



**Orange County  
Board of Commissioners**

**Agenda**

**Regular Meeting**

April 7, 2015

7:00 p.m.

Richard Whitted Meeting Facility

300 West Tryon Street

Hillsborough, NC 27278

**Note:** Background Material  
on all abstracts  
available in the  
Clerk’s Office

**Compliance with the “Americans with Disabilities Act”** - Interpreter services and/or special sound equipment are available on request. Call the County Clerk’s Office at (919) 245-2130. If you are disabled and need assistance with reasonable accommodations, contact the ADA Coordinator in the County Manager’s Office at (919) 245-2300 or TDD# 644-3045.

**1. Additions or Changes to the Agenda**

**PUBLIC CHARGE**

*The Board of Commissioners pledges to the residents of Orange County its respect. The Board asks its residents to conduct themselves in a respectful, courteous manner, both with the Board and with fellow residents. At any time should any member of the Board or any resident fail to observe this public charge, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed. All electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate.*

**2. Public Comments (Limited to One Hour)**

(We would appreciate you signing the pad ahead of time so that you are not overlooked.)

- a. Matters not on the Printed Agenda (Limited to One Hour – THREE MINUTE LIMIT PER SPEAKER – Written comments may be submitted to the Clerk to the Board.)

*Petitions/Resolutions/Proclamations and other similar requests submitted by the public will not be acted upon by the Board of Commissioners at the time presented. All such requests will be referred for Chair/Vice Chair/Manager review and for recommendations to the full Board at a later date regarding a) consideration of the request at a future regular Board meeting; or b) receipt of the request as information only. Submittal of information to the Board or receipt of information by the Board does not constitute approval, endorsement, or consent.*

- b. Matters on the Printed Agenda  
(These matters will be considered when the Board addresses that item on the agenda below.)

**3. Announcements and Petitions by Board Members (Three Minute Limit Per Commissioner)**

**4. Proclamations/ Resolutions/ Special Presentations**

- a. Alcoholic Beverage Control (ABC) Board Update Presentation
- b. Sexual Assault Awareness Month
- c. Fair Housing Month



- d. Public Safety Telecommunicators Week
- e. Update Report: 2017 Countywide Revaluation of Real Property

## 5. Public Hearings

- a. Comprehensive Plan and Unified Development Ordinance Text Amendments and Zoning Atlas Amendments to Establish Two New Zoning Overlay Districts in the Efland Area (No Additional Comments Accepted)
- b. Public Hearing on the Financing of Various Capital Investment Plan Projects and Equipment, and the Refinancing of Two 2006 Installment Financing

## 6. Consent Agenda

- Removal of Any Items from Consent Agenda
  - Approval of Remaining Consent Agenda
  - Discussion and Approval of the Items Removed from the Consent Agenda
- a. Minutes
  - b. Motor Vehicle Property Tax Releases/Refunds
  - c. Property Tax Releases/Refunds
  - d. Fiscal Year 2014-15 Budget Amendment #7
  - e. Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro City Schools (CHCCS) and Contingent Approval of Budget Amendment # 7-A Related to CHCCS Capital Project Ordinances
  - f. Resolution Authorizing Staff to File Applications with the Federal Transit Administration
  - g. Unified Development Ordinance (UDO) Amendment Outline and Schedule for the May 2015 Quarterly Public Hearing
  - h. County Sheriff’s Office – Records Retention and Disposition Schedule
  - i. Access Easement for Jeffrey Fisher – Hollow Rock Access Area
  - j. Replacement Ambulance for Orange County Emergency Services

## 7. Regular Agenda

- a. Joint Planning Land Use Plan and Agreement Amendments – Agricultural Support Enterprises Within the Rural Buffer Land Use Classification

## 8. Reports

### 9. County Manager’s Report

#### Projected April 9, 2015 Budget Work Session Items

Community Centers – Level of Service and Operating/Programming Options  
Space Study Work Group Report  
Capital Investment Plan Discussion (First Work Session Discussion)

#### Projected April 14, 2015 Regular Work Session Items

Durham-Orange Light Rail Report  
Presentation on Alternatives to On-site Septic Systems  
Implementation of “10% Campaign” within County Government

### 10. County Attorney’s Report



## **11. Appointments**

- a. Arts Commission – Appointments

## **12. Board Comments (Three Minute Limit Per Commissioner)**

## **13. Information Items**

- March 17, 2015 BOCC Meeting Follow-up Actions List
- Tax Collector's Report – Numerical Analysis
- Tax Collector's Report – Measure of Enforced Collections
- Tax Assessor's Report – Releases/Refunds under \$100

## **14. Closed Session**

“To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.” [N.C.G.S. 143-318.11(a)(9)]

## **15. Adjournment**

*Note: Access the agenda through the County's web site, [www.orangecountync.gov](http://www.orangecountync.gov)*

Orange County Board of Commissioners' regular meetings and work sessions are available via live streaming video at [orangecountync.gov/occlerks/granicus.asp](http://orangecountync.gov/occlerks/granicus.asp) and Orange County Gov-TV on channels 1301 or 97.6 (Time Warner Cable).

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 4-a

**SUBJECT:** Alcoholic Beverage Control (ABC) Board Update Presentation

---

**DEPARTMENT:** Board of Commissioners

**PUBLIC HEARING: (Y/N)**

No

---

**ATTACHMENT(S):**

2014-2015 Mid-Year Disbursement Letter  
from ABC General Manager Tony  
Dubois  
North Carolina Alcoholic Beverage Control  
2014 Annual Report

**INFORMATION CONTACT:**

Clerk's Office, 245-2130

---

**PURPOSE:** To receive a brief presentation from Tony DuBois, General Manager of the Orange County Alcoholic Beverage Control (ABC) Board, and to provide any feedback or questions.

**BACKGROUND:** The ABC Board provides an annual update to the Board of Commissioners at the beginning of each calendar year. Tony DuBois, General Manager of the Orange County Alcoholic Beverage Control (ABC) Board, will provide a brief presentation on ABC Board activities and operations and will respond to any questions. Orange County ABC Board Chair Lisa Stuckey and Orange County ABC Finance Officer Ron McCoy will also be at the meeting.

**FINANCIAL IMPACT:** There is no financial impact associated with receiving the presentation.

**RECOMMENDATION(S):** The Manager recommends that the Board receive the presentation and provide any questions or comments to Mr. DuBois.

COUNTY OF ORANGE  
ALCOHOLIC BEVERAGE CONTROL BOARD

601 VALLEY FORGE RD  
HILLSBOROUGH, NORTH CAROLINA 27278  
919-732-3432  
FAX: 919-732-5829  
[ocabc@mindspring.com](mailto:ocabc@mindspring.com)

LISA STUCKEY, Chair  
GREGG JARVIES, Vice Chair  
TONY DUBOIS, General Manager

Board Members  
ROSA TILLEY  
KEITH BAGBY  
MIKE LASSITER

January 1, 2015

Earl McKee Chair  
Orange County Board of County Commissioners  
PO Box 8181  
Hillsborough NC, 27278

In this fiscal year a distribution of \$400,000 is being made to the Orange County General fund. Payments are in the last month of each quarter (September, December, March and June) in the amount of \$100,000. The board also set aside \$ 48,333 to contribute to the Board Retiree Health Care Plan. The board funded \$130,000 to support local Alcohol Law Enforcement agencies. The board also increased the amount available for community Alcohol Education and Rehabilitation grants for schools and local community organizations to \$156,550. The distributions from the board for fiscal year 2014-15 total \$734,883 and are detailed as follows.

Alcohol Law Enforcement	Amount
UNC Police Department	\$ 2,000
Hillsborough Police Department	\$ 6,000
Carrboro Police Department	\$ 16,000
Chapel Hill Police Department	\$ 20,000
Orange County Sheriff's Department	\$ 86,000
Total Alcohol Law Enforcement	\$130,000
 Alcohol Education and Rehabilitation Grants	
Orange County EMS	\$ 750
Lutheran Services	\$ 3,000
Mental Health Orange Co Teen Partnership	\$ 5,000
El Centro Hispano	\$ 10,000
Carpe Diem	\$ 12,000
Orange County Drug Court	\$ 20,000
El Futuro	\$ 22,000
Orange County Schools	\$ 38,500
Chapel Hill-Carrboro city Schools	\$ 45,300
Total Alcohol Education and Rehabilitation	\$156,550

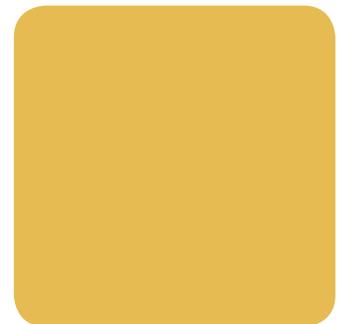
Sincerely,

Tony DuBois  
Orange County ABC  
General Manager  
919-732-3432 ext. 102  
[ocabc@mindspring.com](mailto:ocabc@mindspring.com)

# North Carolina Alcoholic Beverage Control 2014 Annual Report



**ABC**  
COMMISSION  
NORTH CAROLINA



**Control, Service & Revenue Since 1937**



# Contents

Letter from the Chairman .....	3
Mike Herring Retires .....	4
Initiative to Reduce Underage Drinking.....	5-7
NC Distilleries .....	8
Beer and Wine by the Numbers .....	9
Climbing Revenues .....	10
ABC Board Results .....	11-21
ABC at a Glance .....	22

# Letter from the Chairman



James C. Gardner

In May 2014, I stood with Gov. Pat McCrory as he signed the Executive Order that created the statewide Task Force to Combat Substance Abuse and Underage Drinking. In July, Lt. Gov. Dan Forest and his wife, Alice, agreed to serve as ambassadors for the Initiative to Reduce Underage Drinking, which is authorized by the Governor's order.

