

## **PROCEDURES FOR CITIZEN APPOINTMENTS**

*The Board of County Commissioners (BOCC), by statute, shall appoint members to various boards, committees, commissions and authorities to assist in the operation of county government. The BOCC is desirous of appointing qualified, knowledgeable and dedicated people to serve on the aforesaid boards, commissions, committees, or authorities and to that end solicits the interest and participation of the citizens of Durham County in providing information and recommendations to assist the BOCC in identifying qualified candidates for said appointments.*

### **APPLICATION PROCESS**

1. The Clerk to the Board of County Commissioners shall administratively publicize available positions on Boards, Commissions and Committees. The available positions will be published on the Durham County website; community websites and postings; and in any newspaper having general circulation throughout the County, once a week for two weeks, beginning 14 days in advance of the deadline for submitting applications.
2. In addition to publicizing procedures, the Clerk shall administratively solicit interested citizens through faith, community and professional organizations when appropriate.
3. Twenty-five (25) days prior to the expiration of the terms, a notice will be mailed to each person who is eligible for reappointment requesting an indication of his or her interest in continuing to serve. If an individual is not eligible for reappointment, he or she will be notified and given the reason for being ineligible.
4. At least twelve (12) days prior to the appointments by the Board of County Commissioners, all applications for the vacant position must be in the hands of the Clerk. The Clerk will check each applicant for eligibility.
5. A copy of the applications submitted will be sent to all Commissioners at least seven (7) days prior to the meeting at which action will be taken. *(amended 08/11/2014)*
6. The Board of County Commissioners, by majority vote, may request interviews with applicants as necessary.
7. All boards, committees, commissions and authorities may submit recommendations for appointments to the Board of County Commissioners, but County Commissioners are under no obligation to appoint those recommended individuals to vacancies unless required by contract or statute.
8. When the advertising or re-advertising of positions for boards, commissions, committees, etc. does not produce an appointee within the time frame prescribed for the necessary number of

qualified persons to fill the vacancies indicated, the Clerk will re-advertise for an additional period of up to 90 days. (amended 8/11/2014) If after 60 days no qualified applicants are produced, the Board of County Commissioners may, on its own initiative, name a person(s) to serve until an appointment is made. The serving member may continue to serve and vote until such new appointment is made. (amended 08/11/2014)

9. The Board of County Commissioners may appoint at large applicants for statutory positions until the required designation is filled.
10. When vacancies and positions appointed pursuant to this policy occur prior to the expiration of the term of office, the Board of County Commissioners shall appoint a person to serve the remainder of the term. **If the remainder of the term is one year or less, it shall be counted as a partial term. If the remainder of the term is more than one year, it shall be counted as a full term.**
11. **An applicant must receive three (3) or more Board votes (a majority) to be appointed to a board, commission or committee. If an applicant does not receive a majority vote during the Regular Session meeting, the Board will re-vote until a majority vote is received.**
12. The Chairman of the Board of County Commissioners shall prepare a letter of notification of appointment or non-appointment to the applicants and a copy for the affected board, notifying each of the appointment or non-appointment.
13. All applications received shall be retained for at least one (1) year. Applications shall be kept on file for all active appointees. These will be treated as public records and made available upon request for the cost of copying.
14. After the appointment by the Board of County Commissioners, the appointee shall contact the Clerk to the Board to be sworn in, receive the Code of Ethics and a date to attend the new members' orientation.

## **ELIGIBILITY REQUIREMENTS**

1. Any citizen of Durham who is eighteen (18) years of age or older is eligible to serve on the appointed boards, commissions, committees or authorities. Prospective applicants are strongly encouraged to attend the Neighborhood College program sponsored by Durham County and the City of Durham.
2. Citizens appointed must be residents of Durham County, with the exception of those appointed to serve on the Alliance Behavioral Managed Care Board; RTP Foundation; Workforce Development Board; and for those boards/committees whose statutory composition may require otherwise. However, citizens appointed to the RTP Foundation must work for a company located

in Durham County and those appointed to serve on the Workforce Development Board in a Business or Employer seat must be employed by a company located in Durham County. (amended 08/11/2014)

