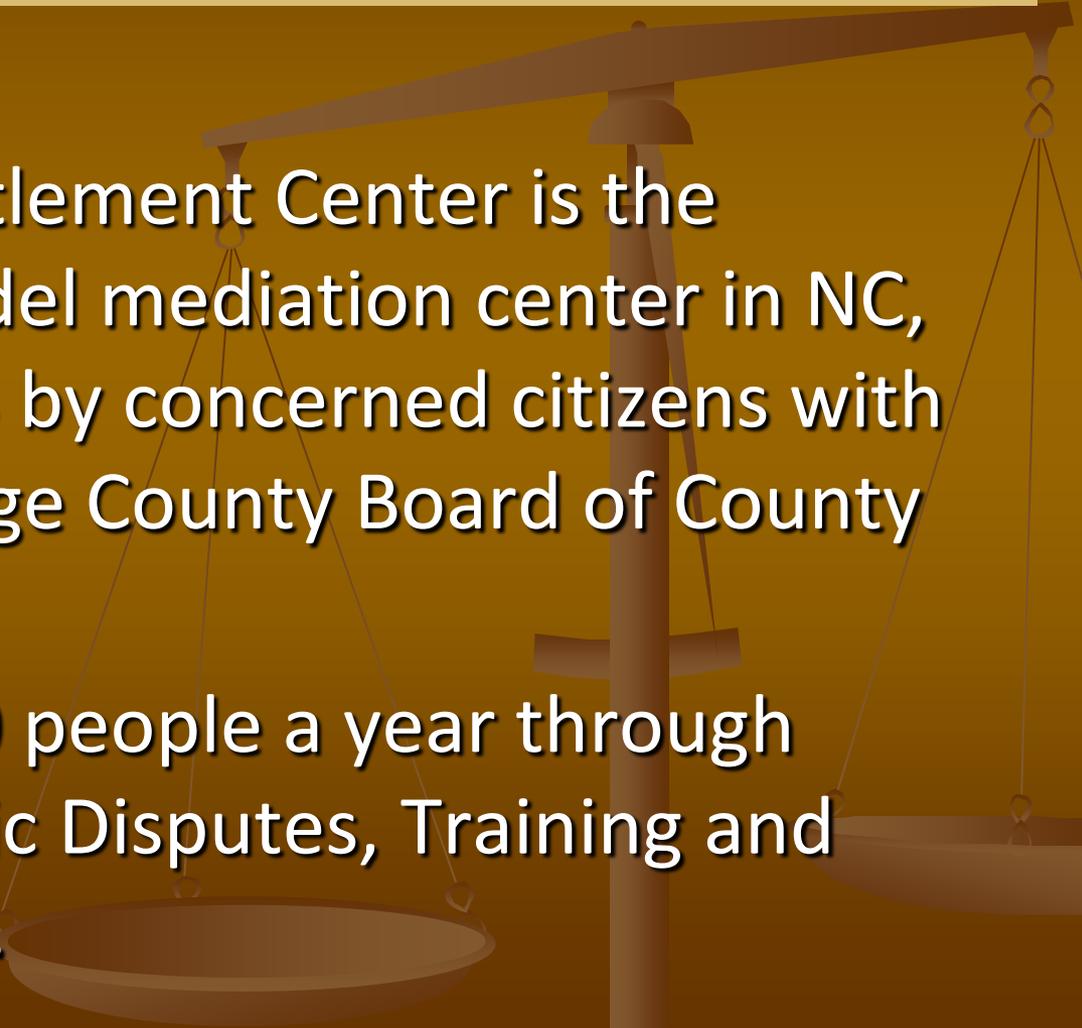
CRC was created to address the treatment needs of people with mental health issues who became involved with the criminal courts.

- Links offenders with services and supports that help them to better manage their mental illness.
- Also called “Mental Health Court” because it helps people address their mental health needs as well as helping them to be law abiding residents.
- Funding is \$189,000 per year which comes from DHHS and covers the salary and expenses of the program manager and care coordinator-covers both Orange and Chatham Counties
- Currently there are no funds that cover court administrator, judges, or attorneys time.
- **The total number served since 2000 in Orange County: 780**

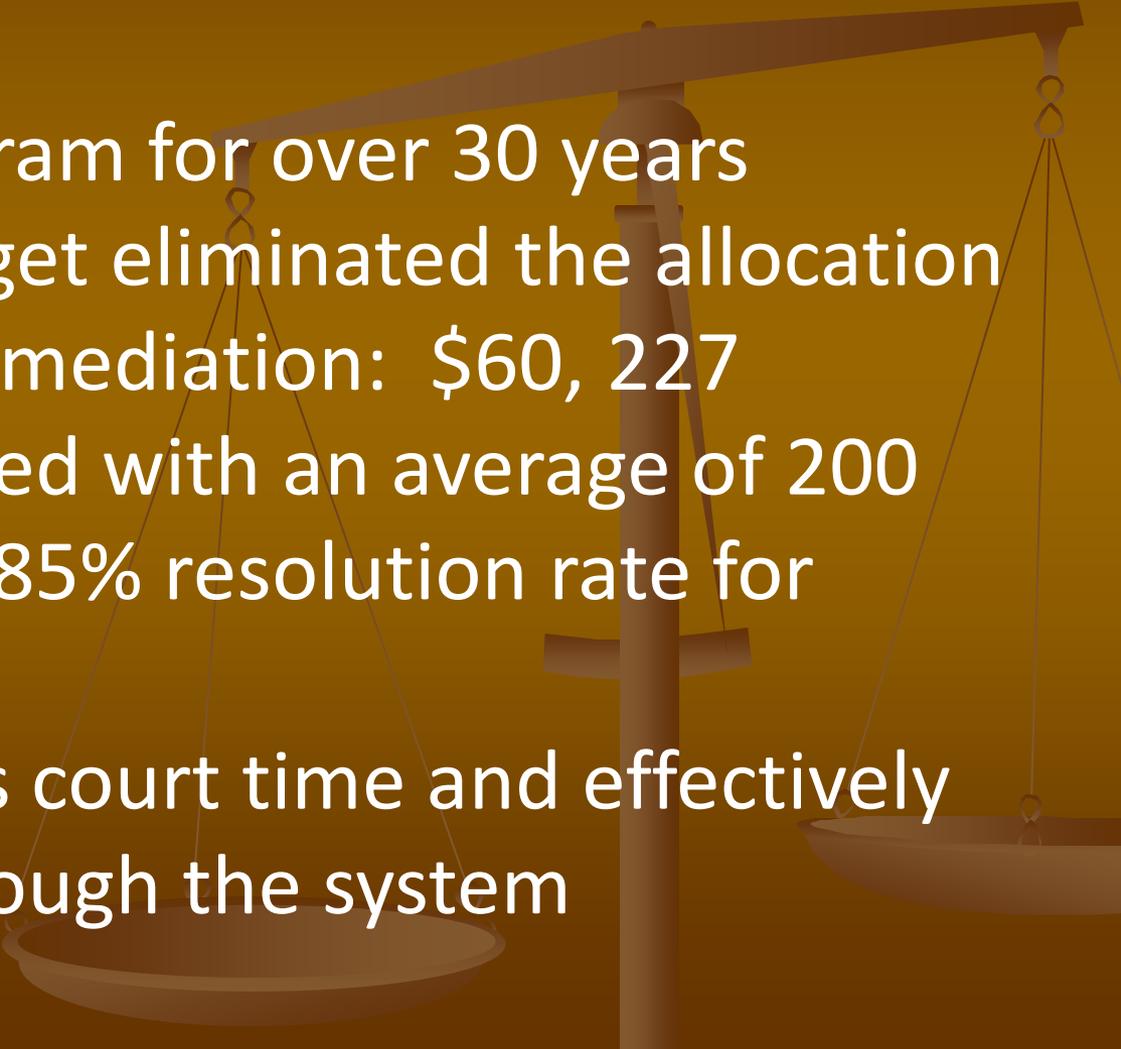
Dispute Settlement Center

13

Mission: "to promote and bring about the peaceful settlement of disputes and prevent the escalation of conflict through mediation, facilitation, conciliation and training."

- ❖ The Dispute Settlement Center is the original and model mediation center in NC, founded in 1978 by concerned citizens with support of Orange County Board of County Commissioners.
 - ❖ DSC serves 3000 people a year through Mediation, Public Disputes, Training and Youth Programs.
- 

District Court Mediation

- ❖ DSC's core program for over 30 years
 - ❖ FY 12 state budget eliminated the allocation to DSC for court mediation: \$60, 227
 - ❖ Mediators worked with an average of 200 cases/year with 85% resolution rate for mediated cases
 - ❖ Mediation saves court time and effectively moves cases through the system
- 

SCOPE OF SERVICES

Major Tasks

The tasks that follow are those proposed as necessary to conduct a study and subsequent assessment of that current alternative to incarceration programs operating in Orange County in order to assess, among other things, the impact each has or may have on the inmate population of the Orange County Jail.

