

## MEMORANDUM

TO: Mayor JB Lawrence and Blowing Rock Town Council

FROM: Kevin Rothrock, Planning Director

SUBJECT: Appointed Board Member Term Limits

DATE: July 5, 2017

At the Town Council retreat in January, the Council asked for an ordinance amendment to be considered that would place possible term limits for appointed boards to two terms. If there are not enough volunteers for citizen boards in a particular year, members currently serving could be asked to continue service. Council suggested that the ordinance amendment be effective in March 2018 as new board appointments are made. The draft ordinance would affect the Planning Board, Board of Adjustment and BRAAC.

Additionally, if term limits are placed on board membership, that language would be included during the member recruitment process in December 2017 and in years following.

Planning Board recommended the approval of the draft ordinance at their meeting in June.

In the attached ordinance, the suggested changes are **highlighted** and underlined or ~~struck through~~.

## Article 3 - Administrative Mechanisms

### Section 16-3.1 Planning Board.

There shall be a Planning Board consisting of nine members. Eight members, appointed by the Town Board of Commissioners, shall reside within the town limits. One member, appointed by the Watauga County Board of Commissioners, shall reside within that portion of the Town's extraterritorial jurisdiction that lies within Watauga County. If, despite good faith efforts, a resident of the extraterritorial jurisdiction cannot be found to fill the seat reserved for residents of such area, then the Watauga County Board of Commissioners may appoint any other resident of the County (including residents of the Town of Blowing Rock) to fill such seat. If the County Board fails to make an appointment within ninety days after receiving a resolution from the Town Board requesting that an appointment be made, the Town Board may make the appointment and terms. All members may participate in and vote on all issues before the Planning Board, regardless of whether the issue affects property within the Town or within the extraterritorial planning area.

**16-3.1.1 Terms.** Planning Board members shall be appointed for three year staggered terms, but members may continue to serve until their successors have been appointed. Vacancies may be filled for the unexpired terms only. Members may be appointed to successive terms without limitation. Planning Board members may be removed by the Town Board of Commissioners at any time for failure to attend three consecutive regularly scheduled meetings or for failure to attend four or more of the meetings within any twelve-month period or for any other good cause related to performance of duties. Beginning with new appointments in March 2018, members may be limited to two terms of service.

**Section 16-3.2 Board of Adjustment.** There shall be a Board of Adjustment consisting of six regular members and three alternates. The Town Board of Commissioners shall appoint five regular members and three alternates, each of whom shall be residents of the Town. The Watauga County Board of Commissioners shall be entitled to appoint one regular member in the manner prescribed for appointments to the Planning Board in Section 16-3.1, above.

**16-3.2.1. Members.** Each alternate member, while serving in any regular or special meeting of the Board of Adjustment, shall have and may exercise all the powers and duties of a regular member. Members may be reappointed to successive terms without limitation. Board of Adjustment members may be removed by the Town Board of Commissioners at any time for failure to attend three consecutive regularly scheduled meetings or for failure to attend four or more of the meetings within any twelve-month period or for any other good cause related to performance of duties.

**16-3.2.1.1** Board of Adjustment members, as well as alternates, shall be appointed for three year staggered terms. Vacancies may be filled for the unexpired terms only.

Beginning with new appointments in March 2018, members may be limited to two terms of service.

16-3.2.1.2 The member appointed to represent the area of extraterritorial jurisdiction may vote only on matters pertaining to the area of extraterritorial jurisdiction.

### **16-3.6 Appearance Commission.**

#### ***16-3.6.1 Membership and Vacancies.***

(A) There shall be an appearance advisory commission consisting of five (5) members, all of whom shall be citizens and residents of the planning and zoning jurisdiction of the town. Members shall be appointed by the board of commissioners for a term of three (3) years. Vacancies occurring for reasons other than the expiration of terms shall be filled as they occur for the period of the unexpired term. It is desirable that at least one member be a member of a design profession.

(B) Members may be removed from the commission by the mayor for due cause. Faithful attendance at the meetings of the commission and conscientious performance of the duties of members shall be considered a prerequisite for continued membership on the commission. Beginning with new appointments in March 2018, members may be limited to two terms of service.

(C) Members of the commission shall serve without pay, but may be reimbursed for actual expenses incident to the performance of their duties within the limits of funds available to the commission.