Even before we reached these important milestones, the ABC Commission had taken a leadership role and put in place the framework for a statewide awareness campaign that will roll out in the coming weeks and months. We have engaged a communications firm and conducted research to ensure that our message will resonate with children, and more important, with their parents. Early findings show that there is a big gap between what parents and children understand about underage drinking, and both are eager to communicate better with each other.

In addition to the formative work on the Initiative, the ABC Commission also has raised awareness about issues of violence in private clubs. In September 2013, I sent a letter to the more than 1,000 businesses that operate as private clubs in North Carolina. My letter reminded them of the laws and regulations governing their businesses and put them on notice that incidents of violence will not be tolerated by the ABC Commission. The ABC Commission also has increased fines for violations and extended the period of time businesses receiving new permits remain on temporary status, which gives law enforcement agencies additional time to conduct thorough reviews of their operations. During the fiscal year that ended June 30, 2014, the ABC Commission issued nine summary suspensions of permanent ABC permits and denied 16 temporary permits on the basis of concerns about public safety at the locations.

Operationally, the ABC Commission also has had a busy year, seeing increases in numbers of products sold and increases in revenues. Liquor shipments from the state warehouse totaled 5,193,612 cases, an increase of 3.57 percent. Revenues generated by ABC store retail sales totaled \$869,111,881, an increase of 4.81 percent. The local ABC boards, their members and the employees who staff the 423 retail stores are to be thanked for this great result. And they too deserve recognition for the more than \$10.5 million the local boards returned directly to their communities for alcohol education and treatment, the more than \$7.4 million for alcohol law enforcement and the more than \$57.5 million generated for local governments.

I want to recognize and thank Commissioners Kevin Green and Joel Keith for their contributions. I invite you to review the attached report for more information about the ABC Commission and the local ABC board results for fiscal year 2014. I am pleased to share these successes and the direction of the state's ABC Commission in 2014. And as we begin a new fiscal year, I am also pleased to report that we will be housed for administrative purposes within the Department of Public Safety. Although we remain an independent agency reporting directly to the Governor, this move aligns us with a team that always has been a strong partner for our regulatory mission. I believe the move is the right fit for the ABC Commission's focus going forward.



**ABC**  
COMMISSION  
NORTH CAROLINA

# ABC Chief Administrator Mike Herring Retires

Mike Herring retires December 2014 as Chief Administrator of the North Carolina Alcoholic Beverage Control Commission with 33 years of service, all at the same state agency. During his tenure, he has played a strong leadership role in shaping many important aspects of alcohol policy that created efficiencies while increasing the Commission's effectiveness with industry and the general public.

In his three decades at the Commission, the number of local ABC boards has increased by nearly 30, gross sales of liquor have gone from \$281 million to nearly \$870 million annually, warehouse capacity has doubled and shipments to the local boards' retail shelves now top five million cases a year.

Soon after his graduation from NC State University, Herring started as a field auditor for the Commission on Nov. 1, 1981. His career path includes his early work in audit, monitoring how well the 1,500 businesses with mixed beverage accounts in 1981 were complying with the newly passed liquor-by-the-drink legislation. Herring was promoted to head the Audit Division in 1987 and was named Assistant Administrator in 1993. By the time he was sworn in as Chief Administrator in 1995, with responsibility for operations of the entire agency, the number of mixed beverage accounts had grown to 2,500. And at his retirement, that number stands at more than 5,600. The staff of the Commission today includes



Mike Herring



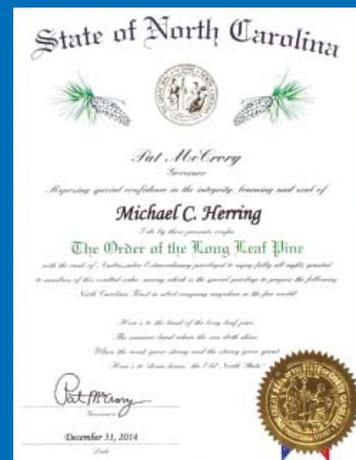
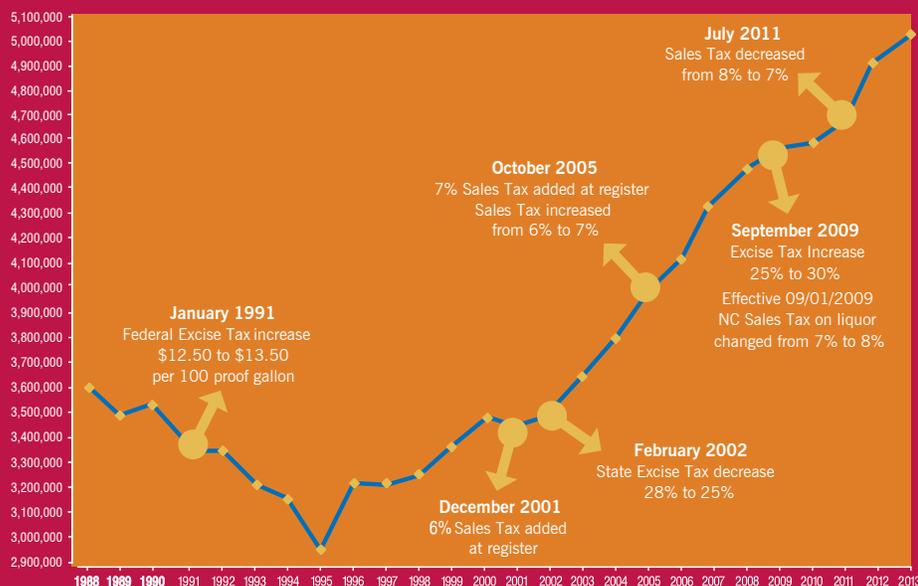
Bob Hamilton

approximately 40 professionals who focus on permits, legal, audit, education, IT, local board audit and pricing, administration and the initiative to reduce underage drinking.

Herring has provided oversight of the Commission during a time when the Commission encouraged the local boards to convert from retail ABC stores where customers had to request specific brands and bottles from a clerk standing behind a counter to stores that are overwhelmingly customer-friendly, profitable and efficient self-service locations. Under his direction, the Commission also invested in technology that resulted in one of the first web sites in the control system. In 2003 North Carolina implemented the first internet-based price quote filing system for distillers. (Distillers set the case price for their products, which are then sold with a standard mark-up at the same retail price throughout the state). The efficiency of the warehouse operation has cost controls in place and also allows for growth and fair distribution to local boards, large and small.

As Herring retires, he is succeeded as Chief Administrator by Bob Hamilton. Hamilton was named Deputy Administrator in 2012 with oversight of the Commission's legal, permit, and audit/investigative sections. Hamilton has served since 2010 as rule-making coordinator for the Commission. Hamilton's experience includes 10 years as Executive Director of the NC Auctioneer Licensing Board.

## NC ABC Warehouse Case Shipments Climb Under Herring's Watch



For his 33 years of service to the NC ABC Commission and the State of North Carolina, Mike Herring was presented with the prestigious *Order of the Long Leaf Pine* award, which recognizes individuals for extraordinary service to the state, contributions to their communities, and many years of service to their organizations.

# NC Initiative to Reduce Underage Drinking Readies Campaign Launch

North Carolina parents and children perceive the problem of alcohol differently. Students in middle school and high school see a much bigger issue than their parents do. Both want a conversation, but don't know how to start it.

Closing that perception gap and encouraging the family conversation is the focus of an awareness campaign being launched in the fall of 2014 by the NC Initiative to Reduce Underage Drinking.

"Talk it Out" is the theme of the campaign being developed for broadcast, print and social media markets across North Carolina. The advertising materials will provide links to a web site (Talkitoutnc.org) that will provide detailed information and resources geared to helping parents and their teens have important conversations about alcohol and why children should not drink until they are adults.

The campaign is part of the Initiative's larger scope that includes outreach with the public safety and public health communities as well as partnership with the alcohol industry to address the underage drinking issue head-on. It also fits within the broader mission of the Governor's Task Force to Combat Substance Abuse and Underage Drinking.