These programs include:

1. Pretrial Release
2. Pretrial Diversion
3. Drug Court
4. Family Court
5. Adult Probation [NCDOC Division of Community Corrections]

PHASE I-ASSESSMENT PROCESS

Task 1. Meet with program administrators and designated staff members to:

- Understand program history, organization, purpose & objectives
- Identify the processes of program referral, criteria for acceptance, and participation requirements
- Collect available statistics, program data, annual reports, etc. to ascertain levels of participation and outcomes

Task 2. Meet with designated County Courts, Criminal Justice, and related Human Services System officials to discuss the referenced programs to identify and/or determine: [See list of suggested interviewees below]

- Individual (and/or agency) level of involvement with the program(s); as participant, advisor/advocate, referral resource, etc.
- Are the judges using the programs, which ones, and why?
- Opinions as to program benefits and/or experienced outcomes
- Recommendations for enhancement, expansion, or improvement
- Quantitative data regarding program(s) impact on the County's jail population

Task 3. With regards to the programs surveyed; and based on the meetings conducted and information gathered:

- Provide a narrative description and overview of activities occurring within each program
- Identify and quantify the staffing for each program
- Identify the level of offender participation in each program (pending availability of data) for at least the past three (3) years
- Identify recidivism rates of individuals completing the programs within the past 3-5 years (pending availability of data).
- Provide a summary of the remarks offered by the Court and Justice System officials interviewed
- Identify program costs and current source(s) of funding for at least the past three (3) years
- Identify revenue received by the program via grants, participant payments, etc. (pending availability of data) for at least the past three (3) years
- Identify current and recent year individual program costs per participant

Task 4. Assess & quantify the impact that referenced program participation has had on the County's daily/annual jail inmate population(s) and is anticipated to have on future jail populations:

- Collect and evaluate data regarding the County's daily and annual jail populations for at least the past three (3) years utilizing data provided by the Sheriff's Office;
 - Monthly Jail Population Reports
 - Existing security classification criteria
 - Existing bond schedule(s) and practices
 - Age & gender demographics if/as available
 - Annual budget allocated to Jail operations
- Overlay findings of Tasks 1,2, and 3 with that of Task 4 to determine the net effect and/or impact of the referenced programs on the County's jail population(s) over the past three (3) years
- Assess and compare the costs identified
- Provide summary of study findings and observations and, where appropriate, the basis for any recommendations made

PHASE II-JAIL ALTERNATIVES WORK GROUP**Task 5. Prepare written draft report documenting findings with regards to each program studied for review by the County Manager and/or his designee(s), the contents of which will include those identified in Task 3.**

- Receive and respond to comments offered
- Conduct additional research or study if/as required to address outstanding issues or questions identified
- Include additional information/findings in revised (final) document
- Prepare designated number of printed copies of final report for distribution per County

Task 6. Prepare materials for presentation and be available at such time as designated by the County, to present the study and its findings during (est.) four (4) "Jail Alternatives Work Group" meetings (actual name TBD)

- Basis for number of meetings assumes one (1) two-hour meeting per program studied; [this assumes Adult Probation-Program #5-*would not* require discussion since program requirements are clearly mandated by NC General Statutes or supporting NCAC documentation]
- The consultant's role in these meetings will be to serve as a presenter, participant, and as a general resource to the group with regards to jail alternative programs in general as well as the specific issues and recommendations provided in the study.

Interviewees:

It is anticipated that the Court and Criminal Justice officials to be interviewed per Task #2, in addition to each of the respective Program administrators, would include:

- | | |
|---|---------------------------------------|
| ▪ Senior Resident Superior Court Judge | ▪ Clerk of Court |
| ▪ Chief District Court Judge | ▪ Sheriff |
| ▪ Two (2) additional listed District Court Judges | ▪ Jail Administrator |
| ▪ District Attorney | ▪ Department of Social Services (DSS) |
| ▪ Public Defender | ▪ Mental Health |

Deliverables-General

We will be prepared to begin work upon notice to proceed and will be immediately accessible and available to the County throughout the project. The majority of the work described will be done in Orange County where we in turn, intend to be accessible to all participating County and Criminal Justice System personnel, citizens, and referenced program administrators.

While the specific “results” of the study to be undertaken cannot be quantified at this time, Solutions for Local Government is committed to the effective and timely completion of the tasks required and in providing the County with a thorough assessment of the programs that exist as well as their existing and/or potential impact on the County’s Jail population and associated costs.

Deliverables-Specific

1. Time on site *as required* to participate in necessary meetings and conduct and/or participate in each of the major tasks and described; estimate 8-10 days.
2. Organization of materials for and facilitation of four (4) Jail Alternatives Work Group meetings to present finding with regards to each major program identified and solicit input and comment regarding the services currently provided.
3. Formal presentation of findings and recommendations to the Board of County Commissioners, at such time as determined by the County.
4. Collate, print, bind, and deliver to the County twelve (12) copies of the final report document.
5. A copy of the final report document, together with the Board of County Commissioners presentation materials will also be provided the County in electronic format.

Fees

The costs that make up the proposed fee are based on:

- Man-hours; both on-site and “in-office”, and
- Project related expenses for travel, per diem, communications, materials preparation, and document production.

At this time it is estimated that the tasks and activities necessary to complete this project will require between 120-130 man-hours.

Therefore, based on the stated project requirements and the major tasks and project deliverables identified in the Scope of Services Work Plan Outline provided, our fee, *including* all related project expenses for travel, per diem, document production and printing, are estimated at, and *will not exceed*; \$15,180.00.

Our practice is to bill monthly (typically on or about the 1st) based on the percentage of the work completed during the previous month. Once the fee is agreed upon, we *do not* add service or administrative fees, or any form of miscellaneous overhead charges to our billing at any time during the project.

In addition, we will withhold billing the final 10 percent of our fee until you have received the agreed upon copies of the report document and are satisfied with the work that has been done.

Schedule

Based upon the Scope of Services outline presented here, a schedule of 4-6 weeks is suggested to accomplish The Major Tasks identified in Phase I-The Assessment Process; depending of course on the availability of the program users and principals identified to be interviewed.

The activities identified in Phase II-The Jail Alternatives Work Group would be scheduled to coincide with the group's specified meeting dates and times.

The formal presentation to the Board of County Commissioners would occur at such time as requested by the Manager.

Additional Firm Information

Solutions for Local Government, Inc. is a legal, *Sub-Chapter 'S'* Corporation, authorized and registered with the North Carolina Secretary of State; SOSID: 0624915.

Federal IRS Employer Identification Number: 81-0546253

Our business location is;

2301 Valencia Terrace
Charlotte, NC 28226

Telephone: 704.366.9719
Toll free: 1.866.300.3545

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: May 14, 2013

**Action Agenda
Item No. 3**

SUBJECT: Agricultural Support Enterprises

DEPARTMENT: Planning and Inspections,
Economic Development,
Environmental Health, DEAPR

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

- A. Relevant Excerpts of State Statutes
- B. Agricultural Preservation Board's List of Activities and Uses and Staff Response
- C. Zoning Methods
- D. Future Land Use Map

INFORMATION CONTACT: (919)

Perdita Holtz, Planning, 245-2578
 Noah Ranells, Economic Development,
 245-2330
 Dan Bruce, Building & Inspections, 245-
 2604
 Tom Konsler, Environmental Health, 245-
 2370
 Peter Sandbeck, DEAPR, 245-2517
 Michael Harvey, Planning, 245-2597
 Craig Benedict, Planning, 245-2592

PURPOSE: To receive information about the Agricultural Support Enterprises project and give staff direction on various aspects of the project.

BACKGROUND: The Agricultural Support Enterprises (ASE) project has been in development since 2001 and has been known by other names ("Rural Enterprises" and "Agricultural Services") in the past. The lead departments on this project historically have been Economic Development and the former ERCD (Environment & Resource Conservation Department), which is now DEAPR (Department of Environment, Agriculture, Parks and Recreation), in conjunction with the County Attorney. However, a wider scope of collaboration to more fully include the Planning and Inspections Department has more recently been initiated to elaborate on the broader issue of rural uses from exempt to regulated. The project has been on several Board of County Commissioners (BOCC) agendas through the years and the following meeting materials can be reviewed for additional context:

February 23, 2004 <http://orangecountync.gov/OCCLERKS/0402231.pdf>
 March 29, 2004 <http://orangecountync.gov/OCCLERKS/040329.htm> (JPA Information Item)
 February 28, 2005 <http://orangecountync.gov/OCCLERKS/050228c1.pdf>
 May 23, 2005 <http://orangecountync.gov/OCCLERKS/050523d1.pdf>
 May 22, 2006 <http://orangecountync.gov/OCCLERKS/060522d2.pdf>
 May 21, 2007 <http://orangecountync.gov/OCCLERKS/070521d1.pdf>
 June 12, 2007 <http://orangecountync.gov/OCCLERKS/0706124ii.pdf>
 August 27, 2007 <http://orangecountync.gov/OCCLERKS/070827d1.pdf>

Meeting minutes for these meetings can be found by referencing the appropriate folder at: <http://server3.co.orange.nc.us:8088/weblink8/Browse.aspx?startid=3&dbid=0>

Ultimately, the project was put on hold in early 2009 as the County Attorney at the time determined the conditional zoning concept upon which ASE was predicated should wait to be incorporated into the County's ordinances as part of the Unified Development Ordinance (UDO) process that was anticipated to occur.

In recent years, the North Carolina General Assembly further defined the types of uses that constitute "agriculture". (Relevant sections of State Statutes can be found in Attachment A). The result of these changes is that several types of land uses that may have formerly required zoning approval are now exempt from zoning regulations because they are considered bona fide farming activities. (See footnote for chart in Attachment B which explains the relevance of exemption from zoning regulations). Additionally, equine-related buildings are largely exempt from building code regulations, regardless of whether members of the public routinely enter the buildings.

The County adopted a UDO in 2011 and the UDO includes conditional districts as a type of zoning method. The new format of the UDO, coupled with the changes in State legislation, means that much of the previous work done on ASE will have to be re-done/reformatted to fit into the UDO format and some of the uses that were part of former ASE work are now considered exempt from zoning regulations due to the bona fide farm exemptions.

In the Fall of 2012, the Agricultural Preservation Board provided a list of uses it would like to see clarified as part of the ASE process (see Attachment B). Staff has produced a chart (part of the same Attachment) which responds to the list. The chart shows that, although certain uses are exempt from zoning regulations, other aspects of regulations (environmental health [well, septic, food service] and building codes) still apply in certain situations. Environmental health and building codes, intended to protect the public's health and safety, are adopted at the State level and local governments have very little, or no, authority to modify them.

Agricultural Support Enterprises Manual

The need to publish a manual for lay-persons has been at the forefront of the ASE project for many years. A somewhat complete draft manual was prepared but will need to be heavily edited, if not completely re-written, due to the changes in State statutes and the County's 'new' UDO. A user-friendly manual will continue to be a part of the ASE project.

It should also be noted that the County's existing development process includes pre-development meetings whereby applicants meet with various County staff to learn more about the regulatory requirements of the project they are proposing. Residents and developers have never been required to navigate through the various regulations on their own.

