

# Agenda

## Board of Commissioners Work Session

7:00 PM September 26, 2022

Board Meeting Room, Town Hall Annex, 105 E. Corbin St.

This meeting will be live streamed on the

[Town of Hillsborough YouTube channel](#)



1. **Opening of the work session**
2. **Agenda changes and approval**
3. **Items for decision - consent agenda**
  - [A.](#) Miscellaneous budget amendments and transfers
  - [B.](#) Proclamation – Central Sterile Week
  - [C.](#) Proclamation – Supply Chain Week
  - [D.](#) Proclamation – 77th Anniversary of National Disability Employment Awareness Month
4. **In-depth discussion and topics**
  - [A.](#) Update and next steps on making volunteer board processes more consistent
5. **Committee updates and reports**
6. **Adjournment**

Interpreter services or special sound equipment for compliance with the Americans with Disabilities Act is available on request. If you are disabled and need assistance with reasonable accommodations, call the Town Clerk's Office at 919-296-9443 a minimum of one business day in advance of the meeting.



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: Sept. 26, 2022  
Department: Administration  
Agenda Section: Consent  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Emily Bradford, Budget Director

#### ITEM TO BE CONSIDERED

**Subject:** Miscellaneous budget amendments and transfers

**Attachments:**

Budget Changes Report

**Summary:**

To adjust budgeted revenues and expenditures, where needed, due to changes that have occurred since budget adoption.

**Financial impacts:**

As indicated by each amendment.

**Staff recommendation and comments:**

To approve the attached list of budget amendments and transfers.

**Action requested:**

Consider approving budget amendments and transfers.

FY 2022-2023

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 09/26/2022 TO 09/26/2022

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
Admin.	10-10-4200-5300-080 TRAINING/CONF./CONV. To cover REI Groundwater Training	27848	09/26/2022	JFernandez	19,240.00	388.80	19,628.80
Admin.	10-10-4200-5300-577 WELLNESS PROGRAM ACTIVITIES To cover REI Groundwater Training	27849	09/26/2022	JFernandez	6,000.00	-388.80	5,611.20
Planning	10-10-4900-5300-320 SUPPLIES - OFFICE To est budget for office supplies	27843	09/26/2022	EBRADFORI	0.00	300.00	300.00
Planning	10-10-4900-5300-330 SUPPLIES - DEPARTMENTAL To est budget for office supplies	27844	09/26/2022	EBRADFORI	1,800.00	-300.00	1,100.00
						<u>0.00</u>	



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date:	Sept. 26, 2022
Department:	Governing Body
Agenda Section:	Consent
Public hearing:	No
Date of public hearing:	N/A

#### PRESENTER/INFORMATION CONTACT

Mayor Jenn Weaver

#### ITEM TO BE CONSIDERED

**Subject:** Proclamation – Central Sterile Week

**Attachments:**

Proclamation

**Summary:**

International Central Service Week recognizes the committed specialists that fill Central Service/Sterile Processing (CS/SP) departments and make a difference in patient care. Held annually, CS Week starts with the second Sunday in October.

This official proclamation names Oct. 9-15, 2022, as Central Sterile Week in the Town of Hillsborough, coinciding with the week of international recognition.

**Financial impacts:**

None.

**Staff recommendation and comments:**

None.

**Action requested:**

To approve proclamation.



# PROCLAMATION

## Central Sterile Week

Oct. 9-15, 2022

**WHEREAS**, serving in settings ranging from hospitals to ambulatory surgery centers, central service technicians are responsible for processing surgical instruments, supplies and equipment and providing essential support to patient care services; and

**WHEREAS**, Central Sterile Department tasks include decontaminating, cleaning, processing, assembling, sterilizing, storing, and distributing the medical devices and supplies needed for patient care; and

**WHEREAS**, the Central Sterile Department of a healthcare facility is the heart of all activity surrounding instruments, supplies, and equipment required for operating rooms, endoscopy suites, intensive care units, birth centers, clinics, emergency departments, and other patient care areas; and

**WHEREAS**, central sterile technicians play an important role in patient care arenas and are responsible for first-line processes to prevent patient infections; and

**WHEREAS**, Central Sterile Week provides an opportunity to recognize the contributions central service technicians make to patient safety and the opportunities and challenges faced by those in the profession;

**NOW, THEREFORE**, I, Jenn Weaver, mayor of the Town of Hillsborough, do hereby proclaim Oct. 9-15, 2022, as **Central Sterile Week** in the Town of Hillsborough.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 26<sup>th</sup> day of September in the year 2022.