The Initiative is a long-range program with a goal of affecting a cultural shift by both parents and children away from the idea that it's OK for youth to drink. Similar multi-year alcohol education programs in other states, most notably Utah, have proven effective in changing attitudes and creating more healthy behaviors. According to national data, underage drinking results in the deaths of 140 children a year, or an average of more than two deaths per week in North Carolina.\*

\* [http://apps.nccd.cdc.gov/DACH\\_ARDI/Default/Report.aspx?T=AAM&P=1d871a19-9d55-4c6c-96cf-724dd03ba776&R=d7a9b303-48e9-4440-bf47-070a4827e1fd&M=15128839-E1DA-4B11-BOC2-07DD961F4E9A&F=AAMCauseGenderUnder21&D=H](http://apps.nccd.cdc.gov/DACH_ARDI/Default/Report.aspx?T=AAM&P=1d871a19-9d55-4c6c-96cf-724dd03ba776&R=d7a9b303-48e9-4440-bf47-070a4827e1fd&M=15128839-E1DA-4B11-BOC2-07DD961F4E9A&F=AAMCauseGenderUnder21&D=H)

**TALK IT OUT** START THE CONVERSATION. STOP UNDERAGE DRINKING.

Facing the Facts | Starting the Conversation | Working Together | Getting Help | Learning More | Media Center

**STOPPING UNDERAGE DRINKING IN NORTH CAROLINA BEGINS HERE. AND IT STARTS WITH YOU.**

Dealing with an issue this big doesn't happen all at once. It happens one conversation at a time. **Let's get started.**

**FACE THE FACTS**  
Understand the dangers of underage drinking  
[LEARN MORE](#)

**START THE CONVERSATION**  
Get the tools you need to talk with your kids  
[LEARN MORE](#)

We can't turn a blind eye to the costs of underage drinking in North Carolina. Not just the dollars and cents, but the lives lost to drunk driving, the crimes committed under the influence, the hundreds of teen pregnancies that result - the physical, social and emotional damage that can weigh down tweens and teens for the rest of their lives.

Fortunately, there are proven methods every family can use to educate, to set boundaries, and to create the kinds of relationships that keep middle school kids from turning to alcohol in the first place. It's up to each of us to talk to our kids. And all of us to say enough is enough.

**14**  
Average age children in North Carolina take their first drink

**9 in 10**  
NC middle schoolers say if parents spoke more often to their children about underage drinking, it would help stop the problem.

**87%**  
Percentage of North Carolina students who say underage drinking is a problem.

**TOGETHER, WE ARE THE SOLUTION**

Stay Informed. Enter your email address and we'll keep you up to date on new research, new tools for parents, and our impact.

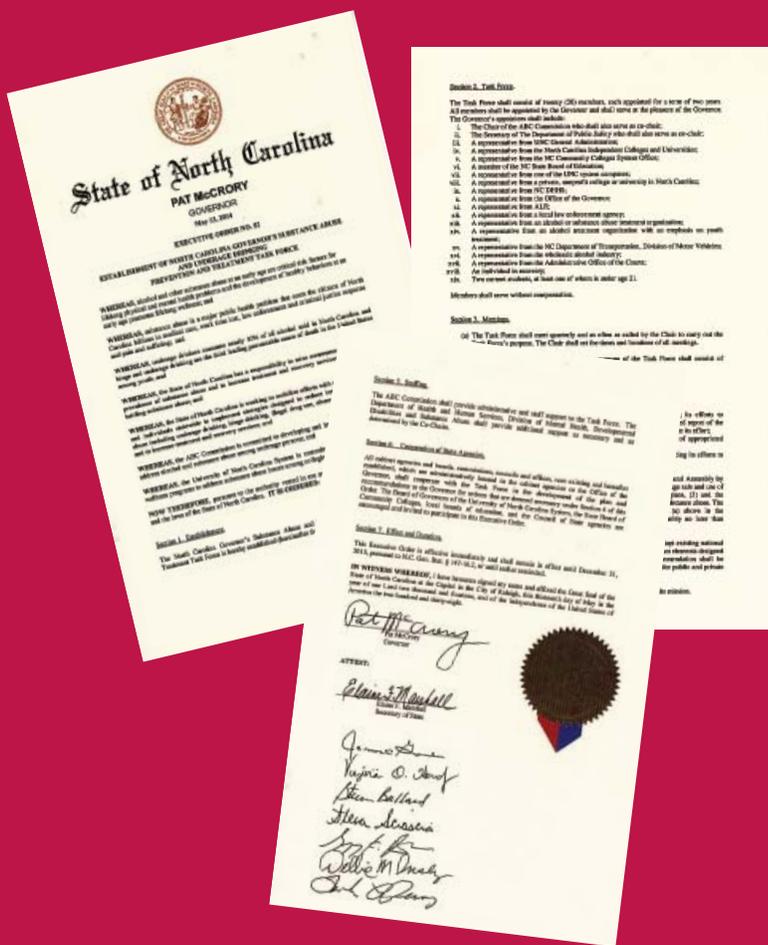
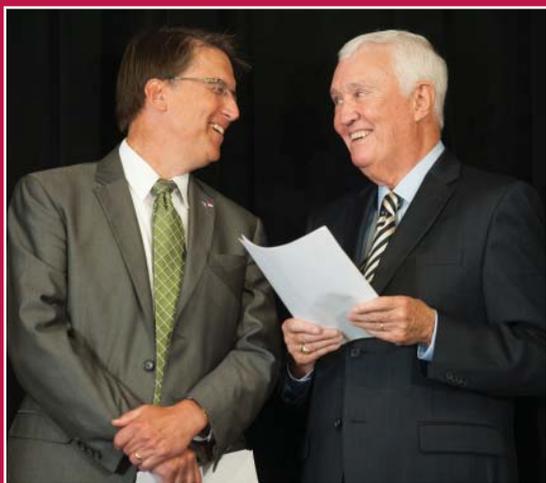
Email Address

**START THE CONVERSATION. STOP UNDERAGE DRINKING.**

**TALK IT OUT** ENGAGE WITH US [Twitter](#) [Facebook](#) [YouTube](#)

CONTACT US  
400 East Tryon Road / Raleigh, NC 27610 / 919.779.0700  
All contents © copyright 2014 Talk It Out. All rights reserved.

# Starting in the last fiscal year and carrying forward into the current one, the NC ABC Commission put the foundation in place and began implementing the Initiative to Reduce Underage Drinking.



## A few key milestones:

### May 2014

Executive Order signed by Gov. Pat McCrory establishes the statewide **Task Force to Combat Substance Abuse and Underage Drinking.**

### July 2014

**Statewide telephone survey of 500 parents of middle and high school students and telephone survey of 300 NC students in middle and high school.** The survey is designed to generate a current understanding of the attitudes and perceptions of underage drinking in NC.

### August 2014

**Focus groups** (parents of underage children / middle school girls / middle school boys) are conducted to further **validate the survey.**



START THE CONVERSATION. STOP UNDERAGE DRINKING.

## Numbers to Know

### What % of NC Youth ...

say alcohol is a problem

**87%**

say it's a big problem

**58%**

know someone around their age who has tried alcohol

**64%**

say parents talking more with them would help stop underage drinking

**84%**

say they think most people their age are embarrassed/afraid to talk to their parents about alcohol

**55%**

average age of first experience with alcohol

**14**

### What % of NC Parents ...

perceive alcohol as serious problem

**37%**

feel they are not fully prepared with information to address topic with children

**62%**

## September 2014

ABC Commission Chairman Jim Gardner and NC Lt. Gov. Dan Forest meet with news outlets in major markets across the state to share key findings of the research and preview the advertising campaign being developed to raise awareness about the scope of the issue.

## December 2014

Advertising campaign rolls out statewide on broadcast and social media to raise awareness and drive visits to the initiative web site.

# Local Boards' Dollars Have Important Community Impact

The work of the state ABC Commission to establish the North Carolina Initiative to Reduce Underage Drinking is not happening in a vacuum.

For decades the local ABC boards' retail sales have generated funds that support work in communities across the state to raise awareness and treat the results of alcohol's damaging effects.

**In the fiscal year just ended, the local boards distributed \$75 million locally, and more than \$10 million of that funded alcohol education and treatment at the community level. As the largest boards in the state, Wake and Mecklenburg ABC always count for the bulk of the alcohol education spending at the board level, but smaller boards with smaller budgets are doing their parts too.**

Five local boards in Brunswick County have pooled their resources to co-sponsor a \$12,000 alcohol education program for their region. Brunswick County, Ocean Isle Beach, Southport, Shallotte, and Sunset Beach started the collaborative venture in April and hope to sustain it over a three-year period. "We are trying to work together locally to help stop underage drinking," said Arthur Duncan, General Manager of the Shallotte board.

And in Moore County, the ABC board this year contributed \$100,000 to local programs (\$20,000 apiece to Bethesda House, Bethany House and Friend to Friend alone) in addition to contributions to the Boys and Girls Club, Moore County Day Reporting Center and Moore County Public Schools' 'second chance' program.

Moore County General Manager Pam Smith said the ABC board makes its evaluations thoughtfully and with an eye toward long-term impact. "We make sure the programs are successful, and they have a demonstrated need. We want to make sure the money is being put to good use," Smith said.

## NC Distillers Expand Reach

As momentum continues to build around the farm-to-table movement that celebrates all things local, North Carolina's distilled spirits are winning recognition for their home-grown quality. Across the state, ABC stores feature special displays of the liquors manufactured in North Carolina that are designed to remind retail customers of the array of NC-produced products available for purchase. At the end of the fiscal year, North Carolina had 14 distilleries with 49 different products.

## Buying Local

Meanwhile, the ABC system's business customers – who frequently also like to feature local products in their innovative bar offerings – make their buying decisions from a catalog, called the quarterly price book.