Purpose of Work Session Item

Staff plans to make a presentation to the BOCC on relevant aspects of the ASE project and receive input/direction on the following:

1. Verification that the BOCC wants staff to work on a comprehensive ASE project (as opposed to addressing fewer land uses types). (See pages 3 through 16 of the June 12, 2007 meeting materials for an example of a comprehensive list of land uses: <http://orangecountync.gov/OCCLERKS/0706124ii.pdf>)

2. Input as to whether staff should pursue coordinating ASE with the County's joint planning agreement partners (Chapel Hill and Carrboro) to potentially have ASE apply in the Rural Buffer. (Note: Farms located in the Rural Buffer can engage in bona fide farming activities pursuant to State statutes). Two points in regards to this issue:
 - a. The "Agricultural" land use category was one of the categories 'collapsed' into the "Rural Buffer" when the Joint Planning Land Use Plan was written. (see page 60-a of the plan:
<http://orangecountync.gov/planning/documents/JPALUPDocument.pdf>)
 - b. A memo written by former County Manager Laura Blackmon on June 12, 2007 was sent to the Towns and is still valid (see pages 19-21 of June 12, 2007 meeting materials for this memo):
<http://orangecountync.gov/OCCLERKS/0706124ii.pdf>)
3. Input as to whether there are certain Land Use categories, as depicted on the Future Land Use Map (see Attachment D), where ASE uses should not be encouraged, e.g., possible categories the County may not wish to encourage agricultural uses may include: Economic Development Transition Activity Node, Commercial-Industrial Transition Activity Node, and Commercial Transition Activity Node.
4. Direction as to the type of zoning method to be brought forward (see Attachment C).
 - a. Note that this decision will depend on the level of decision making authority the BOCC believes it should retain for ASE.
 - b. Zoning Methods could be a combination of types. For example:
 - i. An overlay district with standards and staff approval could be used for lower impact uses while a different zoning method, such as a new conditional zoning district, could be used for higher impact uses.
 - ii. As part of this decision on how to move forward, if the BOCC believes a Special Use Permit (Class A or B) should be required for some types of uses, staff will need to know this as conditional zoning districts have not been set up to require an SUP.
 - iii. In cases where the BOCC would like to both impose conditions and require a SUP, the Conditional Use zoning method should be pursued.
 - iv. BOCC members may wish to review the following sections of the UDO to re-familiarize themselves with approval processes:
 1. Section 2.4 (Zoning Compliance Permits) [relevant if overlay districts are used]
 2. Section 2.7 (Special Use Permits)
 3. Section 2.9 (Conditional Districts) [there are two types of conditional districts: Conditional Use and Conditional Zoning Districts]
5. The February 2013 BOCC retreat noted that some rural activities go beyond just agricultural support to include reinvigorating rural activity nodes and rural home occupations. Does the BOCC want staff to also work on these ideas as either part of this effort or, likely more appropriately, as a separate, parallel effort?
6. Other issues BOCC members may wish to address as part of ASE.

FINANCIAL IMPACT: Existing Staff has accomplished the work completed thus far on this project. It is anticipated that existing staff will be able to complete the necessary work required for this project.

RECOMMENDATION(S): The Manager recommends the Board receive staff's presentation at the work session and provide the input/direction requested above.

Article 52.
Agricultural Development.

§ 106-580. Short title.

This Article may be cited as the "Agricultural Development Act." (1959, c. 1177, s. 1.)

§ 106-581. Intent and purpose.

It is hereby declared to be the intent and purpose of this Article to provide for a plan of assistance to the farmers and other citizens of this State in increasing agricultural income by making available to the various counties of the State the full resources of the Agricultural Extension Service, and other facilities, within the said counties, by means of the Farm and Home Development Program and the Rural Development Program as authorized by Title 7, United States Code, and other existing agricultural agencies. (1959, c. 1177, s. 2.)

§ 106-581.1. Agriculture defined.

For purposes of this Article, the terms "agriculture", "agricultural", and "farming" refer to all of the following:

- (1) The cultivation of soil for production and harvesting of crops, including but not limited to fruits, vegetables, sod, flowers and ornamental plants.
- (2) The planting and production of trees and timber.
- (3) Dairying and the raising, management, care, and training of livestock, including horses, bees, poultry, and other animals for individual and public use, consumption, and marketing.
- (4) Aquaculture as defined in G.S. 106-758.
- (5) The operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation.
- (6) When performed on the farm, "agriculture", "agricultural", and "farming" also include the marketing and selling of agricultural products, agritourism, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops, livestock, and agricultural items produced on the farm, and similar activities incident to the operation of a farm. (1991, c. 81, s. 1; 2005-390, s. 18; 2006-255, s. 6.)

§ 106-582. Counties authorized to utilize facilities to promote programs.

The several counties of this State are hereby authorized to utilize the facilities of existing extension and other agricultural advisory committees for the purpose of installing and promoting the Farm and Home Development Program and/or the Rural Development Program, or other program within the purview of this Article, in the said counties; or, the several counties may, within their discretion, with the cooperation of the Agricultural Extension Service, create such new additional committees as may be needed for this purpose. (1959, c. 1177, s. 3.)

§ 106-583. Policy of State; cooperation of departments and agencies with Agricultural Extension Service.

It is declared to be the policy of the State of North Carolina to promote the efficient production and utilization of the products of the soil as essential to the health and welfare of our people and to promote a sound and prosperous agriculture and rural life as indispensable to the maintenance of maximum prosperity. For the attainment of these objectives the North Carolina Department of Agriculture and Consumer Services, the School of Agriculture of North Carolina College and each and every other department and agency of the State of North Carolina is hereby empowered to cooperate with the Agricultural Extension Service and the committees authorized by this Article to provide: Development of new and improved methods of production, marketing, distribution, processing and utilization of plant and animal commodities at all stages from the original producer through to the ultimate consumer;

development of present, new, and extended uses and markets for agricultural commodities and by-products as food or in commerce, manufacture or trade; introduction and breeding of new and useful agricultural crops, plants and animals, particularly those plants and crops which may be adapted to utilization in chemical and manufacturing industries; research, counsel and advice on new and more profitable uses of our resources of agricultural manpower, soils, plants, animals and equipment than those to which they are now devoted; methods of conservation, development, and use of land, forest, and water resources for agricultural purposes; guidance in the design, development, and more efficient and satisfactory use of farm buildings, farm homes, farm machinery, including the application of electricity, water and other forms of power; techniques relating to the diversification of farm enterprises, both as to the type of commodities produced, and as to the types of operations performed, on the individual farm; and assistance in appraising opportunities for making fuller use of the natural, human and community resources in the various counties of this State to the end that the income and level of living of rural people be increased. (1959, c. 1177, s. 4; 1997-261, s. 109; 1997-443, s. 11A.118(a).)

§ 106-584. Maximum use of existing research facilities.

In effectuating the purposes of this Article, maximum use may be made of existing research facilities owned or controlled by the State of North Carolina or by the federal government and of the facilities of the State and federal extension services. (1959, c. 1177, s. 5.)

§ 106-585. Appropriations by counties; funds made available by Congress.

The several counties of this State are hereby authorized to make such appropriations and expend such funds as shall be necessary to defray any part of the expenses of the programs authorized by this Article, including the salaries of the extension agents, special agents and other necessary personnel, and any funds made available by the Congress of the United States for this purpose may be accepted and used therefor. (1959, c. 1177, s. 6.)

§ 106-586. Authority granted by Article supplementary.

The authority granted by this Article is in addition to that granted to the Extension Service by the Congress of the United States and in no way infringes upon the administrative authority of the director of the Extension Service or the existing policies of the Extension Service. (1959, c. 1177, s. 7.)

§ 106-587. Local appropriations.

Each county and city in this State is authorized to make appropriations for the purposes of this Article and to fund them by levy of property taxes pursuant to G.S. 153A-149 and G.S. 160A-209 and by the allocation of other revenues whose use is not otherwise restricted by law. (1959, c. 1177, s. 8; 1973, c. 803, s. 10.)

§§ 106-588 through 106-600. Reserved for future codification purposes.

Part 3. Zoning.

§ 153A-340. Grant of power.

(a) For the purpose of promoting health, safety, morals, or the general welfare, a county may adopt zoning and development regulation ordinances. These ordinances may be adopted as part of a unified development ordinance or as a separate ordinance. A zoning ordinance may regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes. The ordinance may provide density credits or severable development rights for dedicated rights-of-way pursuant to G.S. 136-66.10 or G.S. 136-66.11.

(b) (1) These regulations may affect property used for bona fide farm purposes only as provided in subdivision (3) of this subsection. This subsection does not limit regulation under this Part with respect to the use of farm property for nonfarm purposes.

(2) Except as provided in G.S. 106-743.4 for farms that are subject to a conservation agreement under G.S. 106-743.2, bona fide farm purposes include the production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture as defined in G.S. 106-581.1. For purposes of this subdivision, the production of a nonfarm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm subject to a conservation agreement under G.S. 106-743.2 is a bona fide farm purpose. For purposes of determining whether a property is being used for bona fide farm purposes, any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:

- a. A farm sales tax exemption certificate issued by the Department of Revenue.
- b. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to G.S. 105-277.3.
- c. A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- d. A forest management plan.
- e. A Farm Identification Number issued by the United States Department of Agriculture Farm Service Agency.

(3) The definitions set out in G.S. 106-802 apply to this subdivision. A county may adopt zoning regulations governing swine farms served by animal waste management systems having a design capacity of 600,000 pounds steady state live weight (SSLW) or greater provided that the zoning regulations may not have the effect of excluding swine farms served by an animal waste management system having a design capacity of 600,000 pounds SSLW or greater from the entire zoning jurisdiction.

(c) The regulations may provide that a board of adjustment may determine and vary their application in harmony with their general purpose and intent and in accordance with general or specific rules therein contained, provided no change in permitted uses may be authorized by variance.