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Jenn Weaver, Mayor  
Town of Hillsborough



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date:	Sept. 26, 2022
Department:	Governing Body
Agenda Section:	Consent
Public hearing:	No
Date of public hearing:	N/A

#### PRESENTER/INFORMATION CONTACT

Mayor Jenn Weaver

#### ITEM TO BE CONSIDERED

**Subject:** Proclamation – Supply Chain Week

**Attachments:**

Proclamation

**Summary:**

Every year, the Association for Health Care Resource & Materials Management (AHRMM) of the American Hospital Association sponsors National Health Care Supply Chain Week to recognize the integral role supply chain professionals have in delivering high-quality patient care. This year, National Health Care Supply Chain Week is October 1-8.

Supply chain professionals in health care organizations add tremendous value as they are equipped to make long-term purchasing decisions through innovative inventory management practices and strategic sourcing, which impacts the cost, quality and outcomes of patient care.

This official proclamation names Oct. 1-8, 2022, as Supply Chain Week in the Town of Hillsborough, coinciding with the week of national recognition.

**Financial impacts:**

None.

**Staff recommendation and comments:**

None.

**Action requested:**

To approve proclamation.



# PROCLAMATION

## National Health Care Supply Chain Week

Oct. 1-8, 2022

**WHEREAS**, serving in settings ranging from hospitals to ambulatory surgery centers, supply chain personnel are responsible for processing supplies and equipment and providing essential support to patient care services; and

**WHEREAS**, supply chain personnel tasks include ordering, handling, and the organization of all supplies needed for patient care; and

**WHEREAS**, supply chain personnel of a healthcare facility are essential for all activity surrounding supplies, and case preparing for operating rooms, anesthesia support, PreOp and PACU areas; and

**WHEREAS**, supply chain personnel play an important role in patient care arenas and are responsible for insuring that everything is in compliance with Joint Commission guidelines; and

**WHEREAS**, Supply Chain Week provides an opportunity to recognize the contributions supply chain personnel make to patient safety and the opportunities and challenges faced by those in the profession;

**NOW, THEREFORE**, I, Jenn Weaver, mayor of the Town of Hillsborough, do hereby proclaim Oct. 1-8, 2022, as Supply Chain Week in the Town of Hillsborough.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 26<sup>th</sup> day of September in the year 2022.

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Jenn Weaver, Mayor  
Town of Hillsborough



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date:	Sept. 26, 2022
Department:	Governing Body
Agenda Section:	Consent
Public hearing:	No
Date of public hearing:	N/A

#### PRESENTER/INFORMATION CONTACT

Mayor Jenn Weaver

#### ITEM TO BE CONSIDERED

**Subject:** Proclamation – 77<sup>th</sup> Anniversary of National Disability Employment Awareness Month

**Attachments:**

Proclamation

**Summary:**

Held every October, National Disability Employment Awareness Month (NDEAM) is a time to educate about disability employment issues and celebrate the many and varied contributions of America's workers with disabilities. This year marks the 77<sup>th</sup> anniversary of NDEAM and the 2022 theme will be "Disability: Part of the Equity Equation."

NDEAM is led by the U.S. Department of Labor's Office of Disability Employment Policy (ODEP), but its true spirit lies in the many observances held at the grassroots level across the nation every year. The Campaign for Disability Employment encourages organizations of all sizes and in all industries to participate.

**Financial impacts:**

None.

**Staff recommendation and comments:**

None.

**Action requested:**

To approve proclamation.





# PROCLAMATION

## Recognizing the 77<sup>th</sup> Anniversary of National Disability Employment Awareness Month

**WHEREAS**, October 2022 marks the 77th anniversary of National Disability Employment Awareness Month; and

**WHEREAS**, the purpose of National Disability Employment Awareness Month is to educate about disability employment issues and celebrate the many and varied contributions of America's workers with disabilities; and

**WHEREAS**, the history of National Disability Employment Awareness Month traces back to 1945 when Congress enacted a law declaring the first week in October each year as "National Employ the Physically Handicapped Week;" and

**WHEREAS**, in 1962, the word "physically" was removed to acknowledge the employment needs and contributions of individuals with all types of disabilities; and

**WHEREAS**, in 1988, Congress expanded the week to a month and changed the name to National Disability Employment Awareness Month; and

**WHEREAS**, workplaces welcoming of the talents of all people, including people with disabilities, are a critical part of our efforts to build an inclusive community and strong economy; and

**WHEREAS**, activities during this month will reinforce the value and talent that people with disabilities add to our workplaces and communities and will affirm the Town of Hillsborough's commitment to an inclusive community that increases access and opportunities to all, including individuals with disabilities;

**NOW, THEREFORE**, I, Jenn Weaver, mayor of the Town of Hillsborough, do hereby proclaim October as **Disability Employment Awareness Month** in the Town of Hillsborough and call upon employers, schools, and other community organizations in the community to observe October with appropriate programs and activities to promote its important message that people with disabilities add value and talent to our workplaces and communities.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 26<sup>th</sup> day of September in the year 2022.