3. All Durham County and City taxes must not reflect any delinquencies before an application is submitted. Property taxes must be current both prior to appointment and during the term of the appointment. However, if the appointee's taxes become delinquent during the term of the appointment, the appointee shall be allowed up to 45 days to bring the property taxes current, provided the appointee shall have established a payment plan with the Tax Administrator's Office. (amended 08/11/2014)
4. If an applicant is not eligible for appointment due to unpaid taxes, the name will not be included on the ballot for BOCC approval.
5. When an appointee is deemed delinquent by the Tax Office, the Clerk shall notify the appointee. The appointee shall be given 30 days to respond to the Clerk's Office. If the appointee fails to respond and resolve the delinquency as required by these rules, the Clerk **shall** notify the Chair of the Board and place the item on a Worksession for official action by the Board. (amended 08/11/2014)
6. All boards, committees, commissions and authorities requiring special areas of knowledge should be considered in that light.
7. Citizens may serve on only two (2) boards, committees, commissions, or authorities at one time, unless exempted by the nature of the position he or she may hold in governmental service, or as may be required by statute.
8. The Board of Commissioners recognizes the need to have a representative sample of the citizens of Durham County serve on boards, commissions, committees and authorities. No citizen may serve more than four consecutive terms for 2-year term boards; three consecutive terms for 3-year term boards; two consecutive terms for 4-year term boards; and one consecutive term for 5 and 6-year term boards in any one position, unless otherwise stated by statute; or there are no other applicants who meet the eligibility requirements. The Equalization and Review Board shall be exempt from the term limits set out in this section. (amended 08/11/2014)
9. New appointees to boards, committees, commissions, or authorities shall attend a training orientation presented by the County Attorney's Office and Clerk's Office within six months of appointment. Sessions will be held in January, April, August and November. Two-day time sessions and two evening sessions will be held within the six-month period.
10. For boards established with staggered terms, the Board of County Commissioners shall appoint the citizen who receives the most votes to the highest term and the subsequent number of votes shall receive the next highest term, etc. If all applicants receive the same number of votes, the

Board shall put the names in a hat and the Chair shall pull the names from the hat with the first name receiving the highest term. (added June 6, 2016)

## **ATTENDANCE REQUIREMENTS**

1. The Clerk to the Board shall inform all boards and appointees of the attendance policy.
2. The liaison or Board Chair to the boards, commissions, committees, or authorities shall be responsible for keeping an attendance record and notifying the Clerk to the Board of unacceptable attendance.
3. If an appointee has absences (excused or unexcused) which constitute more than 50 percent of the meetings in any calendar year or three (3) consecutive unexcused absences or five (5) consecutive excused absences in any calendar year, he or she is obligated to resign. NOTE: In the event that a board, committee, commission or authority is subject to stricter attendance requirements as required by state and federal laws, then that board, committee, commission or authority shall comply with those attendance requirements and the Board of County Commissioners shall adhere to the same. (amended 08/11/2014 and 9/18/2018)
4. The Clerk to the Board shall notify the appointee of the unacceptable attendance record and request that the applicant resign from the board or commission.
5. The Clerk to the Board shall notify the Board of County Commissioners when the limit of absences of any appointee has been reached and the appointee does not resign.
6. The Board of County Commissioners shall hold a hearing at a regularly scheduled Commissioners' meeting to remove the appointee from the board or commission. The appointee shall be given the opportunity to appeal the decision at the time of the hearing. The Board may, at its discretion, allow the appointee to remain on the board or commission or remove the appointee.

## **REPORTING REQUIREMENTS**

1. All boards, committees, commissions, or authorities shall keep meeting minutes, as required by the open meetings laws (amended 8/11/2014) and submit approved minutes to the Clerk's Office to be posted on the County's website.
2. All boards, committees, commissions, or authorities are required to submit a written report to the Board of County Commissioners on an annual basis. Said report should include accomplishments, objectives for the upcoming year and annual attendance of membership.

3. All boards, committees, commissions, or authorities are required to submit a calendar of meeting dates to the Clerk for the following year by November 1 of each year. (added 8/11/2014)

*Revised October 10, 2011 by the Board of County Commissioners*

*Revised August 11, 2014 by the Board of County Commissioners*

*Revised June 6, 2016 by the Board of County Commissioners*

*Revised September 18, 2018 by the Board of County Commissioners*