(c1) The regulations may also provide that the board of adjustment, the planning board, or the board of commissioners may issue special use permits or conditional use permits in the classes of cases or situations and in accordance with the principles, conditions, safeguards, and procedures specified therein and may impose reasonable and appropriate conditions and safeguards upon these permits. Where appropriate, the conditions may include requirements that street and utility rights-of-way be dedicated to the public and that recreational space be provided. When deciding special use permits or conditional use permits, the board of county commissioners or planning board shall follow quasi-judicial

procedures. No vote greater than a majority vote shall be required for the board of county commissioners or planning board to issue such permits. For the purposes of this section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the board" for calculation of the requisite majority. Every such decision of the board of county commissioners or planning board shall be subject to review of the superior court in the nature of certiorari consistent with G.S. 153A-345.

(d) A county may regulate the development over estuarine waters and over lands covered by navigable waters owned by the State pursuant to G.S. 146-12, within the bounds of that county.

(e) For the purpose of this section, the term "structures" shall include floating homes.

(f) Repealed by Session Laws 2005-426, s. 5(b), effective January 1, 2006.

(g) A member of the board of county commissioners shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. Members of appointed boards providing advice to the board of county commissioners shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

(h) As provided in this subsection, counties may adopt temporary moratoria on any county development approval required by law, except for the purpose of developing and adopting new or amended plans or ordinances as to residential uses. The duration of any moratorium shall be reasonable in light of the specific conditions that warrant imposition of the moratorium and may not exceed the period of time necessary to correct, modify, or resolve such conditions. Except in cases of imminent and substantial threat to public health or safety, before adopting an ordinance imposing a development moratorium with a duration of 60 days or any shorter period, the board of commissioners shall hold a public hearing and shall publish a notice of the hearing in a newspaper having general circulation in the area not less than seven days before the date set for the hearing. A development moratorium with a duration of 61 days or longer, and any extension of a moratorium so that the total duration is 61 days or longer, is subject to the notice and hearing requirements of G.S. 153A-323. Absent an imminent threat to public health or safety, a development moratorium adopted pursuant to this section shall not apply to any project for which a valid building permit issued pursuant to G.S. 153A-357 is outstanding, to any project for which a conditional use permit application or special use permit application has been accepted, to development set forth in a site-specific or phased development plan approved pursuant to G.S. 153A-344.1, to development for which substantial expenditures have already been made in good faith reliance on a prior valid administrative or quasi-judicial permit or approval, or to preliminary or final subdivision plats that have been accepted for review by the county prior to the call for public hearing to adopt the moratorium. Any preliminary subdivision plat accepted for review by the county prior to the call for public hearing, if subsequently approved, shall be allowed to proceed to final plat approval without being subject to the moratorium.

Any ordinance establishing a development moratorium must expressly include at the time of adoption each of the following:

- (1) A clear statement of the problems or conditions necessitating the moratorium and what courses of action, alternative to a moratorium, were considered by the county and why those alternative courses of action were not deemed adequate.
- (2) A clear statement of the development approvals subject to the moratorium and how a moratorium on those approvals will address the problems or conditions leading to imposition of the moratorium.

- (3) An express date for termination of the moratorium and a statement setting forth why that duration is reasonably necessary to address the problems or conditions leading to imposition of the moratorium.
- (4) A clear statement of the actions, and the schedule for those actions, proposed to be taken by the county during the duration of the moratorium to address the problems or conditions leading to imposition of the moratorium.

No moratorium may be subsequently renewed or extended for any additional period unless the city shall have taken all reasonable and feasible steps proposed to be taken by the county in its ordinance establishing the moratorium to address the problems or conditions leading to imposition of the moratorium and unless new facts and conditions warrant an extension. Any ordinance renewing or extending a development moratorium must expressly include, at the time of adoption, the findings set forth in subdivisions (1) through (4) of this subsection, including what new facts or conditions warrant the extension.

Any person aggrieved by the imposition of a moratorium on development approvals required by law may apply to the appropriate division of the General Court of Justice for an order enjoining the enforcement of the moratorium, and the court shall have jurisdiction to issue that order. Actions brought pursuant to this section shall be set down for immediate hearing, and subsequent proceedings in those actions shall be accorded priority by the trial and appellate courts. In any such action, the county shall have the burden of showing compliance with the procedural requirements of this subsection.

(i) In order to encourage construction that uses sustainable design principles and to improve energy efficiency in buildings, a county may charge reduced building permit fees or provide partial rebates of building permit fees for buildings that are constructed or renovated using design principles that conform to or exceed one or more of the following certifications or ratings:

- (1) Leadership in Energy and Environmental Design (LEED) certification or higher rating under certification standards adopted by the U.S. Green Building Council.
- (2) A One Globe or higher rating under the Green Globes program standards adopted by the Green Building Initiative.
- (3) A certification or rating by another nationally recognized certification or rating system that is equivalent or greater than those listed in subdivisions (1) and (2) of this subsection.

(j) An ordinance adopted pursuant to this section shall not prohibit single-family detached residential uses constructed in accordance with the North Carolina State Building Code on lots greater than 10 acres in size in zoning districts where more than fifty percent (50%) of the land is in use for agricultural or silvicultural purposes, except that this restriction shall not apply to commercial or industrial districts where a broad variety of commercial or industrial uses are permissible. An ordinance adopted pursuant to this section shall not require that a lot greater than 10 acres in size have frontage on a public road or county-approved private road, or be served by public water or sewer lines, in order to be developed for single-family residential purposes. (1959, c. 1006, s. 1; 1967, c. 1208, s. 4; 1973, c. 822, s. 1; 1981, c. 891, s. 6; 1983, c. 441; 1985, c. 442, s. 2; 1987, c. 747, s. 12; 1991, c. 69, s. 1; 1997-458, s. 2.1; 2005-390, s. 6; 2005-426, s. 5(b); 2006-259, s. 26(a); 2007-381, s. 1; 2011-286, s. 1; 2011-363, s. 1; 2011-384, s. 5.)

Part 3. Enhanced Voluntary Agricultural Districts.

§ 106-743.1. Enhanced voluntary agricultural districts.

(a) A county or a municipality may adopt an ordinance establishing an enhanced voluntary agricultural district. An ordinance adopted pursuant to this Part shall provide:

- (1) For the establishment of an enhanced voluntary agricultural district that initially consists of at least the number of contiguous acres of agricultural land, and forestland and horticultural land that is part of a qualifying farm under G.S. 106-737 or the number of qualifying farms deemed appropriate by the governing board of the county or city adopting the ordinance.
- (2) For the formation of the enhanced voluntary agricultural district upon the execution of a conservation agreement, as defined in G.S. 121-35, that meets the condition set forth in G.S. 106-743.2 by the landowners of the requisite acreage to sustain agriculture in the enhanced voluntary agricultural district.
- (3) That the form of the agreement under subdivision (2) of this subsection be reviewed and approved by an agricultural advisory board established under G.S. 106-739, or other governing board of the county or city that adopted the ordinance.
- (4) That each enhanced voluntary agricultural district have a representative on the agricultural advisory board established under G.S. 106-739.

(b) The purpose of establishing an enhanced voluntary agricultural district is to allow a county or a city to provide additional benefits to farmland beyond that available in a voluntary agricultural district established under Part 2 of this Article, when the owner of the farmland agrees to the condition imposed under G.S. 106-743.2. The county or city that adopted the ordinance may take any action it deems appropriate to encourage the formation of these districts and to further their purposes and objectives.

(c) A county ordinance adopted pursuant to this Part is effective within the unincorporated areas of the county. A city ordinance adopted pursuant to this Part is effective within the corporate limits of the city. A city may amend its ordinances in accordance with G.S. 160A-383.2 with regard to agricultural districts within its planning jurisdiction.

(d) A county or city ordinance adopted pursuant to this Part may be adopted simultaneously with the creation of a voluntary agricultural district pursuant to G.S. 106-738. (2005-390, s. 5.)

§ 106-743.2. Conservation agreements for farmland in enhanced voluntary agricultural districts; limitation.

A conservation agreement entered into between a county or city and a landowner pursuant to G.S. 106-743.1(a)(2) shall be irrevocable for a period of at least 10 years from the date the agreement is executed. At the end of its term, a conservation agreement shall automatically renew for a term of three years, unless notice of termination is given in a timely manner by either party as prescribed in the ordinance establishing the enhanced voluntary agricultural district. The benefits set forth in this Part shall be available to the farmland that is the subject of the conservation agreement for the duration of the conservation agreement. (2005-390, s. 5.)

§ 106-743.3. Enhanced voluntary agricultural districts entitled to all benefits of voluntary agricultural districts.

The provisions of G.S. 106-739 through G.S. 106-741 and G.S. 106-743 apply to an enhanced voluntary agricultural district under this Part, to an ordinance adopted under this Part, and to any person, entity, or farmland subject to this Part in the same manner as they apply under Part 2 of this Article. (2005-390, s. 5.)

§ 106-743.4. Enhanced voluntary agricultural districts; additional benefits.

(a) Property that is subject to a conservation agreement under G.S. 106-743.2 that remains in effect may receive up to twenty-five percent (25%) of its gross sales from the sale of nonfarm products and still

qualify as a bona fide farm that is exempt from zoning regulations under G.S. 153A-340(b). For purposes of G.S. 153A-340(b), the production of any nonfarm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm that is subject to a conservation agreement under G.S. 106-743.2 is a bona fide farm purpose. A farmer seeking to benefit from this subsection shall have the burden of establishing that the property's sale of nonfarm products did not exceed twenty-five percent (25%) of its gross sales. A county may adopt an ordinance pursuant to this section that sets forth the standards necessary for proof of compliance.

Nothing in this section shall affect the county's authority to zone swine farms pursuant to G.S. 153A-340(b)(3).

(b) A person who farms land that is subject to a conservation agreement under G.S. 106-743.2 that remains in effect is eligible under G.S. 106-850(b) to receive the higher percentage of cost-share funds for the benefit of that farmland under the Agriculture Cost Share Program established pursuant to Article 72 of this Chapter for funds to benefit that farmland.