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Jenn Weaver, Mayor  
Town of Hillsborough



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: Sept. 26, 2022  
Department: Community Services  
Agenda Section: Regular  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Margaret Hauth, Assistant Town Manager  
Sarah Kimrey, Town Clerk

#### ITEM TO BE CONSIDERED

**Subject:** Update and next steps on making volunteer board processes more consistent

##### Attachments:

1. Report of staff research and questions
2. Draft town Code chapter updating and consolidating board language
3. 2017 appoint/recruitment policy
4. Town Code Section 2-32
5. Draft updated organizational chart

##### Summary:

In February, the board members expressed interest in improving the consistency of processes surrounding appointed boards – recruitment, orientation, alignment with town board interests. Staff pulled together the various authorizing documents, process, and the like that govern appointed boards. These have previously been shared via the town board's SharePoint location.

The attached report summarizes our research findings and indicates staff recommended next steps. It also provides responses and recommendations related to the questions asked.

##### Financial impacts:

None.

##### Staff recommendation and comments:

Discussion only. Town Code amendments can be prepared for future meeting.

##### Action requested:

Provide direction on next steps.

## 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?

## **ARTICLE VII. RECREATION**

### **Sec. 3-52. Park naming procedure.**

(MOVE to away from boards to Recreation section- number correct)

Sec. 3-53-Sec. 3-59      Reserved (NEW)

## **ARTICLE VIII. ~~MISCELLANEOUS~~ APPOINTED BOARDS, TASK FORCES, AND AUTHORITIES**

### **Sec. 3-60      General (New)**

Board of commissioners may appoint boards to conduct portions of public business or to advise the board of items within their authority. An appointed board is expected to continue as described in this section unless eliminated by a majority vote of the board of commissioners.

The Tourism Board and the Tourism Development Authority were created through local bills approved by the state legislature concurrent to enacting the prepared food and beverage tax and occupancy tax, respectively. If language or requirements in this section differ from the specific language in the local law, the local law will control.

The board may also appoint task forces or study commissions to address short term or topic specific research. Such groups shall be established by resolution with a specific charge and an anticipated sunset date. The sunset date for any short-term committee may be extended by the board. The board may establish new appointed boards to continue the work of short-term committees upon a majority vote. This code must be amended to reflect any new committee without a sunset date.

### **Sec. 3-61      Recruitment (New -if this goes in code)**

The designated staff support person for any town appointed board will be responsible for overseeing recruitment, appointment, and orientation of the members of the board they support. (from 2019 appointment policy)

Recruitment may be done through website advertising and notices, public advertising, membership committees or active boards and commissions, and other sources. (from 2019 appointment policy)

Appointment and reappointment items will appear on the board of commissioners consent agenda. (from 2019 appointment policy) will appear on board of commissioner agendas for formal action.

(Any appointment process language would go here).

### **Sec. 3-62      Routine orientation for appointees. (New- if this goes in code)**

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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 Strategic Plan for the town (need alternative text), 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, prior to the volunteer's first vote. (from 2019 appointment policy)

New appointees are encouraged to attend a board of commissioners meeting within six months of appointment to any appointed board. (from 2019 appointment policy-this was to help with recognition and orientation. This has not been enforced.)

**Sec. 3-63      Regular attendance a pre-requisite for continuing service. (New- if this goes in code)**

Attendance at regularly scheduled board meetings is critical to continued membership on a board.

(Different boards have different attendance requirements. Is this something that should be in code or ROP? Can the standards be different?)

Staff shall notify any board member who misses four regular meetings within a calendar year that regular attendance is required and future absences may impact continued participation. (from 2019 appointment policy)

Any board member who misses six regular meetings within a calendar year will be notified by staff that their term has been automatically ended. For boards with fewer than twelve regular meetings per year, the numbers will be pro-rated to the closet percentage.

Board members are eligible for re-appointment consistent with term limits for their board. Attendance records shall be provided with any re-appointment request to the board of commissioners.

