

Volunteer Board consistency update

September 26, 2022

Request: **Review of advisory board composition, appointment processes, training, etc. to help build competency and alignment with Board priorities**

Research findings:

- 1) Numerous town code amendments are needed to consolidate and update language associated with volunteer boards.

The code defines 3 committees that do not exist. The language for the two authorities is separate from the appointed boards. The language for Tree Board is with public tree protection. There is no language related to the water and sewer advisory board.

Next step:

Staff recommends creating a separate section in Chapter 3 in the code to address appointed boards. A draft of that language is attached. This draft contains all of the appointed boards that are the town's responsibility and establishes the basic parameters for board operations. It does not extend to boards that the town has an appointed seat on that Orange County or others act as the lead entity for.

Any feedback about how much consistency is desired across the boards is helpful. The sections cover the following: powers, membership, appointment, terms, staff, meetings, quorum, rules of procedure, and compensation. Many of these same things are covered in the rules of procedure. The UDO provisions were used as a guide. The Tourism board and Tourism Development Authority have additional language from the local bill.

- 2) It is not possible for all volunteers to have the same term length or term limit. A few of these are set by the local bills or other state law and they do not align.

Next step:

None recommended by staff.

- 3) One board doesn't seem to have Rules of Procedure. There does not seem to be a standard for what items are included in such a document versus what is included in the creation of the board (town code).

Question:

Does the board have a strong desire for consistency across boards?

Next steps:

- 1) Work with staff support to develop Rules of Procedure for the board without.
- 2) Post all documents to the website for the appropriate board.
- 3) Conduct a brief review of all documents to check they are up to date and develop a template for minimum contents.

The Assistant Town Manager will complete these tasks prior to February 28.

The desire for the documents to be consistent across all boards will take significant coordination and is not recommended by staff.

- 4) In 2017, the board adopted a change in policy for recruiting and appointing volunteers. It was meant as a trial and there was not a follow-up report to the board. The policy was shared with staff and board chairs, but all appointed boards are not fully following the new policy. The policy is attached. The policy was adopted at a time of high volunteerism. The spirit of volunteerism tends to fluctuate and can make having a firm process challenging. Volunteerism is very low at present. Staff does not recommend codifying the current policy into the town code for this reason.

This policy does not align with Town Code 2-32 (attached). This section defines how volunteers and new town board members will be selected and appointed. Having these two processes described in the same section is confusing. It also establishes an attendance requirement and removal provisions that are not consistent with other documents.

Question:

- 1) Does the board wish to describe the recruitment and appointment processes in the town code and limit the ability to respond to existing conditions?
- 2) Does the town code section 2-32 or the policy better reflect the processes the board wants to follow with volunteer boards?

Next steps:

- 1) Amend the policy or code as the board decides from the questions above. Staff recommends maintaining flexibility about the specific steps of recruiting and appointment.
- 2) The process for town board vacancies should be separated from volunteer boards. This would trigger another minor town code amendment.
- 3) While somewhat outside this project scope, staff also recommends amending section 2-32 to document the board's ability to define a process when a vacancy comes up (i.e. delete much of the current language)

- 5) The appointment policy refers to a consistent orientation session for new appointees as follows:

The following orientation materials will be provided to each volunteer: board roster, town organizational chart including the advisory boards, the rules of procedure for their board, the current Strategy Map for the town, and other support documents or maps relevant to that board. Staff will go over the materials with the new board member, arrange a swearing in for those volunteers requiring an oath and answer procedure and policy questions as needed.

As we no longer use the Strategy Map, per se, and the Comprehensive Sustainability Plan is being development, we have a gap in available information to share with new appointees. There is not an existing organizational chart that includes the appointed boards, but staff have added them. That draft chart is attached.

Next step:

The Clerk will communicate with staff support for each board and reiterate the need to orient new members prior to their first meeting, including the information that is to be shared and confirmation of which members need to be sworn in.