Working in partnership with the NC Department of Agriculture, the NC ABC Commission has brought the familiar Got To Be NC marketing campaign to NC-distilled product listings in the price book. "Goodness Grows" in NC has been a trademark of state agricultural products for a generation, but the NC Department of Agriculture developed a refreshed look and feel to its branding over the spring and summer. The ABC Commission's quarterly price book included the 'grown.raised.caught.made.' tagline in an advertisement in the summer edition. Along with the inserted advertising, the page of NC products now features 'got to be NC/Goodness Grows' as a full page watermark.

## Selling Worldwide

In addition to promoting NC liquors to state residents and local businesses, the state ABC Commission also collaborated with Agriculture in the last fiscal year to help encourage international export of NC-produced spirits. The Commission worked in partnership with Agriculture representatives who led a tour of NC distilleries for a group of Chinese business people in February 2013.

With this kind of ongoing collaboration, the ABC Commission is continuing to raise awareness at home and abroad about the high quality of NC-distilled spirits. It's a story that just keeps growing.

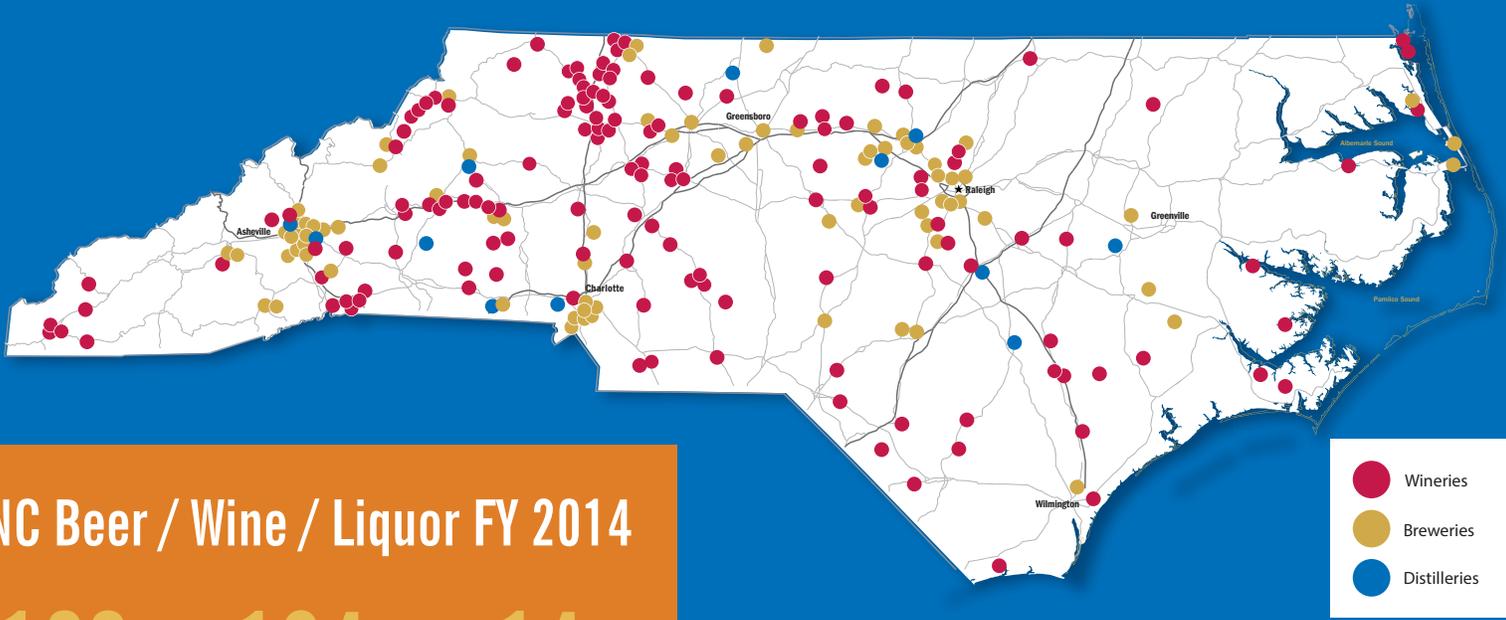
**GROWN. RAISED.  
CAUGHT. MADE.**



[gottobeNC.com](http://gottobeNC.com)