(example of different language):

Attendance at regular meetings of the board shall be considered a prerequisite for maintenance of membership on the board. The board of commissioners may declare a vacancy on the board because of a member's nonattendance. Two unapproved absences during a six-month period shall constitute grounds for replacement. Absence due to conditions beyond the member's control (illness of self or family, work-related absences, etc.) shall be considered approved absences and shall not affect the member's status. In the event of a long illness or other cause for prolonged absence, the member shall be replaced.

**Sec. 3-64. Planning board. (numbering from here on would change if 61-63 are omitted)**

There shall be a planning board, the establishment, powers and duties of which are provided for in the Hillsborough unified development ordinance.

(Prior Code, § 3-21)



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### **Sec. 3-65. Board of adjustment.**

There shall be a board of adjustment, the establishment, powers and duties of which are provided for in the Hillsborough **unified development ordinance**.

(Prior Code, § 3-22)

### **Sec. 3-66. Historic district commission.**

There shall be a historic district commission, the establishment, powers and duties of which are provided for in the Hillsborough **unified development ordinance**.

(Prior Code, § 3-23)

### **Sec. 3-67. Tree board.**

There shall be a tree board, the establishment, powers and duties of which are provided for as follows.

- (a) Powers and duties. The tree board shall serve as an advisory board to the Town Board with the following duties and responsibilities:
  - (1) To hear all requests by Hillsborough residents and/or owners of property within the town for planting, maintenance, and removal of town trees. The Town Board maintains the right to review any such requests and the trees in question in determining whether to grant such requests.
  - (2) To facilitate the planting, growth, protection, and recommended removal of trees within the town.
  - (3) To foster education and communication among the citizens of Hillsborough that would provide the needed protection of trees and to coordinate active measures to support their health and growth within the town.
  - (4) To conduct, every two years, a periodic safety audit of existing town trees for the purpose of determining needed pruning and tree removal. Between audits, members should report such needs as they detect them.
  - (5) To investigate available grants, loans, or contributions from other governmental agencies, public or private corporations, or individuals and to recommend the expenditure of any proceeds toward the accomplishment of the tree board's purposes.
  - (6) To establish guidelines for the selection and placement of trees on town property, which guidelines should be maintained as a separate document.
- g.
  - (7) To coordinate, insofar as appropriate, its purposes with those of the town Parks and Recreation Board, the Historic District Commission, and other town and county agencies.
  - (8) To submit an annual report to the Town Board.
  - (9) To create and promote an active urban forestry education program for all citizens of the town.
  - (10) **To advise owners and developers of private property within town limits on the preservation of existing trees prior to planning board approval.**

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(Supp. No. 44)

Created: 2022-03-23 09:59:14 [EST]

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- (11) To advise the town on the planting, pruning, maintenance, and removing of trees on town property.
  - (12) Residents of Hillsborough and/or property owners desiring to have a tree planted on town property shall obtain approval of the tree board.
  - (b) Membership. The tree board shall consist of seven regular members. The tree board may determine the need for ex officio members to provide expertise. No more than **three** ex officio members may be appointed at any time.
  - (c) Appointment. Members shall be appointed by the Town Board. Ex officio members may be appointed as necessary by a majority of tree board members.
  - (d) Term of office. The terms of the regular members shall be staggered so that no more than three members' terms expire during the same year. In the event that a vacancy occurs during the term of any member, a successor shall be appointed by the Town Board for the unexpired portion of the term. Members shall serve a maximum of two consecutive three-year terms.
  - (e) Staff. The Public Space and Sustainability division shall provide staff support to the tree board.
  - (f) Meetings. All meeting shall be open to the public. **The board shall adopt and publish a regular meeting schedule of not less than four meeting per calendar year.**
  - (g) Quorum. Four regular members shall constitute a quorum of the tree board. **This number may be adjusted for vacancies. Staff an ex officio members are not qualified to vote.**
  - (h) Rules of Procedure. The board shall adopt rules of procedure for the conduct of its meetings. Rules of procedure shall be consistent with the procedural requirements of state law.
  - (i) Compensation. Members of the tree board shall serve without material compensation.

(Prior Code, § 3-24; Ord. of 3-12-2001)

(It appears any reference to this committee was previously removed from chapter 17)(this committee was the forerunner of the Parks & Recreation Board)

### **Sec. 3-68. Parks and recreation board.**

There shall be a parks and recreation board, the establishment, powers and duties of which are provided for as follows.