(c) State departments, institutions, or agencies that award grants to farmers are encouraged to give priority consideration to any person who farms land that is subject to a conservation agreement under G.S. 106-743.2 that remains in effect. (2005-390, s. 5; 2011-145, s. 13.22A(cc).)

§ 106-743.5. Waiver of utility assessments.

(a) In the ordinance establishing an enhanced voluntary agricultural district under this Part, a county or a city may provide that all assessments for utilities provided by that county or city are held in abeyance, with or without interest, for farmland subject to a conservation agreement under G.S. 106-743.2 that remains in effect until improvements on the farmland property are connected to the utility for which the assessment was made.

(b) The ordinance may provide that, when the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.

(c) Statutes of limitations are suspended during the time that any assessment is held in abeyance under this section without interest.

(d) If an ordinance is adopted by a county or a city under this section, then the assessment procedures followed under Article 9 of Chapter 153A or Article 10 of Chapter 160A of the General Statutes, respectively, shall conform to the terms of this ordinance with respect to qualifying farms that entered into conservation agreements while such ordinance was in effect.

(e) Nothing in this section is intended to diminish the authority of counties or cities to hold assessments in abeyance under G.S. 153A-201 and G.S. 160A-237. (2005-390, s. 5.)

§ 143-138. North Carolina State Building Code.

(b) Contents of the Code. – The North Carolina State Building Code, as adopted by the Building Code Council, may include reasonable and suitable classifications of buildings and structures, both as to use and occupancy; general building restrictions as to location, height, and floor areas; rules for the lighting and ventilation of buildings and structures; requirements concerning means of egress from buildings and structures; requirements concerning means of ingress in buildings and structures; rules governing construction and precautions to be taken during construction; rules as to permissible materials, loads, and stresses; rules governing chimneys, heating appliances, elevators, and other facilities connected with the buildings and structures; rules governing plumbing, heating, air conditioning for the purpose of comfort cooling by the lowering of temperature, and electrical systems; and such other reasonable rules pertaining to the construction of buildings and structures and the installation of particular facilities therein as may be found reasonably necessary for the protection of the occupants of the building or structure, its neighbors, and members of the public at large.

(b1) The Code may regulate activities and conditions in buildings, structures, and premises that pose dangers of fire, explosion, or related hazards. Such fire prevention code provisions shall be considered the minimum standards necessary to preserve and protect public health and safety, subject to approval by the Council of more stringent provisions proposed by a municipality or county as provided in G.S. 143-138(e). These provisions may include regulations requiring the installation of either battery-operated or electrical smoke detectors in every dwelling unit used as rental property, regardless of the date of construction of the rental property. For dwelling units used as rental property constructed prior to 1975, smoke detectors shall have an Underwriters' Laboratories, Inc., listing or other equivalent national testing laboratory approval, and shall be installed in accordance with either the standard of the National Fire Protection Association or the minimum protection designated in the manufacturer's instructions, which the property owner shall retain or provide as proof of compliance.

(b2) The Code may contain provisions requiring the installation of either battery-operated or electrical carbon monoxide detectors in every dwelling unit having a fossil-fuel burning heater, appliance, or fireplace, and in any dwelling unit having an attached garage. Carbon monoxide detectors shall be those listed by a nationally recognized testing laboratory that is OSHA-approved to test and certify to American National Standards Institute/Underwriters Laboratories Standards ANSI/UL2034 or ANSI/UL2075 and shall be installed in accordance with either the standard of the National Fire Protection Association or the minimum protection designated in the manufacturer's instructions, which the property owner shall retain or provide as proof of compliance. A carbon monoxide detector may be combined with smoke detectors if the combined detector does both of the following: (i) complies with ANSI/UL2034 or ANSI/UL2075 for carbon monoxide alarms and ANSI/UL217 for smoke detectors; and (ii) emits an alarm in a manner that clearly differentiates between detecting the presence of carbon monoxide and the presence of smoke.

(b3) Except as provided by subsection (c1) of this section, the Code may contain provisions regulating every type of building or structure, wherever it might be situated in the State.

(b4) Building rules do not apply to (i) farm buildings that are located outside the building-rules jurisdiction of any municipality, or (ii) farm buildings that are located inside the

building-rules jurisdiction of any municipality if the farm buildings are greenhouses. For the purposes of this subsection:

- (1) A "farm building" shall include any structure used or associated with equine activities, including, but not limited to, the care, management, boarding, or training of horses and the instruction and training of riders. Structures that are associated with equine activities include, but are not limited to, free standing or attached sheds, barns, or other structures that are utilized to store any equipment, tools, commodities, or other items that are maintained or used in conjunction with equine activities. The specific types of equine activities, structures, and uses set forth in this subdivision are for illustrative purposes, and should not be construed to limit, in any manner, the types of activities, structures, or uses that may be considered under this subsection as exempted from building rules. A farm building that might otherwise qualify for exemption from building rules shall remain subject only to an annual safety inspection by the applicable city or county building inspection department of any grandstand, bleachers, or other spectator-seating structures in the farm building. An annual safety inspection shall include an evaluation of the overall safety of spectator-seating structures as well as ensuring the spectator-seating structure's compliance with any building codes related to the construction of spectator-seating structures in effect at the time of the construction of the spectator-seating.
- (2) A "greenhouse" is a structure that has a glass or plastic roof, has one or more glass or plastic walls, has an area over ninety-five percent (95%) of which is used to grow or cultivate plants, is built in accordance with the National Greenhouse Manufacturers Association Structural Design manual, and is not used for retail sales. Additional provisions addressing distinct life safety hazards shall be approved by the local building-rules jurisdiction.
- (3) A "farm building" shall include any structure used for the display and sale of produce, no more than 1,000 square feet in size, open to the public for no more than 180 days per year, and certified by the Department of Agriculture and Consumer Services as a Certified Roadside Farm Market.

(b5) No building permit shall be required under the Code or any local variance thereof approved under subsection (e) for any construction, installation, repair, replacement, or alteration costing five thousand dollars (\$5,000) or less in any single family residence or farm building unless the work involves: the addition, repair, or replacement of load bearing structures; the addition (excluding replacement of same capacity) or change in the design of plumbing; the addition, replacement or change in the design of heating, air conditioning, or electrical wiring, devices, fixtures (excluding repair or replacement of electrical lighting devices and fixtures of the same type), appliances (excluding replacement of water heaters, provided that the energy use rate or thermal input is not greater than that of the water heater which is being replaced, and there is no change in fuel, energy source, location, capacity, or routing or sizing of venting and piping), or equipment, the use of materials not permitted by the North Carolina Uniform Residential Building Code; or the addition (excluding replacement of like grade of fire resistance) of roofing. The exclusions from building permit requirements set forth in this paragraph for electrical lighting devices and fixtures and water heaters shall apply only to work performed on a one- or two-family dwelling. In addition, exclusions for electrical lighting

devices and fixtures and electric water heaters shall apply only to work performed by a person licensed under G.S. 87-43 and exclusions for water heaters, generally, to work performed by a person licensed under G.S. 87-21.

§ 87-21. Definitions; contractors licensed by Board; examination; posting license, etc.

(a) Definitions. – For the purpose of this Article:

- (11) The phrase "fire sprinkler" means an automatic or manual sprinkler system designed to protect the interior or exterior of a building or structure from fire, and where the primary extinguishing agent is water. These systems include wet pipe and dry pipe systems, preaction systems, water spray systems, foam water sprinkler systems, foam water spray systems, nonfreeze systems, and circulating closed-loop systems. These systems also include the overhead piping, combination standpipes, inside hose connections, thermal systems used in connection with the sprinklers, tanks, and pumps connected to the sprinklers, and controlling valves and devices for actuating an alarm when the system is in operation. **This subsection shall not apply to owners of property who are building or improving farm outbuildings.** This subsection shall not include water and standpipe systems having no connection with a fire sprinkler system. Nothing herein shall prevent licensed plumbing contractors, utility contractors, or fire sprinkler contractors from installing underground water supplies for fire sprinkler systems.

This list was put together by the Agricultural Preservation Board (APB) in the Fall of 2012

Possible Agricultural-Related Activities and Uses (for “clarification” as part of Conditional Use Zoning)

1. On-farm Stores – Produce Stands, selling products grown on the farm
2. On-farm stores – selling products from around the community (local, but multiple farms and crafts, etc)
3. Farm and Garden Supply Stores
4. Agri-tourism facilities
5. Solar arrays
6. Beef processing (slaughter, packaging, selling)
7. Farm Stay Workers - people staying at a farm as paying guests doing farm work. The differentiation between this use and a B&B would be
 1. The guests "pay for" their accommodations and board in part by working on the farm;
 2. The main business of the farm would not be guests;
 3. Guests would be staying a minimum of a week; and
 4. Other criteria to justify this exception, like limiting the number of rooms for farm stay guests, etc.
8. Farm dinners - farms can offer (and charge for) dinners featuring their products without having to be a restaurant, cafeteria, etc. Limitations might include:
 1. Food served would have to be grown or raised on the farm;
 2. Kitchen would have to meet "good housekeeping" standards;
 3. Limit to 12 events per year or something; and
 4. Other limitations to prevent farm pseudo-restaurants.
9. Clarify the "25% rule" for on-farm sales - historically farms stands have been required to raise 75% of what is sold. This makes sense - we don't want farm stands to become convenience stores, but suppose the farm stand is the result of two or three farms collaborating? Does the rule apply then? Why not allow two neighboring farms, one with a good location for a farm stand, to collaborate somehow in the marketing without opening the door to a de-facto general purpose market.
10. Allow farms to become small alternative-energy utilities. I know this is more of a NC utilities commission rule, but based on our knowledge, farms are limited to 10K watts or else they become subject to a much more complicated application and approval process. Farms ought to be able to generate 1 million watts if they want to. (needs more review with Utilities Commission).