# By the Numbers

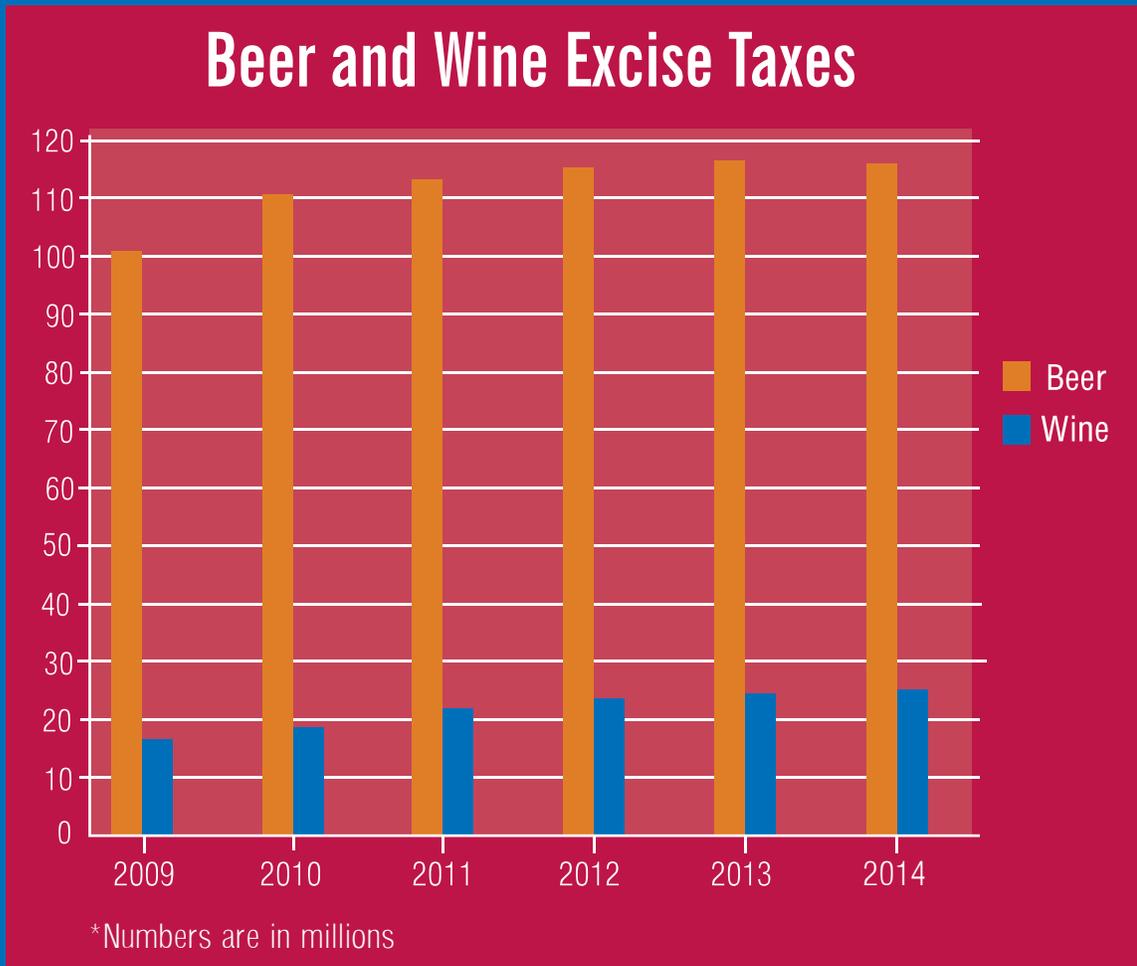


- Wineries
- Breweries
- Distilleries

Locations at fiscal year end June 30, 2014

**NC Beer / Wine / Liquor FY 2014**

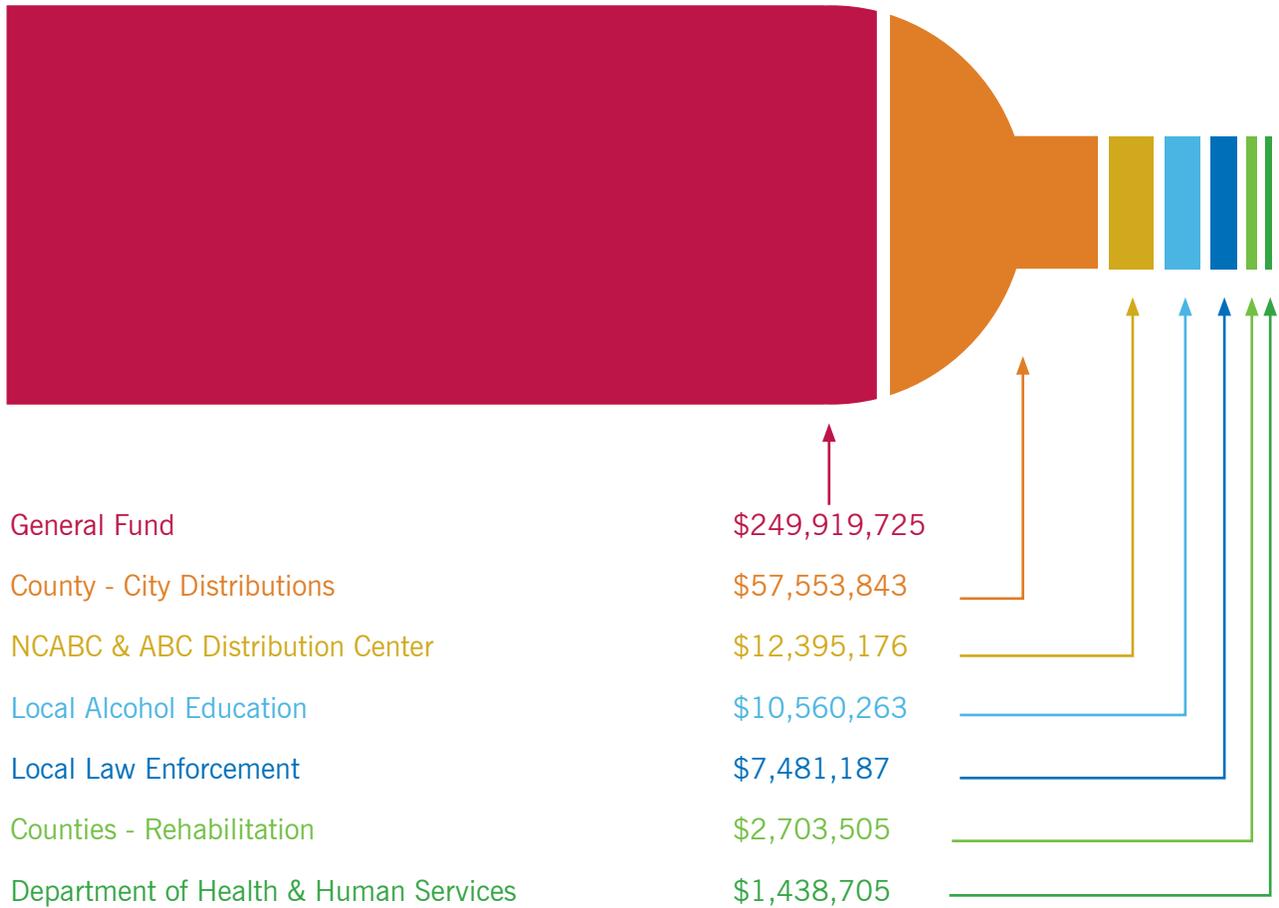
<b>160</b> Wineries	<b>124</b> Breweries	<b>14</b> Distilleries
------------------------	-------------------------	---------------------------



Data provided by the N.C. Beer & Wine Wholesalers, based on monthly reports from the N.C. Department of Revenue. Note: in September 2009 beer excise tax increases went into effect.

# ABC Store Sales Generate \$329 Million for State and Local Governments

Local ABC Boards in North Carolina are established and operated with no state funds. Through the sales of \$869,111,881 in spirituous liquor and fortified wine in ABC stores in the fiscal year ending June 30, 2014, total revenue distributions amounted to \$329,657,228 to the state's General Fund and the cities and counties where alcohol sales are allowed.



## Local board update

### Mergers

Jackson County  
Town of Sylva

### Opened ABC stores

Jackson County  
Johnston County  
Greensboro

### Closed a store

Pitt County

### Mixed Beverages referendum passed

Rutherford College  
(Burke County)  
Fair Bluff  
(Columbus County)  
Broadway  
(Lee & Harnett County)  
Hertford  
(Perquimans County)

Marshville  
(Union County)  
Jonesville  
(Yadkin County)  
Carteret County  
Northampton County  
Rockingham County

### ABC store referendum passed

Marshville  
(Union County)  
Jonesville  
(Yadkin County)  
Rockingham County

# Revenues From Spirituous Liquor North Carolina ABC Boards July 1, 2013 – June 30, 2014

	6/30/14	6/30/13	Increase/ - Decrease	Percent Change
Liquor Sales - Regular	701,774,682	667,555,022	34,219,660	5.13%
Mixed Beverage Sales	165,842,823	160,140,085	5,702,738	3.56%
Total Sales	867,617,505	827,695,107	39,922,398	4.82%
State Excise Tax	186,407,058	177,562,513	8,844,545	4.98%
Liquor Sales Tax	49,123,969	46,445,049	2,678,920	5.77%
Mixed Beverage Tax - Revenue	14,388,698	14,132,805	255,893	1.81%
Mixed Beverage Tax - DHHS	1,438,705	1,413,122	25,583	1.81%
Rehabilitation Tax	2,703,505	2,627,655	75,850	2.89%
Cost of Goods Sold	447,052,915	426,079,947	20,972,968	4.92%
Operating Expenses	126,734,144	122,215,923	4,518,221	3.70%
Interest Income	142,131	228,817	-86,686	-37.88%
Other Income	995,378	2,627,891	-1,632,513	-62.12%
Profit Before Distribution	89,936,496	86,417,900	3,518,596	4.07%
Profit Percent To Sales	10.37%	10.44%		-0.07%
Law Enforcement	7,481,187	7,297,194	183,993	2.52%
Alcohol Education	10,560,263	10,710,291	-150,028	-1.40%
Net Profit	71,895,046	68,410,415	3,484,631	5.09%
County - City Distributions	57,553,843	55,835,532	1,718,311	3.08%
Mixed Beverage Tax Retained	12,950,257	12,726,196	224,061	1.76%
Surcharge Collected	4,085,397	4,031,857	53,540	1.33%
Bailment Collected	8,309,779	8,023,024	286,755	3.57%
Bottles Sold:				
Regular	43,456,008	42,342,302	1,113,706	2.63%
Mixed Beverage	7,434,649	7,323,358	111,291	1.52%
Total	50,890,657	49,665,660	1,224,997	2.47%
Miniatures	15,862,412	14,311,545	1,550,867	10.84%
Number Of Stores	423	422	1	

# ABC BOARD REVENUE AND DISTRIBUTIONS

## JULY 1, 2013 - JUNE 30, 2014

ABC Boards by County and # of Stores	Sales			State Taxes Collected	Cost of Liquor Sold	Operating Expenses
	Gross Sales	Percent Change Over FY13	Forecast for FY15			
<b>Alamance</b>						
Alamance Municipal (5)	10,617,264	3.67%	9,945,100	2,495,671	5,506,889	1,988,564
<b>Alleghany</b>						
Sparta (1)	699,006	3.78%	694,578	159,729	367,332	124,336
<b>Anson</b>						
Wadesboro (1)	1,155,467	-0.79%	1,167,300	261,914	617,543	238,519
<b>Ashe</b>						
West Jefferson (1)	1,480,696	5.30%	1,459,000	337,081	785,866	223,078
<b>Avery</b>						
High Country (1)	2,697,054	5.46%	2,708,500	639,258	1,389,711	416,449
<b>Beaufort County (6)</b>	4,674,048	0.93%	4,664,500	1,069,337	2,461,292	835,760
<b>Bertie County (1)</b>	686,414	3.37%	600,000	159,893	363,399	145,920
<b>Bladen</b>						
Elizabethtown (1)	1,202,196	-2.50%	1,228,000	271,432	640,507	163,444
<b>Brunswick</b>						
Belville (2)	2,870,920	8.79%	2,459,613	647,174	1,539,004	528,803
Boiling Spring Lakes (1)	631,636	20.13%	606,511	144,271	339,448	129,767
Brunswick County (2)	2,492,592	6.47%	2,470,763	589,759	1,283,501	429,645
Calabash (1)	1,365,524	4.86%	1,336,000	323,363	708,287	262,194
Oak Island (1)	2,343,398	6.62%	2,550,000	558,677	1,203,148	420,422
Ocean Isle Beach (1)	1,519,325	6.71%	1,608,388	361,402	765,651	295,550
Shalotte (1)	1,579,459	7.63%	1,489,000	365,429	830,146	238,530
Southport (1)	2,218,409	6.08%	2,096,000	524,407	1,142,022	271,212
Sunset Beach (1)	1,500,775	5.93%	1,569,000	345,958	786,742	277,818
<b>Buncombe</b>						
Asheville (9)	25,699,513	8.47%	27,233,644	6,251,203	12,986,846	4,034,429
Black Mountain (1)	1,807,547	6.94%	1,843,063	413,320	952,485	298,018
Weaverville (1)	2,293,628	4.77%	2,466,930	520,701	1,216,737	400,452
Woodfin (1)	1,390,166	5.71%	1,363,900	313,072	740,456	296,659
<b>Burke</b>						
Morganton (1)	2,801,860	3.47%	2,805,000	642,576	1,476,975	368,077
Valdese (1)	806,489	-0.87%	816,500	183,718	422,098	183,209
<b>Cabarrus</b>						
Concord (5)	11,318,382	8.58%	11,853,000	2,675,564	5,916,246	1,753,727
Mount Pleasant (1)	571,511	4.75%	590,000	128,833	305,172	131,496
<b>Caldwell</b>						
Granite Falls (1)	951,017	1.88%	922,000	217,565	505,108	174,717
Lenoir City (2)	2,964,571	0.86%	2,914,600	677,643	1,579,484	469,118
<b>Camden County (2)</b>	1,132,119	6.00%	1,284,000	255,252	624,086	225,779
<b>Carteret County (6)</b>	11,984,293	2.92%	11,500,000	2,815,394	6,163,247	1,760,364
<b>Caswell County (4)</b>	1,915,759	-2.81%	1,957,330	441,146	1,012,502	383,195
<b>Catawba County (10)</b>	16,303,414	2.61%	16,290,957	3,807,145	8,507,617	3,007,589
<b>Chatham</b>						
Chatham County (3)	2,728,339	7.76%	2,707,397	623,491	1,441,923	530,073
Pittsboro (1)	1,111,896	11.87%	1,101,106	254,952	583,188	159,716