- (a) Powers and duties. The board shall be responsible for implementing the **Parks and Recreation Master Plan** adopted by the Town Board. This general charge includes, but is not limited to, the following duties:
  - (1) Cooperate with Orange County to facilitate shared use and responsibility for publicly owned land.
  - (2) Concentrate on developing parks and recreation facilities that can be programmed for use by others.
  - (3) Coordinate with other town committees on items of mutual interest.
  - (4) Recommend funding priorities for parks and recreation projects to the town board.
- (b) **Membership. The parks and recreation board shall consist of no more than 12 members, with five members required to make a quorum.** (not the traditional definition of quorum)
- (c) Appointment. The town board shall select members of the parks and recreation board from as many different park districts as shown in the master park and recreation plan as is practicable. One seat on the parks and recreation board shall be reserved for a member who is 13 to 19 years old on the date of their appointment and one seat shall be reserved for a member who is over 55 years old on the date of their appointment. Representatives from the Town of Hillsborough Planning Board and Orange County Parks and Recreation Council may serve ex officio members entitled to vote on matters brought before the board.

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Created: 2022-03-23 09:59:14 [EST]

(Supp. No. 44)

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- (d) Terms. Board members shall serve for three-year staggered terms, with the opportunity for reappointment for a second full term. After serving two complete terms and any partial term, a member shall be ineligible for reappointment until one calendar year has expired. Four members shall initially be appointed for three-year terms, four with two-year terms, and four with one-year terms.
  - (e) Staff. The Public Space and Sustainability division shall provide staff support to the parks and recreation board.
  - (f) Meetings. All meeting shall be open to the public. The board shall adopt and publish a regular meeting schedule of not less than four meeting per calendar year.
  - (g) Quorum. This number may be adjusted for vacancies. Staff and ex officio members are not qualified to vote.
  - (h) Rules of Procedure. The board shall adopt rules of procedure for the conduct of its meetings. Rules of procedure shall be consistent with the procedural requirements of state law.
  - (i) Compensation. Members shall serve without material compensation.
- (Prior Code, § 3-28; Ord. of 10-9-1995; Ord. No. 20190812-6.D, § 1, 8-12-2019)

### **Sec. 3-69. Water and Sewer Advisory Committee** (This whole section is sew & based on the resolution)

There shall be a water and sewer advisory committee, the establishment, powers and duties of which are provided for as follows.

- (a) Powers and duties. The general charge includes, but is not limited to, the following duties:
  - (1) Receive updates regarding key operational, policy, and financial issues facing the Water & Sewer Fund.
  - (2) Request information from staff to stay informed and knowledgeable regarding key issues, concerns, and opportunities facing the Water & Sewer Fund.
  - (3) Offer recommendations to the Town Board regarding general operational, financial, public information, and other management issues affecting the of the Water & Sewer Fund;
  - (4) The Committee will not make recommendations regarding individual personnel matters (e.g., hiring, firing, and disciplinary issues) within the Water & Sewer Fund;
- (b) Membership. The Committee will consist of between 6-8 members. The Town will strive to maintain an even balance between in-town and out-of-town water/sewer customers, or as close as is reasonable possible.
- (c) Terms. Committee Members will serve staggered four-year terms, with the opportunity for reappointment for a second full term. After serving two complete terms and any partial term, a member shall be ineligible for reappointment until one calendar year has expired.
- (e) Staff. The Engineering division shall provide staff support to the water and sewer advisory committee.
- (f) Meetings. All meeting shall be open to the public. The board shall adopt and publish a regular meeting schedule of not less than four meeting per calendar year.
- (g) Quorum. Four regular members shall constitute a quorum. This number may be adjusted for vacancies. (not the traditional definition of quorum)
- (h) Rules of Procedure. The board shall adopt rules of procedure for the conduct of its meetings. Rules of procedure shall be consistent with the procedural requirements of state law.

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- (i) Compensation. Members shall serve without material compensation.