Agricultural-Related Activities and Uses – Response to List made by Agricultural Preservation Board in Fall 2012

Activity ⁱ	Considered “Exempt” from zoning regulations if bona fide farm? ⁱⁱ	Environmental Health Concerns or Comments	Building Code Concerns or Comments	Zoning/Land Use Concerns or Comments
On-farm Stores – Produce Stands, selling products grown on the farm	YES	If “stores” are required to have bathroom facilities, water supply permits and septic permits may be necessary.	No building permits required if building/structure is less than 1,000 sq. ft. and open no more than 180 days per year.	Sufficient off-street parking must be provided to ensure the store or stand does not become a road safety hazard. Additionally, this is currently a permitted use in the AS zoning district.
On-farm stores – selling products from around the community (local, but multiple farms and crafts, etc)	NO	If “stores” are required to have bathroom facilities, water supply permits and septic permits may be necessary.	Permits required. Sealed plans required if cost exceeds 90,000 or building exceeds 2,500 square feet.	This is currently a permitted use in the AS zoning district.
Farm and Garden Supply Stores	NO	If “stores” are required to have bathroom facilities, water supply permits and septic permits may be necessary.	Permits required. Sealed plans required if cost exceeds \$90,000 or building exceeds 2,500 square feet.	This is currently a permitted use in the AS zoning district.

Activity ⁱ	Considered “Exempt” from zoning regulations if bona fide farm? ⁱⁱ	Environmental Health Concerns or Comments	Building Code Concerns or Comments	Zoning/Land Use Concerns or Comments
Agri-tourism facilities	YES	If “facility” is required to have bathroom facilities, water supply permits and septic permits may be necessary.	No permits required unless existing or new structures are open to the general public.	Sufficient off-street parking must be provided to ensure the facility does not become a road safety hazard.
Solar arrays	NO	Environmental Health will review site plans and issue an authorization after assuring that structures don’t encroach on existing facilities (septic systems).	Building and electrical permits required. Engineer sealed plans required.	Orange County adopted standards related to solar arrays in November 2012. A “small” operation (one that reduces or meets on-site energy needs and generates 20 kilowatts or less) is considered an accessory use in all zoning districts. “Large” or “Public Utility” solar array facilities (defined in UDO) are subject to either a Class B or A Special Use Permit (SUP).

Activity ⁱ	Considered “Exempt” from zoning regulations if bona fide farm? ⁱⁱ	Environmental Health Concerns or Comments	Building Code Concerns or Comments	Zoning/Land Use Concerns or Comments
Beef processing (slaughter, packaging, selling)	YES	Wastewater system permits and water supply well permits will be necessary. May fall under NCDA and/or Health Department meat/food processing permit.	Building permits required if persons other than immediate family are employed.	Considered a “bona fide farm” activity if only processing animals raised on site. This is also currently a permitted use in the AS zoning district.
<p>Farm Stay Workers - people staying at a farm as paying guests doing farm work. The differentiation between this use and a B&B would be:</p> <ol style="list-style-type: none"> 1. The guests "pay for" their accommodations and board in part by working on the farm; 2. The main business of the farm would not be guests; 3. Guests would be staying a minimum of a week; and 4. Other criteria to justify this exception, like limiting the number of rooms for farm stay guests, etc. 	YES	Water supply permits and septic system permits required. May require food-service permit. May require B&B or lodging permit.	<p>Would be considered a Bed & Breakfast if 5 bedrooms or less and owner is proprietor. Considered single family dwelling. No permits required.</p> <p>If owner is not proprietor or more than 5 rooms, building permits required.</p>	Considered a “bona fide farm” activity. Also, “Rural Guest Establishments” were added to the zoning regulations several years ago. Permitting is dependent on the type of establishment (Bed & Breakfast, Bed and Breakfast Inn, or Country Inn). Bed and Breakfasts are permitted by right in the RB, AR, and R1 zoning districts.

Activity ⁱ	Considered "Exempt" from zoning regulations if bona fide farm? ⁱⁱ	Environmental Health Concerns or Comments	Building Code Concerns or Comments	Zoning/Land Use Concerns or Comments
<p>Farm dinners - farms can offer (and charge for) dinners featuring their products without having to be a restaurant, cafeteria, etc. Limitations might include:</p> <ol style="list-style-type: none"> 1. Food served would have to be grown or raised on the farm; 2. Kitchen would have to meet "good housekeeping" standards; 3. Limit to 12 events per year or something; and 4. Other limitations to prevent farm pseudo-restaurants. 	YES	Likely requires food service permit unless exempted under NCGS 130A-250 (ex. cooking school, private clubs, fundraiser for non-profit, etc.) .	If no construction required, no permit required.	This type of use is now considered exempt from zoning regulations. Sufficient off-street parking would need to be provided to ensure there would not be a road safety hazard.

Activity ⁱ	Considered "Exempt" from zoning regulations if bona fide farm? ⁱⁱ	Environmental Health Concerns or Comments	Building Code Concerns or Comments	Zoning/Land Use Concerns or Comments
<p>Clarify the "25% rule" for on-farm sales - historically farms stands have been required to raise 75% of what is sold. This makes sense - we don't want farm stands to become convenience stores, but suppose the farm stand is the result of two or three farms collaborating? Does the rule apply then? Why not allow two neighboring farms, one with a good location for a farm stand, to collaborate somehow in the marketing without opening the door to a de-facto general purpose market. [Staff Note: the "25% rule" is in reference to § 106-743.4 and pertains to enhanced voluntary agricultural districts]</p>	<p>N/A</p>	<p>If "stores" are required to have bathroom facilities, water supply permits and septic permits may be necessary.</p>	<p>No building permits required if building/structure is less than 1,000 sq. ft. and open no more than 180 days per year.</p>	<p>A farm selling products from other farms falls under the second use in this table: On-farm stores – selling products from around the community (local, but multiple farms and crafts, etc). The state statute that pertains to the "25% rule" specifically states 25% of gross sales may come from the sale of nonfarm products and still qualify as a bona fide farm. County ordinances cannot change the percentage spelled out in State statutes.</p>

Activity ⁱ	Considered “Exempt” from zoning regulations if bona fide farm? ⁱⁱ	Environmental Health Concerns or Comments	Building Code Concerns or Comments	Zoning/Land Use Concerns or Comments
Allow farms to become small alternative-energy utilities. I know this is more of a NC utilities commission rule, but based on our knowledge, farms are limited to 10K watts or else they become subject to a much more complicated application and approval process. Farms ought to be able to generate 1 million watts if they want to. (needs more review with Utilities Commission).	NO	Water and wastewater permits may be necessary.	Building and electrical permits required. Sealed plans required.	Orange County adopted standards related to solar arrays in November 2012 (see discussion above). A “small alternative-energy utility” is not an incident operation of a farm; it is a small utility.

ⁱ This chart deals only with aspects of regulations that County staff is involved in. Some of these activities, such as beef processing, are also regulated at the State and/or Federal level. The future “Agricultural Support Enterprises Manual” would likely include information on State and/or Federal regulations that farmers need to comply with.

ⁱⁱ § 153A-340 of the NC General Statutes allows county governments to adopt zoning and development regulation ordinances (such as a unified development ordinance [UDO]). Except for very large swine farms (defined in section), bona fide farms may not be affected by the ordinances allowed in § 153A-340. This means that if a farmer meets the state-defined definition of a “bona fide farm”, the specific types of uses that are defined (by the State) as “Agriculture” are exempt from zoning regulations. All of the regulations contained in the County’s UDO are not adopted pursuant to § 153A-340 which means that some provisions of the UDO apply to farmland. Examples of provisions that apply to farming operations are impervious surface limits, stormwater regulations, and erosion control requirements. Additionally, farming operations are not exempt from environmental health regulations nor from building code requirements (except for most equine-related activities) as these are regulations to protect the public health, safety, and welfare that are enabled from sections of the General Statutes that do not exempt bona fide farms.

Bona fide farms are defined as: the production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture as defined in G.S. 106-581.1. Additionally, the production of nonfarm products that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm in an Enhanced Voluntary Agricultural District is considered a bona fide farm activity for the purposes of exempting bona fide farms from zoning regulations.

§ 106-581.1. defines “Agriculture” as:

- (1) The cultivation of soil for production and harvesting of crops, including but not limited to fruits, vegetables, sod, flowers and ornamental plants.
- (2) The planting and production of trees and timber.

-
- (3) Dairying and the raising, management, care, and training of livestock, including horses, bees, poultry, and other animals for individual and public use, consumption, and marketing.
- (4) Aquaculture as defined in G.S. 106-758.
- (5) The operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation.
- (6) When performed on the farm, "agriculture", "agricultural", and "farming" also include the marketing and selling of agricultural products, agritourism, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops, livestock, and agricultural items produced on the farm, and similar activities incident to the operation of a farm.

Agricultural Support Enterprises

Zoning Methods

The following zoning methods are currently available to facilitate agricultural uses in Orange County if the proposed use is not considered part of a bona fide farm:

1. General Use Rezoning to AS (Agricultural Service) – see pages 3-32 and 3-33 of the UDO for general standards
2. Conditional Use (see pages 3-70 and 3-71 of the UDO, also 3-62 and 3-63)

The following zoning methods are not currently available but are potential methods to use:

3. A new conditional zoning district (this is different from “Conditional Use”). This could be a district such as ASE-CZ (Agricultural Support Enterprises – Conditional Zoning).
4. Overlay District. A new overlay district for Agricultural Support Enterprises could be applied to those portions of the county where agricultural uses are encouraged.

The attached chart analyzes various aspects of each of these methods.

Notes Regarding Public Hearings and Review Process

Staff research shows that in 2006 (5/22/06 BOCC meeting materials), the team working on this issue was suggesting a new conditional district and was also proposing that any applications for this new district could be heard at public hearing at any BOCC meeting, not just quarterly public hearings. The purpose of this would be to speed up the approval process. It should be noted that implementing this procedural change would require a re-write of Section 2.9.2 of the UDO which are the procedures related to conditional zoning districts.

Additionally, the public hearing process (Section 2.8) would likely have to be modified as it could be problematic to follow Orange County’s established public hearing process of having the Planning Board attend public hearings prior to making a recommendation. The current quarterly public hearing process is a joint public hearing by the Planning Board and BOCC. Planning Board members may not be available to attend additional meetings and if there is not a quorum, the public hearing cannot be held.