# ABC BOARD REVENUE AND DISTRIBUTIONS

## JULY 1, 2013 - JUNE 30, 2014

Other Income & Expense	Local Profits				Local Distributions	
	Profit Before Distribution FY14	Profit Percent FY14	Profit Before Distribution FY13	Percent Change Over FY13	FY14	Forecast for FY15
905	627,045	5.91%	537,767	16.60%	470,285	429,000
787	48,396	6.92%	54,199	-10.71%	42,647	903
149	37,640	3.26%	42,786	-12.03%	44,000	49,804
-11,413	123,258	8.32%	109,016	13.06%	51,632	53,000
1,486	253,122	9.39%	227,479	11.27%	276,348	281,000
4,402	312,061	6.68%	305,462	2.16%	208,335	159,500
2,999	20,201	2.94%	21,782	-7.26%	20,201	6,350
59	126,872	10.55%	132,887	-4.53%	110,992	119,953
-2,195	153,744	5.36%	114,309	34.50%	152,667	0
949	19,099	3.02%	864	2110.53%	19,099	17,494
-1,1851	177,836	7.13%	146,120	21.71%	36,915	42,620
479	72,159	5.28%	82,890	-12.95%	67,340	87,800
1,061	162,212	6.92%	151,970	6.74%	146,557	167,267
-8,776	87,946	5.79%	77,001	14.21%	87,948	63,349
96	145,450	9.21%	92,661	56.97%	125,011	64,600
349	281,117	12.67%	230,926	21.73%	281,117	274,500
-13,205	77,052	5.13%	82,994	-7.16%	49,271	49,500
-186,521	2,240,514	8.72%	2,567,289	-12.73%	1,871,369	1,592,264
357	144,081	7.97%	149,929	-3.90%	140,678	150,400
-67,305	88,433	3.86%	76,491	15.61%	26,467	30,691
0	39,979	2.88%	13,895	187.72%	13,445	3,245
1,051	315,283	11.25%	301,374	4.62%	315,282	269,020
-10,358	7,106	0.88%	-6,861	203.57%	0	0
97,256	1,070,101	9.45%	857,465	24.80%	371,120	385,000
20	6,030	1.06%	3,629	66.16%	0	2,270
129	53,756	5.65%	55,374	-2.92%	72,336	28,900
21,682	260,008	8.77%	251,549	3.36%	256,617	230,000
9	27,011	2.39%	51,798	-47.85%	25,659	37,900
3,000	1,248,288	10.42%	1,094,517	14.05%	1,110,184	501,959
85	79,001	4.12%	68,725	14.95%	69,001	48,106
2,829	983,892	6.03%	934,604	5.27%	933,225	912,647
-210	132,642	4.86%	99,913	32.76%	83,901	87,142
3,566	117,606	10.58%	88,291	33.20%	52,939	62,300

## ABC BOARD REVENUE AND DISTRIBUTIONS

### JULY 1, 2013 - JUNE 30, 2014

ABC Boards by County and # of Stores	Sales			State Taxes Collected	Cost of Liquor Sold	Operating Expenses
	Gross Sales	Percent Change Over FY13	Forecast for FY15			
Siler City (1)	1,208,321	1.62%	1,231,694	274,744	635,178	225,436
<b>Cherokee</b>						
Andrews (1)	642,640	1.71%	690,900	145,646	340,952	157,598
Murphy (1)	2,434,466	1.33%	2,464,500	553,970	1,296,535	460,123
<b>Chowan County (1)</b>	1,301,888	4.51%	1,420,000	298,260	692,320	257,229
<b>Clay County (1)</b>	1,867,767	5.50%	1,782,000	423,066	990,076	253,119
<b>Cleveland</b>						
Kings Mountain (1)	1,267,866	1.10%	1,357,475	289,843	678,516	236,040
Shelby (2)	3,709,526	1.67%	3,734,300	853,554	1,975,097	737,411
<b>Columbus</b>						
Brunswick (1)	470,067	0.91%	501,343	105,007	250,763	90,557
Lake Waccamaw (1)	280,176	-4.62%	281,938	63,208	150,289	64,937
Tabor City (1)	616,000	3.08%	620,000	139,004	329,973	109,321
West Columbus (1)	598,984	-1.24%	628,815	134,990	326,405	119,254
Whiteville (1)	1,051,170	2.34%	1,010,000	241,417	551,600	193,099
<b>Craven County (6)</b>	8,563,010	2.02%	8,759,931	2,010,119	4,436,738	1,218,529
<b>Cumberland County (10)</b>	29,583,475	0.62%	30,100,000	6,990,947	15,097,664	4,434,068
<b>Currituck County (3)</b>	4,714,264	7.51%	4,937,740	1,091,433	2,453,526	735,888
<b>Dare County (5)</b>	14,784,390	4.20%	15,184,000	3,524,785	7,664,386	1,736,507
<b>Davidson</b>						
Lexington (2)	3,685,262	4.30%	3,478,100	848,766	1,953,728	530,219
Thomasville (1)	2,307,276	4.20%	2,326,350	530,274	1,235,716	356,731
<b>Davie</b>						
Cooleemee (1)	810,103	6.22%	795,930	185,730	428,638	191,676
<b>Duplin</b>						
Kenansville (1)	436,521	-2.17%	446,500	99,206	230,485	99,236
Wallace (1)	1,423,490	-2.21%	1,458,000	326,398	757,268	216,797
Warsaw (1)	493,114	-0.33%	500,000	111,561	264,642	114,230
<b>Durham County (8)</b>	28,735,744	6.08%	29,230,116	6,782,772	14,788,106	4,273,202
<b>Edgecombe County (6)</b>	4,309,936	0.81%	4,350,000	971,743	2,304,083	856,793
<b>Forsyth</b>						
Triad Municipal (14)	36,923,775	5.26%	38,078,364	8,653,873	19,148,580	5,472,912
<b>Franklin</b>						
Bunn (1)	731,889	7.20%	690,200	165,111	388,146	131,346
Franklinton (1)	845,152	4.08%	814,180	191,308	451,723	149,025
Louisburg (1)	1,285,285	4.59%	1,362,978	292,394	693,327	234,548
Youngsville (1)	805,225	0.38%	795,000	181,673	429,902	151,249
<b>Gaston</b>						
Bessemer City (1)	482,857	1.66%	525,704	111,239	251,419	106,133
Cherryville (1)	973,708	1.33%	1,002,265	220,699	517,223	216,493
Cramerton (1)	1,702,940	6.77%	1,675,000	395,092	881,527	249,938
Gastonia (5)	8,668,503	5.36%	8,914,800	2,021,920	4,543,132	1,437,526
Mount Holly (1)	1,808,753	3.13%	1,830,000	408,794	969,214	272,412
<b>Gates County (1)</b>	414,490	-4.43%	450,000	93,365	228,257	111,223

## ABC BOARD REVENUE AND DISTRIBUTIONS

### JULY 1, 2013 - JUNE 30, 2014

Other Income & Expense	Local Profits				Local Distributions	
	Profit Before Distribution FY14	Profit Percent FY14	Profit Before Distribution FY13	Percent Change Over FY13	FY14	Forecast for FY15
-3,570	69,393	5.74%	64,953	6.84%	44,035	41,000
31	-1,525	-0.24%	-22,370	93.18%	0	0
409	124,247	5.10%	135,648	-8.40%	115,000	105,000
1,342	55,421	4.26%	18,783	195.06%	55,421	20,000
610	202,116	10.82%	190,342	6.19%	18,000	26,000
388	63,855	5.04%	66,937	-4.60%	54,323	15,200
353	143,817	3.88%	193,929	-25.84%	143,757	180,000
-1,221	22,519	4.79%	18,306	23.01%	14,641	14,291
74	1,816	0.65%	133	1265.41%	0	0
523	38,225	6.21%	46,787	-18.30%	38,672	24,000
615	18,950	3.16%	34,043	-44.34%	171	450
644	65,698	6.25%	43,092	52.46%	50,984	46,000
3,193	900,817	10.52%	852,868	5.62%	1,293,055	791,621
11,833	3,072,629	10.39%	2,966,445	3.58%	3,019,122	1,862,788
-1,763	431,654	9.16%	415,970	3.77%	134,928	177,000
-5,475	1,853,237	12.54%	1,905,867	-2.76%	1,569,267	1,581,436
1,075	353,624	9.60%	334,474	5.73%	353,312	169,500
19,495	204,050	8.84%	184,604	10.53%	83,743	82,600
1,262	5,321	0.66%	14,578	-63.50%	19,000	19,000
45	7,639	1.75%	8,232	-7.20%	7,638	0
26	123,053	8.64%	144,562	-14.88%	123,000	180,000
24	2,705	0.55%	6,481	-58.26%	2,944	0
-50,552	2,841,112	9.89%	2,599,311	9.30%	2,026,696	1,400,547
-50,313	127,004	2.95%	214,850	-40.89%	116,929	156,800
-57,197	3,591,213	9.73%	3,206,875	11.98%	3,133,678	2,426,023
4	47,290	6.46%	34,661	36.44%	41,290	20,478
501	53,597	6.34%	32,371	65.57%	49,397	24,000
232	65,248	5.08%	64,763	0.75%	65,248	78,604
0	42,401	5.27%	45,737	-7.29%	42,401	0
65	14,131	2.93%	-12,767	210.68%	0	4,551
485	19,778	2.03%	13,845	42.85%	22,000	18,215
472	176,855	10.39%	115,250	53.45%	84,323	63,800
38,019	703,944	8.12%	666,190	5.67%	424,721	429,600
-3,602	154,731	8.55%	139,793	10.69%	12,279	56,700
79,521	61,166	14.76%	209,855	-70.85%	1,200	0