### **Sec. 3-70. Tourism Board.**

- (a) Powers and Duties. The Tourism Board shall promote tourism within the Town of Hillsborough, subject to the provisions of chapter 449 of the 1993 Session Laws and the provision of this article.
- (b) Membership. There is hereby established a Hillsborough Tourism Board composed of nine members appointed by the Board of Commissioners. One member shall be a member of the Board of Commissioners. One member shall be a member of the Hillsborough Area Chamber of Commerce and shall be chosen by the Town Board from nominees submitted by the board of directors of the Hillsborough Area Chamber of Commerce. Four members shall be owners or operators of restaurants in Hillsborough that are affected by the prepared food and beverage tax. One member shall be chosen by the Town Board from nominees submitted by the Alliance for Historic Hillsborough, Inc. One individual may be selected to represent more than one of the four groups or organizations listed in this section (i.e., if a restaurant owner were nominated by the Chamber of Commerce, his selection would satisfy the representation criteria for two of the groups listed in this section). The remaining members shall either reside within the town, own property within the town, or have a principal place of employment within the town.
- (c) Terms. Members of the tourism board shall serve two-year staggered terms. Initially, five members shall be appointed for two-year terms, beginning January 1, 1994. Members may continue to serve until their successors are appointed and qualified, even if this extends their terms. A vacancy shall be filled for the unexpired term of the member whose seat has become vacant. Members who are selected to represent one of the four groups specified in subsection (b) of this section may continue to serve their full terms regardless of whether they continue to be affiliated with the organization or group they originally represented. Members may be appointed to three successive two-year terms. Following service for three successive two-year terms, a member may not be reappointed until an interval of at least two years has passed.
- (f) Meetings. The board shall meet at least quarterly on call of the chair or of any three members. All meetings shall be administered in accordance with the Open Meetings Law.
- (g) Quorum. A quorum for the board shall consist of five members if there are no vacant seats, four members if there are one or two vacant seats, and three members if there are three or more vacant seats. All actions of the board shall be taken by majority vote, a quorum being present.
- (h) Rules of Procedure. The board may adopt rules and regulations governing its procedures not inconsistent with the provisions of this article.
- (i) Members shall serve without compensation.
- (j) Members may be removed by the Board of Commissioners only for good cause, including, without limitation, failure to attend three consecutive meetings or failure to attend 50 percent of the meetings within any 12-month period.
- (k) The board shall receive from the town the net proceeds of the prepared food and beverage tax and, after deducting the cost of its annual audit, shall allocate the remaining proceeds to be used for the purposes listed below. The board shall allocate proceeds each year for purposes stated in both subsections (1) and (2) below. The purposes are:
- (1) To provide visitor services, including any of the following:
- a. Operation of a center where visitors can be provided with information about the community, about facilities and businesses in it, and points of historical or cultural interests;

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- b. Production and distribution of a free directory of restaurants to include the name, address, and phone number of each restaurant in the town;
  - c. Production and distribution of pamphlets, film clips, and other informational materials on the community;
  - d. Advertising the town and publicizing special events in it;
  - e. Doing market research pertaining to tourism;
  - f. Responding to mail and telephone inquiries submitted by visitors or potential visitors;
  - g. Providing other services to visitors designed to make their stay pleasant and instructive.
- (2) To provide facilities, programs, and services designed to attract tourists to the town.
- (l) The Town Board retains its authority to establish minimum or maximum allocations of proceeds for specific purpose, provided, however, that the Town Board may not authorize the use of the tax proceeds for any purpose other than those provided in subsections (b)(1) and (b)(2) of this section.
  - (m) The board may expend funds only for a public purpose, and all funds derived from the prepared food and beverage tax shall be received, held, appropriated, disbursed, and accounted for in accordance with the provisions of the Local Government Budget and Fiscal Control Act. Provided, however, that the Tourism Board shall not purchase any real property nor shall it spend more than \$5,000.00 for any purpose stated in subsection (b)(2) above except with the Town Board's prior approval.
  - (n) The board shall report quarterly and at the close of the fiscal year to the Board of Commissioners on its receipts and expenditures for the preceding quarter and fiscal year in such detail as the Town Board may require.

(Prior Code, § 3-62; Ord. No. 20191112-7.D, 11-12-2019)

### **Sec. 3-71. Hillsborough Tourism Development Authority: Appointment and membership.**

**(Move this section from Chapter 8A)**

- (a) The Hillsborough Tourism Development Authority (HTDA) is hereby created, which shall be a public authority under the Local Government Budget and Fiscal Control Act.
- (b) The HTDA shall consist of three members appointed by the board of commissioners, two of whom shall also be members of the tourism board. Members need not reside within the town, but at least one-third of the members must be individuals who are affiliated with businesses that collect the tax in the town, and at least three-fourths of the members must be individuals who are currently active in the promotion of travel and tourism in the town.
- (c) Subject to subsection (d), members shall be appointed for terms of one year. The initial terms of all appointees shall expire on January 31 of the year that follows the initial appointments. Subsequent terms shall run from February 1 of one year to January 31 of the following year. Vacancies shall be filled for the remainder of the unexpired term. Members may be appointed to up to six consecutive one-year terms.
- (d) Members shall serve at the pleasure of the board of commissioners and may be removed by the board at any time with or without cause.
- (e) Members shall serve without compensation.