The town attorney recommends all appointed board members be sworn upon appointment and reappointment as a best practice. Presently only Board of Adjustment,

Historic District Commission and Planning Board members are sworn. Direction is needed so oaths can be administered and the swearing in be added to processes.

Questions/suggestions identified with Mark Bell's original request:

- 1) Should one staff person be responsible for managing and tracking all volunteers?

Response/next step:

Staff recommends not assigning this to a single staff person. Each board has a different focus and needs different types of backgrounds. The staff support for each board is best able to identify and orient new volunteers. However, the Clerk can provide an annual reminder about the appointment process and orientation requirement, and perhaps identify vacancies that are upcoming. The timing of this could be flexible.

The Clerk and Assistant Town Manager currently receive the applications that are filed through the website and distribute them to the appropriate staff support.

The Clerk is investigating a board management option that was included with the new agenda software. This may ease tracking and consistency.

- 2) Enlarge the TDA from 3 to 5 members

Response/next steps:

The Town Code and local bill do not align completely on membership requirements. There is no clear definition of what constitutes "currently active in the promotion of travel and tourism in the town." Staff recommends consultation with the TDA about making some town code language changes and expanding the membership.

- With some edits to the local requirements, a configuration like this would be possible:
 - 1 Town Board member (who is also on the Tourism Board)
 - 2 businesses that collect tax
 - 1 Tourism Board member
 - 1 routine event sponsor, destination owners, or other "engaged" at large

- 3) Provide training for board members and staff

Response/next steps:

There has been a fair amount a turnover in both board membership and staff support. The suggestion was for roughly 1/3 of members to be trained each year. Staff suggests a set orientation process for each new appointee and an orientation refresher as needed. This would allow everyone to get on the same page at the same time and build improved working relationships on each board. Perhaps the town board could suggest this as a goal for within the fiscal year or by the end of 2023 for all boards, depending on workload and the desire to include the Comprehensive Sustainability Plan.

- 4) Enforce the current appointment policy

Response/next steps: Addressed above.

- 5) Establish advisory board charters

Response/next steps:

What is the desired impact or outcome of creating charters?

- Three of the boards are directly tied to our land development regulation processes and staff don't believe these boards require "charters." Their powers and duties are defined in state statutes and the development ordinance.
- Two boards are defined by local bills and staff don't believe these boards require charters.
- Each of the other boards have either an authorizing resolution or rules of procedure which define their roles. Ideally all boards would have rules of procedure. Staff are working to develop rules of procedure for the one board without. Staff are uncertain of the benefit for a charter for these boards.
- Neighboring jurisdictions use charters for their appointed boards because they have short term committees that are intended to sunset.

6) Remote meetings (voting member remote)/remote participation (presenter or public remote)

Neighboring jurisdictions are amending their processes in regard to both remote meetings and remote participation, based on guidance from their attorneys and the School of Government. Staff believes the changes are too new to fully understand where the common ground is, if there is common ground.

Since the boards have different levels of authority, different rules apply for remote meetings and remote participation.

Staff thoughts:

- 1) Do not allow remote meetings or remote participation at quasi-judicial meetings (Board of Adjustment and Historic District Commission)
- 2) Do not allow routine remote participation at meetings other than the town board or in a special case for a consultant. Managing the remote participation is akin to broadcasting the meetings and would require two staff to be present.

Response/next step:

- 1) Does the board want this added to the staff work list with a particular outcome in mind?
- 2) Neighboring jurisdictions appear to be allowing more remote meetings as a matter of course. When a town board member represents the town at one of these meetings, is it acceptable for the town representative to participate remotely, if it is the determination of the lead entity that a remote meeting is acceptable?
Example: The Local Government Affordable Housing Collaborative meets monthly. It consists of one elected member from each jurisdiction in the county. This group can be very hard to schedule and 3 of the 4 jurisdictions are allowing their representative to participate in remote meetings. Does the Hillsborough member need authorization to participate remotely?