## ABC BOARD REVENUE AND DISTRIBUTIONS

### JULY 1, 2013 - JUNE 30, 2014

ABC Boards by County and # of Stores	Sales			State Taxes Collected	Cost of Liquor Sold	Operating Expenses
	Gross Sales	Percent Change Over FY13	Forecast for FY15			
<b>Granville County (2)</b>	3,387,170	4.62%	3,334,831	771,747	1,796,869	423,858
<b>Greene County (2)</b>	713,559	4.28%	728,000	160,811	380,220	142,150
<b>Guilford</b>						
Gibsonville (1)	948,025	8.52%	975,600	214,699	506,836	163,057
Greensboro (14)	39,298,820	4.21%	40,600,000	9,350,091	20,134,635	5,612,230
High Point (6)	14,972,472	4.92%	15,272,668	3,465,103	7,704,925	2,213,498
<b>Halifax County (5)</b>	4,539,717	1.64%	4,530,127	1,038,716	2,394,149	845,672
<b>Harnett</b>						
Angier (1)	1,423,811	8.61%	1,474,673	320,920	756,935	277,366
Dunn (2)	1,909,501	-1.72%	1,923,000	435,280	1,017,459	342,408
Lillington (1)	1,170,675	1.82%	1,132,500	275,109	615,485	220,055
<b>Haywood</b>						
Canton (1)	1,127,403	7.22%	1,167,866	255,792	604,876	218,046
Maggie Valley (2)	2,000,566	15.29%	2,000,000	459,634	1,056,220	363,226
Waynesville (1)	2,125,213	-0.85%	2,108,692	493,625	1,108,373	417,525
<b>Henderson</b>						
Fletcher (1)	1,737,800	5.00%	1,766,431	390,398	927,261	338,285
Hendersonville (3)	5,477,665	6.71%	5,585,000	1,274,613	2,849,246	1,064,024
Laurel Park (1)	1,079,248	-1.56%	1,145,000	246,827	565,580	242,566
<b>Hertford County (3)</b>	2,291,648	7.57%	2,233,000	520,019	1,201,696	469,048
<b>Hoke County (1)</b>	1,233,050	3.08%	1,177,500	283,789	649,024	170,246
<b>Hyde County (2)</b>	678,539	5.17%	680,000	170,794	322,072	168,285
<b>Iredell</b>						
Mooresville (3)	8,544,323	7.88%	8,750,721	2,003,381	4,457,979	993,020
Statesville (2)	5,195,351	1.90%	5,266,344	1,198,563	2,757,804	921,802
<b>Jackson</b>						
Jackson County (2) <sup>1</sup>	567,783		2,808,500	135,864	284,800	101,235
Sylva	2,358,569	-15.02%		558,486	1,210,679	306,445
<b>Johnston County (7)</b>	11,541,096	5.90%	12,407,680	2,656,201	6,064,825	1,669,595
<b>Jones County (3)</b>	899,619	-1.63%	920,000	203,033	475,585	233,562
<b>Lee</b>						
Sanford (2)	4,691,476	2.44%	4,750,000	1,083,192	2,465,024	896,890
<b>Lenoir County (3)</b>	3,489,783	1.65%	3,503,000	801,423	1,839,442	566,450
<b>Lincoln</b>						
Lincoln County (1)	2,356,650	10.25%	2,321,500	544,929	1,241,071	266,818
Lincolnton (1)	2,117,270	0.55%	2,200,000	498,338	1,079,445	430,591
<b>Macon</b>						
Franklin (1)	2,443,196	3.09%	2,560,125	562,088	1,285,684	519,513
Highlands (1)	1,893,939	7.16%	1,895,834	449,929	963,340	328,233
<b>Martin County (2)</b>	1,867,748	1.38%	2,030,000	422,992	993,224	358,824
<b>McDowell</b>						
Marion (2)	2,135,552	4.49%	2,126,939	492,855	1,123,156	402,064
<b>Mecklenburg County (23)</b>	119,698,582	5.82%	124,355,000	29,120,590	60,102,605	14,250,881

<sup>1</sup> Jackson County opened ABC store and merged with Sylva May, 2014

## ABC BOARD REVENUE AND DISTRIBUTIONS

### JULY 1, 2013 - JUNE 30, 2014

Other Income & Expense	Local Profits				Local Distributions	
	Profit Before Distribution FY14	Profit Percent FY14	Profit Before Distribution FY13	Percent Change Over FY13	FY14	Forecast for FY15
21,723	416,419	12.29%	356,550	16.79%	316,266	208,159
1,521	31,899	4.47%	24,749	28.89%	19,952	3,700
2,011	65,444	6.90%	49,264	32.84%	14,402	6,850
-3,873	4,197,991	10.68%	4,665,010	-10.01%	3,797,991	3,883,015
5,392	1,594,338	10.65%	1,534,146	3.92%	1,490,312	1,374,037
5,888	267,068	5.88%	306,868	-12.97%	193,105	156,403
28	68,618	4.82%	176,571	-61.14%	43,168	67,252
6,220	120,574	6.31%	152,890	-21.14%	131,872	122,000
1,121	61,147	5.22%	43,553	40.40%	3,350	0
-5,010	43,679	3.87%	5,408	707.67%	3,153	0
-18,527	102,959	5.15%	66,702	54.36%	6,941	16,000
-39,455	66,235	3.12%	147,730	-55.16%	5,658	10,200
231	82,087	4.72%	74,209	10.62%	54,325	58,800
-4,519	285,263	5.21%	286,439	-0.41%	221,744	220,000
456	24,731	2.29%	45,894	-46.11%	24,731	8,841
294	101,179	4.42%	82,643	22.43%	66,027	66,958
5	129,996	10.54%	124,474	4.44%	127,996	72,450
-1,567	15,821	2.33%	-40,546	139.02%	0	0
1,851	1,091,794	12.78%	949,111	15.03%	842,673	941,000
1,487	318,669	6.13%	348,045	-8.44%	318,668	345,138
203	46,087	8.12%			3,182	141,880
1,081	284,040	12.04%	369,374	-23.10%	218,002	
3,740	1,154,215	10.00%	1,094,685	5.44%	957,066	1,384,508
6	-12,555	-1.40%	-6,252	-100.82%	0	0
6,822	253,192	5.40%	363,827	-30.41%	237,596	265,000
1,356	283,824	8.13%	265,429	6.93%	81,947	75,650
343	304,175	12.91%	257,170	18.28%	233,338	230,400
7,360	116,256	5.49%	87,743	32.50%	156,258	103,000
529	76,440	3.13%	62,373	22.55%	78,347	72,000
0	152,437	8.05%	106,830	42.69%	152,437	82,700
530	93,238	4.99%	120,205	-22.43%	32,926	105,700
-1,278	116,199	5.44%	98,322	18.18%	116,199	100,356
263,603	16,488,109	13.77%	15,307,589	7.71%	13,467,056	12,939,534