(Ord. No. 20120409-10.B, § 1, 4-9-2012)

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**Sec. 8A-6. Meetings of HTDA. (move this section from Chapter 8A)**

- (a) The HTDA shall meet as necessary to carry out its powers and duties as specified below. All meetings shall be held in conformity with the Open Meetings Law.
- (b) A quorum for the HTDA shall consist of three members, except that if one seat is vacant, a quorum shall consist of two members. All actions of the HTDA shall be taken by majority vote, a quorum being present.
- (c) Upon the initial appointment of members to the HTDA and upon the commencement of each new term, the board of commissioners shall appoint one member to serve as chair of the HTDA during that term. If a vacancy occurs during a term, the board shall designate another member to serve as chair for the remainder of that term. The chair may take part in all deliberations and vote on all issues.

(Ord. No. 20120409-10.B, § 1, 4-9-2012)

**Sec. 8A-7. Powers and duties of the HTDA. (move this section from Chapter 8A)**

- (a) The HTDA shall expend the net proceeds of the tax levied under this chapter for the purposes provided in this section 8A-4. The authority shall promote travel, tourism, and conventions in the town, sponsor tourist-related events and activities in the town, and finance tourist-related capital projects in the town. The town's finance officer shall serve ex officio as the finance officer for the HTDA.
- (b) The HTDA shall report quarterly and at the close of the fiscal year to the board of commissioners on its receipts and expenditures for the preceding quarter and for the year in such detail as the board may require.
- (c) The HTDA may not, without the prior approval of the Town Board, purchase any real estate, nor may it spend more than \$5,000.00 for any item covered by section 8A-4 without the prior approval of the Town Board.

(Ord. No. 20120409-10.B, § 1, 4-9-2012; Ord. No. 20150511-10.E, § 1, 5-11-2015)

***ARTICLE IX. MISCELLANEOUS***

**Sec. 3-80. Oaths and bonds of officers and employees.**

**Sec. 3-81. Absences or disabilities.**

**Sec. 3-82. Automatic resignation when appointees no longer qualify.**

**Sec. 3-83. Disposal of surplus personal property of the town.**

**Sec. 3-84. Manager's authority to purchase apparatus, supplies, materials or equipment.**

**Sec. 3-85. Malt beverages, unfortified wine, fortified wine and mixed beverages on Sunday mornings.**

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Secs. 3-86—3-99. Reserved.

This is just a rearrangement – no change to the text of these sections.

## **Policy regarding recruitment, appointment, removal of town advisory board members**

The designated staff support person for any town advisory board will generally be responsible for overseeing recruitment, appointment, and orientation of the members of the board they support.

Recruitment may be done through website advertising and notices, public advertising, membership committees or active boards and commissions, and other sources.

Applicants must submit a standardized application form through the town's website. Volunteers referred to the town from Orange County will be asked to complete the town's application for consistency.

Applicants must attend at least one meeting of the advisory board they are interested in before being considered. Generally, this meeting shall be within 4 months of consideration.

Recruitment or filling a vacancy should begin 60 days before the vacancy comes open to limit the time any board is without a full membership.

- If the staff person does not have at least one applicant waiting for a pending vacancy, they shall begin a recruiting process.
- The staff person should contact any applicants on file for one year or less to gauge their continued interest, encourage them to attend a board meeting, and update their application.
- When there is a pool of 2 or more applicants for any vacancy, the staff person shall review the applicants on file and apply the following criteria to narrow the field:
  - Diversity (including location of residence and demographics – the town strives for its pool of volunteers to closely reflect the population of the community)
  - New volunteer (i.e. priority will be given to volunteers who have not served on the same or other boards in the last 3 years)
  - Demonstrated interest or training in board subject matter (this standard will NOT apply to Planning Board & BOA volunteers as those boards are intended to reflect the general population of the community)
- If the screening process generates a pool of 2 or more applicants for any vacancy, the staff person shall arrange an interview with the applicant and one member of the advisory board to discuss the applicant's answers to application questions and determine the best fit for the current advisory board.
- If the screening process narrows the field to one preferred candidate, the staff person shall forward their applicant materials to the next Town Board meeting for appointment.
- The Town Board will receive the application as an item on the consent agenda.