Staff research also indicates that previous work on this issue was suggesting that, in addition to the Planning Board, the Agricultural Preservation Board and the Economic Development Commission also make recommendations on applications pertaining to Agricultural Support Enterprises. If it is determined that it is desirable to add two additional advisory boards to the process, the new process would have to be included in the UDO and decisions would have to be made on how to include these additional boards in the public hearing process.

Analysis of Zoning Methods that Pertain or Could Pertain to Agricultural Support Enterprises (those uses that are not in conjunction with a bona fide farm)

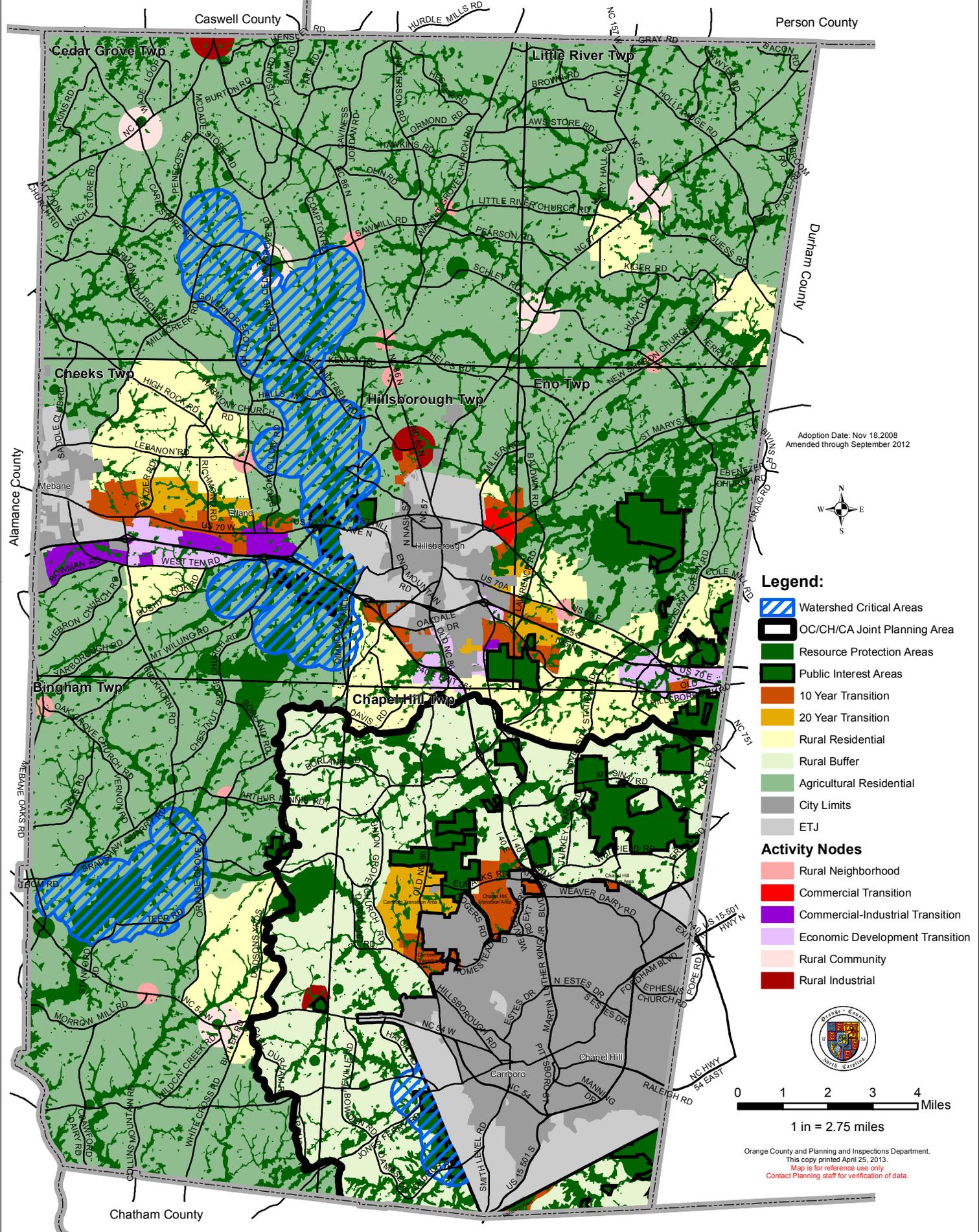
	General Use Rezoning to Existing "AS" District	Conditional Use (an existing method)	New Conditional District (e.g., ASE-CZ)	Overlay District for Agricultural Support Enterprises ¹
Brief Summary of Existing Application Process	<ol style="list-style-type: none"> 1. Application to Rezone 2. Quarterly Public Hearing 3. Planning Board Recommendation 4. BOCC Decision 	<ol style="list-style-type: none"> 1. Application to Rezone <u>and</u> for a Class A Special Use Permit (all CU districts also require a Class A SUP) 2. Quarterly Public Hearing 3. Planning Board Recommendation 4. BOCC Decision 	<ol style="list-style-type: none"> 1. Application to Rezone 2. Quarterly Public Hearing 3. Planning Board Recommendation 4. BOCC Decision 	After establishment of an overlay district, process is: <ol style="list-style-type: none"> 1. Application for Zoning Compliance Permit 2. Staff Decision (see footnote for an explanation of establishing an overlay district)
Site Plan Required?	"No" as part of rezoning process. "Yes" in order to receive a Zoning Compliance Permit (exceptions exist – see Section 2.4)	Yes	Yes	Yes – necessary to receive Zoning Compliance Permit
Uses Known When Application is Made?	No. A property zoned in a general use district can be developed to have any	Yes	Yes	Regulations could be written to require that use(s) be disclosed

¹ Overlay Districts are applied on top of (overlaid) existing zoning – Orange County already has several overlay districts. Overlay districts are used for many reasons but for agricultural support enterprises purposes would be used to encourage certain activities, subject to standards that would be written into the regulations. The standards are similar to standards used for special use permits but with an overlay district, the approval is administrative rather than legislative. In other words, staff would approve a permit application if it met the established standards rather than going through the public hearing process as is required for a rezoning or a Class A or B Special Use Permit.

The establishment of an overlay district (i.e., the geographic extent of the district [which could conceivably cover a large area of the County's planning jurisdiction]) is normally done all at one time by the County and follows the normal process for a rezoning (mailed notification to all property owners in the proposed overlay district, public hearing, Planning Board recommendation, BOCC decision).

	General Use Rezoning to Existing "AS" District	Conditional Use (an existing method)	New Conditional District (e.g., ASE-CZ)	Overlay District for Agricultural Support Enterprises¹
	permitted use in the Table of Permitted Uses (Section 5.2).			
Can Conditions be Applied?	No.	Yes – if agreed to by both applicant and County	Yes – if agreed to by both applicant and County	No – if established standards in UDO are met, permit must be issued

Future Land Use Map of the Orange County Comprehensive Plan



**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: May 14, 2013

**Action Agenda
Item No.** 4

SUBJECT: Follow Up Discussion from January 29, 2013 Work Session on Board
Protocols/Advisory Board Procedures

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

- A. Excerpt from January 29, 2013
Approved Minutes
- B. Decision Points Sheet

INFORMATION CONTACT:

Clerk's Office, 245-2130

PURPOSE: To consider follow up discussions as related to Board protocols and advisory board procedures.

BACKGROUND: The Board of Commissioners discussed various topics at their January 29th work session as well as bringing up other items in the past couple of months as related to board protocols and advisory board procedures. This work session is designed to give the Board an opportunity to discuss these topics in greater detail.

FINANCIAL IMPACT: None.

RECOMMENDATION(S): The Manager recommends for the Board to discuss the various topics as relates to board protocols/advisory board procedures and provide direction to staff as needed.

Attachment A

Excerpt from approved minutes from January 29, 2013

3. Discussion of Some Board of Commissioners and Advisory Board Protocols

Chair Jacobs referenced the yellow sheet (copy of 2008 Advisory Board Chairs Meeting) and the need to orient the advisory board chairs. He said this came up, in part, when Commissioner Dorosin brought up the process of how they appoint to advisory boards. He said some of the advisory boards develop the expectation that if they nominate people, it is a breach of faith if the Board does not accept the nominations. He noted an email conversation clarifying that this is not how it works. The County Commissioners are the only body that can appoint to boards. These things need to be gone over with the advisory boards and he noted the need to provide guidance to these boards on several issues, i.e. closed session meetings, and to give them an opportunity to ask questions. He is talking about meeting with advisory board chairs.

Chair Jacobs said work sessions were one issue that needed clarification. He noted that at work sessions, the public cannot speak, and there is no voting, no approvals or rejections. Items may be referred to a regular meeting and that items are not added to the agenda. There is a petitioning of the board at the beginning of Board meetings. In order to put items on the agenda, they must be reviewed at agenda review and will then put on a suitable agenda or clear reason will be given if they are not added. He said that an item not added is not considered "dead" and can be brought back at a later date. This system was developed to give order to the way in which matters are put on the agenda and to prevent items from appearing on the agenda without proper vetting about what is involved. He said this process has been used a little, but not much since the new members were seated. He referenced one petition by Commissioner Pelissier to have the Chair write a letter to all the advisory board members who have finished terms. Chair Jacobs said they currently receive a letter from the clerk and it will now have the Chair's signature on it. That is an example of a petition that will be answered.

Commissioner Rich asked about time frames for responding to petitions and Chair Jacobs said there are two answers; one is ASAP and the other is the staff has to respond, which may take awhile for staff to get things together sufficiently to bring it back to the agenda. In either case, an answer will be given promptly. This response will tell you that if it is going to be on an agenda or not, and if not on the agenda at the next meeting, a time frame will be given.

Frank Clifton said that if a petition requires research or legal research, there will be a listing of what staff members are pursuing it or have been assigned. A sheet will be given that give a status update and where the issue is projected to be on the agenda. This is especially true when several advisory boards are involved. Some type of response about action taken is usually given within a week of the petition.