- When appointed, volunteers will be contacted to confirm a time for an orientation session with support staff and will be required to attend a town board meeting within 6 months of appointment.
- 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.
- Attendance at regularly scheduled board meetings is critical to continued membership on a board. Staff shall notify any board member with 4 absences within a calendar year that regular attendance is required and future absences may impact continued participation. If a board member has 6 absences within a calendar year, their membership is automatically ended unless reappointed by the town board within 30 days. For boards with fewer than 12 regular meetings per year, the numbers will be pro-rated to the closest percentage.

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## **Sec. 2-32. Recruitment, appointment, removal of town boards and commissions members.**

Robert's Rules of Order shall govern all procedural matters not addressed by the provisions of this chapter. However, no action taken by the Board of Commissioners shall be invalidated by a failure to abide by Robert's Rules of Order.

- (1) The Board finds that:
  - a. It is important to appoint qualified, knowledgeable, and dedicated people to serve on boards and commissions and to solicit the interest and input of the citizens of Hillsborough in making such appointments; and
  - b. Written policies and procedures will increase public awareness of the various appointments that are to be made from time to time, increase the public's response to the Board's solicitation for public input into the appointment process, and assist the Board in the appointment of qualified, knowledgeable, and dedicated persons to serve on the various boards and commissions;
- (2) Appointments will be made in accordance with the applicable statute, ordinance, resolution, or policy that created the board or commission. Appointments will generally be limited to persons residing within the town, except as otherwise required or authorized by law (e.g., extraterritorial appointments on the planning board and board of adjustment). Discretion will be used when considering town employees for membership on any of the boards or commissions as set forth in section 4-12(b).
- (3) The Board of Commissioners may recruit through public advertising, membership committees or active boards and commissions, and other sources.
- (4) Each board and commission shall recruit and interview applicants to fill vacancies on such board or commission and bring recommendations to the Board of Commissioners for the Board's approval and appointment.
- (5) To fill an unexpired term on the Board of Commissioners, the town clerk will recruit for applicants by placing advertisements in the local newspapers, posting a notice of the vacancy at the county library, and seeking recommendations from Board members to attempt to receive a diverse applicant pool. All applications will be presented to the Board. The mayor or any commissioner may make one nomination from the applications presented. The town clerk will schedule the interviews of the nominees to be conducted at a specified Board meeting.
- (6) Unless the Board agrees by consensus to follow another procedure, the Board shall use the following procedure to appoint individuals to various subordinate boards and offices and to fill vacancies on the Board of Commissioners. Because subordinate boards carry out business on behalf of the Board of Commissioners, all candidates for subordinate boards shall be interviewed by the Board of Commissioners before their appointment.
  - a. The mayor shall open the floor to nominations, whereupon the names of possible appointees shall be put forward by the members and debated. Upon the conclusion of the debate, the mayor shall propose each name in alphabetical order, and the members shall cast their votes. The mayor may vote to break a tie.
  - b. If only one appointee is to be selected, the voting shall continue until one nominee receives a majority of the votes cast, whereupon he shall be appointed.
  - c. If more than one appointee is to be selected, the voting shall continue until a sufficient number of nominees have received a majority of votes cast to fill each vacancy.
- (7) The Board's policy is generally to limit the length of service on subordinate boards and commissions to two consecutive terms, or six years, whatever is less. This will allow for more individuals to serve and

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promote a diversity of opinions. This policy may be waived if the Board of Commissioners determines that the removal of an individual made ineligible by this policy would be detrimental to the functioning of that board or commission.

- (8) If an appointee, during a 12-month period beginning on the date of appointment, has unexcused absences which constitute more than 25 percent of the board meetings which he is required to attend pursuant to his appointment, he is obligated to resign. Excused absences are defined as absences caused by events beyond one's control. If the individual refuses to resign, he may be dismissed by action of the Hillsborough Board of Commissioners, subject to state law. If a more stringent attendance policy is set forth in any ordinance establishing a board or commission, or in the bylaws or rules duly established by such board or commission, the more stringent policy shall prevail. For those boards and commissions without an attendance policy, the policy stated herein will apply. All boards and commissions shall request all new appointees to certify that he understands the attendance policy, and this certification shall become part of the permanent files of such board or commission.
- (9) Subject to state law, the Board of Commissioners reserves the right, at any time and for any reason, to remove any member of any board or commission when a motion for removal receives the vote of a majority of the entire membership of the Board.

(Prior Code, § 2-32; Ord. of 11-14-1995)



# ORGANIZATION CHART