Chair Jacobs addressed the question of, do we care if our advisory boards make presentations to other elected boards and John Roberts asked for a moment to look into this.

Chair Jacobs addressed the question of how letters are written. He said, if you use personal stationary, you may do what you want. If county stationary is used, make it clear that it is from you and not the board, unless you are the Chair speaking on behalf of the board.

John Roberts, addressing the prior question, said the general advisory board policy section 11, page 14, subsection C3 states:

– Advisory Boards and any members thereof shall not (and shall not have the express or implied authority to):

1. Take positions, in their capacity as an advisory board member, on any political issue or support or oppose any candidate for public office

Chair Jacobs noted that this should be part of new member orientation.

Commissioner Dorosin said that it should be made clear during orientation that they are not trying to constrain free speech. He said it should be clear that there is an absolute right to speak and identify yourself and your community activities and board memberships, but there should be a disclaimer that you are not speaking on behalf of a particular advisory board.

Frank Clifton said for the newer board members that there are a couple of statutory boards that this does not apply to, i.e. Board of Health, Social Services, who have official capacity versus advisory capacity.

Commissioner Rich said that often people will tell where they are from but will then designate they are speaking for themselves. She said that it is key that people be allowed to express their opinion as a citizen, not an advisory board member.

Commissioner Dorosin specified that the citizen should be allowed to disclose their involvements, as it may reveal why they are knowledgeable about the issue.

Commissioner McKee said the issue is not that they don't speak, but that it be specified they speak as an individual. He said he has no problem with anyone saying anything to any advisory board, provided it is not disparaging an individual or board, as long as they are speaking for themselves. He noted that to mention a planning board membership as a background statement is different than claiming to speak as a planning board member.

Chair Jacobs noted that the statement on page 14 specifies "take positions within their capacity as an advisory board member." To that point, a speaker should be present not in that official position, but as an American with a right to free speech.

Commissioner Price said, with regard to using stationary, members should be careful with using title of Commissioner.

Commissioner Rich said that this goes back to Commissioner Dorosin's point of how someone would know about an issue if they weren't at a Commissioners' meeting. There may be an event at a Commissioner's meeting that you would not otherwise know about and the representation of yourself as a Commissioner would be relevant.

Commissioner Price said that to say you are a Commissioner is different than to sign as a Commissioner.

Commissioner McKee said any elected office is different than serving on an advisory board. He said the Commissioner title was earned because an election was won. The title is attached to a name, thus he is not concerned about simply signing it. He said it only identifies who you are. He said that elected officials have earned the right to use that title.

Commissioner Price said that in the case of forming an opinion or judgment on an issue, they should remain neutral unless supported by full board.

Chair Jacobs acknowledged that there are different views and the issue does not need to be resolved today.

Commissioner Dorosin referred back to the topic of the appointment process. He noted that currently boards bring forth recommendations and they as Board of County Commissioners have freedom to accept those or choose differently. He said that his issue is, if there is a recommended candidate, does it make sense to let the board chair know that this is someone they support or have recruited. He said that the negative side of this is the idea that it is exerting undue influence. He said he is not sure this concern is legitimate, because ultimately the choice is up to the Board. He said is a heads up to the advisory boards more fair to them than for them to submit a name and the Board to put its own people on and blindside them. He said from a good government standpoint, there is a triangle of Boards, Advisory Boards, and residents that are being reached out to. He noted the interest in gender, age, race, socio-economic diversity. He said it is easier for the Board of County Commissioners to help reach the diversity goal and he would be in favor of working more closely with the advisory board chairs and having better communication. He said the other issue and concern of his is the high number of vacancies on some of these boards. He noted that there was only one recommendation for boards that had two or more vacancies. He said that he thinks the Advisory Board Chairs should be instructed to

fill those vacancies as quickly as possible. He referenced his experience of waiting a year to be placed on the Carrboro Economic Development Commission while knowing there were four vacancies. He said it wasn't a priority for the board and it turns citizens off who are interested. He said that it leads to boards that are more insular and clubby. He said he would like to encourage boards to bring forward as many applicants as possible.

Chair Jacobs said he believed that if there are vacancies and there are applicants, they should be filled. He said that the better way to do it is to put boards on notice that if positions are not filled, an explanation should be given and, if needed, the Board of County Commissioners will fill them. He said this also gives the Clerk a chance to make sure applicants still reside in the county.

Clerk to the Board Donna S. Baker said that many times applicants apply and then some boards take time to go through the due diligence process to make sure the person can attend the meetings and has the necessary availability. She said that many persons apply for a vacancy and then sit out there for a year. Once they are approached, they may not have availability. Often when contacted, people have an obstacle preventing them from filling the position. She said there is an effort to contact applicants on a regular basis to update their status. Chair Jacobs said that it should be communicated to the board chairs, that it is important to move these candidates forward and fill vacancies. If there is a process involved, it should be communicated. If a candidate is not moved forward and a reason can't be given, the Board will step in. He said there should be parameters set, such as operating in a timely manner. He said that he knows there is not time to change policy tonight, but he wanted the issues to be raised, such as how to know candidates better. He referenced his experience in applying to serve with OWASA, when he was interviewed by then Commissioners, Moses Carey and Verla Insko.

Commissioner Gordon said issues that need to be addressed should be flagged. She raised the question about elected officials serving on other boards. She quoted a stipulation from the old policies that stated "Elected officials from other jurisdictions shall not be appointed to county boards and commissions, unless specifically representing their boards in an elected capacity." She said that if it was desired that someone be on a board, a position could be created. She said that there are boards and commissions they don't take recommendations from. She said that historically the reason recommendations are taken from boards and commissions is because there was a problem of not knowing enough about the applicants on the long list of boards and commissions. The thought was to have the boards vet and recommend their own people, but those recommendations don't have to be accepted. She said the decision is, do they or do they not want recommendations from advisory boards. Her preference is to take recommendations.

Commissioner McKee said that it is important that citizens are engaged and encouraged to apply to boards, even solicited to apply if it is believed that they would be good on a board. He said that what they need to be careful of, individually or collectively, is appointing people to boards to align ideology of a board or a member of a board.

Commissioner Pelissier said that she believes advisory boards should be encouraged to vet people, because the Board of County Commissioners does not have the time. She said there are so many boards and that the advisory boards do a good job overall. She does not want to ask boards to say that they do not like applicants, as this will come in a letter and would be public record.

Commissioner Rich asked how OWASA members were chosen.

Commissioner Pelissier said that some people interview on their own. But that nothing stops them from calling applicants on the list. She said that calls have been made to boards, prospective members and people who might know the applicant.

Commissioner Rich asked if Commissioner Pelissier had been interviewed and Commissioner Pelissier said no. She said she received a questionnaire.

Commissioner Gordon said the decision had been made to go to an extensive questionnaire. She said there was a history to this, but it was too late to go over it at this time.

DRAFT

Attachment B

Decision Points for BOCC:

1. Follow up to Petition by BOCC Member: Review and consider a request that the Board moves forward with establishing a new and thorough application/process for prospective appointees for boards with fiduciary or specific statutory responsibilities (OWASA, Planning Board, Board of Adjustment, E&R Board, ABC Board).

Background: The response to this petition from the Chair/Vice Chair at agenda review was:

Response: A) The Board will move forward with establishing a new, specific, and thorough application process for prospective appointees to four boards: OWASA, Planning Board, Board of Adjustment, E&R Board. Chair Jacobs suggested including ABC Board, as we had previously discussed vetting applicants for boards with fiduciary responsibilities. Consult County Attorney on proposed verbiage for applications for the aforementioned advisory boards; B) Consider whether to return to matter of interviewing, reviewing, and promoting specific board applicants at a future work session, to be scheduled.

The Attorney has asked for feedback from Board members as to questions and concerns they would like addressed in a revised application but as of yet, he has not received any feedback.

Decision Point:

- Does the Board want to move forward with a revised application for these particular boards mentioned above, and if so, can the board provide feedback/questions to the County Attorney in order to move the process forward?
- Does the Board want to stay with the current process?

2. *Process for Commissioners to “vet” Board Appointments-for certain boards with fiduciary or statutory responsibilities, such as the ABC Board, OWASA, E&R Board, Planning and Board of Adjustment.*

Decision Point:

- Does the Board want to develop a process for Commissioners to vet board appointments to these particular boards (and others as applicable)?
- Are there criteria to be applied or a process for vetting appointments (such as interviews, questions on a revised application, committee review, etc.)? Or will the application process suggested in Item #1 cover this item?

3. How should Commissioners participate, if at all, in the nominating and selection process of prospective applicants to their advisory boards?

Background: Currently, most boards with the exception of the Planning Board, Board of Adjustment, OWASA, E&R Board and ABC Board usually make recommendations for new members since many boards go through a process of engaging prospective members before making recommendations: inviting applicants to meetings, sessions to let individuals ask questions, and letting staff orient potential new members to time commitments of a particular board, by-laws, goals, etc.

Decision Point:

- Does the Board want to proceed with a process for allowing Commissioners to participate in the nominating process and selection process of prospective applicants to its advisory boards?
- If so, what criteria are to be applied?
- Does the board want to retain its current process for appointing members to its advisory boards?

3. Does the Board want to establish a procedure whereby Orange County appointees/representatives to outside boards (such as the Chapel Hill Planning Board, etc.) communicate back to the Board on a regular basis?

Background: Currently there is not a process in place for Orange County representatives to such bodies as town advisory boards to report back to the Board.

Decision Points:

- Does the Board want to formalize a process for this type of communication to occur?
- Are there any criteria to be applied? (Report in writing annually, attend BOCC retreat to report verbally, etc.)

4. Letters from the Chair of the BOCC representing the position of the entire board.

Decision Points:

- The Chair recommends that, unless extraordinary circumstances arise, any such letter be circulated a day prior to transmittal to allow for comment from interested Commissioners. Concerns and comments may be shared with the Chair for possible incorporation into the letter.