## ABC BOARD REVENUE AND DISTRIBUTIONS

### JULY 1, 2013 - JUNE 30, 2014

ABC Boards by County and # of Stores	Sales			State Taxes Collected	Cost of Liquor Sold	Operating Expenses
	Gross Sales	Percent Change Over FY13	Forecast for FY15			
<b>Mitchell</b>						
Spruce Pine (1)	1,145,441	7.08%	1,165,000	263,964	608,512	233,395
<b>Montgomery (2)</b>	1,288,817	-1.32%	1,284,142	293,134	676,366	313,960
<b>Moore County (4)</b>	9,668,081	9.25%	9,328,300	2,302,817	4,946,608	1,085,917
<b>Nash County (9)</b>	8,969,624	1.41%	8,950,000	2,072,753	4,660,603	1,502,899
<b>New Hanover County (8)</b>	36,254,842	4.02%	37,116,404	8,786,815	18,042,515	3,954,180
<b>Northampton County (4)</b>	968,064	-2.08%	1,025,000	218,702	516,564	224,090
<b>Onslow County (6)</b>	14,615,820	2.65%	14,045,000	3,467,366	7,492,624	2,344,580
<b>Orange County (8)</b>	16,977,876	5.39%	17,230,408	4,048,040	8,655,960	2,951,302
<b>Pamlico County (2)</b>	1,186,883	2.41%	1,134,300	271,010	629,585	248,019
<b>Pasquotank County (1)</b>	3,089,832	1.61%	3,000,000	727,558	1,626,863	444,058
<b>Pender County (4)</b>	5,170,517	5.06%	5,161,000	1,190,851	2,683,399	906,290
<b>Perquimans</b>						
Hertford (1)	880,266	4.18%	934,000	199,105	469,617	162,952
<b>Person County (2)</b>	2,643,407	2.78%	2,668,501	606,906	1,395,250	389,205
<b>Pitt County (10)</b>	16,182,987	1.66%	16,633,300	3,839,472	8,272,870	2,280,743
<b>Polk</b>						
Columbus (1)	554,407	-4.62%	589,004	125,718	292,601	140,522
Tryon (1)	264,751	229.56%	278,244	65,831	120,938	71,142
<b>Randolph</b>						
Asheboro (1)	2,999,287	3.54%	3,179,000	694,801	1,554,670	423,404
Liberty (1)	751,978	0.77%	777,410	170,202	399,715	163,599
Randleman (1)	1,339,867	5.02%	1,332,125	305,304	703,742	239,623
<b>Richmond</b>						
Hamlet (1)	880,415	1.09%	921,000	198,397	471,533	162,838
Rockingham (2)	1,946,353	-2.15%	1,939,600	446,908	1,024,805	362,143
<b>Robeson</b>						
Fairmont (1)	588,921	5.03%	603,779	133,783	311,545	105,483
Lumberton (2)	3,277,836	-8.43%	3,300,000	756,693	1,706,882	677,324
Maxton (1)	490,683	-12.40%	500,000	110,901	263,288	118,686
Pembroke (1)	896,201	660.43%	980,000	205,145	482,292	173,934
Red Springs (1)	617,937	-12.02%	690,700	139,597	329,726	142,698
Rowland (1)	201,531	-7.99%	202,000	45,589	106,838	51,789
Saint Pauls (1)	1,019,761	5.42%	1,029,600	230,174	549,967	198,236
<b>Rockingham</b>						
Eden (1)	1,638,645	-2.44%	1,650,000	378,698	860,834	313,327
Madison (1)	1,071,080	1.79%	1,065,000	244,572	568,280	227,111
Reidsville (1)	2,036,970	0.19%	2,000,000	466,715	1,087,347	384,177
<b>Rowan/Kannapolis (7)</b>	10,633,448	4.55%	10,804,714	2,443,185	5,603,304	2,070,983
<b>Rutherford</b>						
Forest City (1)	1,770,447	0.89%	1,784,000	404,668	938,536	322,850
Lake Lure (1)	730,574	7.47%	738,000	172,827	414,866	158,755
Rutherfordton (1)	1,154,110	2.94%	1,142,000	263,522	602,772	250,655

## ABC BOARD REVENUE AND DISTRIBUTIONS

### JULY 1, 2013 - JUNE 30, 2014

Other Income & Expense	Local Profits				Local Distributions	
	Profit Before Distribution FY14	Profit Percent FY14	Profit Before Distribution FY13	Percent Change Over FY13	FY14	Forecast for FY15
63	39,633	3.46%	18,634	112.69%	13,825	0
187	5,544	0.43%	32,902	-83.15%	5,544	0
5,021	1,337,760	13.84%	1,187,429	12.66%	976,571	1,054,453
3,815	737,184	8.22%	846,372	-12.90%	528,762	482,000
15,965	5,487,297	15.14%	5,234,853	4.82%	4,443,510	4,062,417
25	8,733	0.90%	11,552	-24.40%	0	0
1,643	1,312,893	8.98%	1,377,849	-4.71%	898,388	930,000
1,943	1,324,517	7.80%	1,214,504	9.06%	700,000	686,550
533	38,802	3.27%	48,803	-20.49%	28,802	26,900
1,795	293,148	9.49%	294,971	-0.62%	293,148	179,000
382	390,359	7.55%	351,667	11.00%	365,752	316,431
248	48,840	5.55%	53,559	-8.81%	48,840	39,800
1299	253,345	9.58%	249,989	1.34%	211,667	216,000
373,295	2,163,197	13.37%	1,760,694	22.86%	1,616,715	1,350,000
0	-4,434	-0.80%	3,168	-239.96%	3,000	6,252
6513	13,353	5.04%	-50,757	126.31%	403	640
340	326,752	10.89%	314,578	3.87%	264,966	222,000
112	18,574	2.47%	21,840	-14.95%	18,574	20,100
540	91,738	6.85%	65,224	40.65%	123,924	60,000
33	47,680	5.42%	36,189	31.75%	42,680	0
0	112,497	5.78%	131,049	-14.16%	102,497	57,490
141	38,251	6.50%	25,882	47.79%	35,000	18,631
40	136,977	4.18%	258,632	-47.04%	218,666	149,600
-309	-2,501	-0.51%	549	-555.56%	0	0
8	34,838	3.89%	-6,343	649.24%	967	1,400
0	5,916	0.96%	27,263	-78.30%	26,763	0
0	-2,685	-1.33%	5,255	-151.09%	0	0
33	41,417	4.06%	47,781	-13.32%	50,118	1,200
547	86,333	5.27%	97,212	-11.19%	100,940	75,400
153	31,270	2.92%	19,263	62.33%	31,643	32,220
0	98,731	4.85%	100,334	-1.60%	78,333	61,564
2,620	518,596	4.88%	424,997	22.02%	518,596	561,319
1,423	105,816	5.98%	113,348	-6.65%	84,074	65,000
1,039	-14,835	-2.03%	19,900	-174.55%	15,208	0
747	37,908	3.28%	43,242	-12.34%	52,890	54,000

## ABC BOARD REVENUE AND DISTRIBUTIONS

### JULY 1, 2013 - JUNE 30, 2014

ABC Boards by County and # of Stores	Sales			State Taxes Collected	Cost of Liquor Sold	Operating Expenses
	Gross Sales	Percent Change Over FY13	Forecast for FY15			
<b>Sampson</b>						
Clinton (1)	1,796,475	2.37%	1,826,950	410,671	944,881	230,397
Garland (1)	214,535	-4.02%	230,000	48,374	108,684	52,186
Newton Grove (1)	445,229	1.50%	468,000	101,374	237,464	90,836
Roseboro (1)	751,707	-0.02%	821,533	170,882	401,108	157,573
<b>Scotland County (1)</b>	<b>1,723,540</b>	<b>3.22%</b>	<b>1,678,000</b>	<b>392,591</b>	<b>920,429</b>	<b>328,017</b>
<b>Stanly</b>						
Albemarle (1)	2,509,388	5.55%	2,485,920	580,223	1,301,855	402,788
Locust (1)	1,264,826	8.76%	1,284,085	289,369	664,595	250,753
Norwood (1)	482,340	3.94%	480,000	109,409	255,877	106,837
<b>Stokes</b>						
Walnut Cove (1)	788,974	4.39%	773,000	177,946	423,940	146,653
<b>Surry</b>						
Dobson (1)	522,399	-2.37%	534,000	118,052	277,264	126,812
Elkin (1)	1,280,958	6.60%	1,176,100	291,586	672,364	235,947
Mount Airy (1)	1,997,077	2.35%	2,016,350	458,782	1,038,084	377,308
Pilot Mountain (1)	822,040	5.61%	860,000	185,584	435,137	159,157
<b>Swain</b>						
Bryson City (1)	1,721,817	7.00%	1,732,446	396,652	905,391	283,810
<b>Transylvania</b>						
Brevard (2)	3,028,476	11.19%	3,386,550	714,831	1,601,782	539,260
<b>Tyrrell County (1)</b>	<b>403,616</b>	<b>22.73%</b>	<b>415,093</b>	<b>96,666</b>	<b>210,899</b>	<b>92,784</b>
<b>Union</b>						
Indian Trail (1)	2,902,487	8.37%	3,000,000	670,748	1,516,986	458,198
Monroe (1)	3,824,424	2.31%	3,900,000	893,427	1,993,409	563,364
Waxhaw (1)	1,633,104	8.59%	1,875,000	383,407	849,958	284,419
Wingate (1)	1,254,084	9.16%	1,263,000	283,359	672,338	245,160
<b>Vance County (1)</b>	<b>3,313,951</b>	<b>3.20%</b>	<b>3,150,000</b>	<b>759,014</b>	<b>1,723,725</b>	<b>581,039</b>
<b>Wake County (24)</b>	<b>102,721,215</b>	<b>7.25%</b>	<b>104,856,530</b>	<b>24,531,696</b>	<b>52,363,207</b>	<b>8,994,523</b>
<b>Warren County (3)</b>	<b>2,153,531</b>	<b>5.13%</b>	<b>2,140,000</b>	<b>491,552</b>	<b>1,211,453</b>	<b>386,051</b>
<b>Washington County (1)</b>	<b>813,295</b>	<b>0.00%</b>	<b>810,000</b>	<b>184,166</b>	<b>427,288</b>	<b>194,306</b>
<b>Watauga</b>						
Blowing Rock (1)	1,421,688	5.67%	1,411,332	346,881	705,938	237,800
Boone (1)	5,334,057	5.05%	5,517,000	1,265,845	2,738,993	637,501
<b>Wayne County (5)</b>	<b>7,756,505</b>	<b>1.90%</b>	<b>7,929,853</b>	<b>1,789,196</b>	<b>4,057,468</b>	<b>1,252,503</b>
<b>Wilkes</b>						
North Wilkesboro (1)	1,105,633	6.89%	1,098,000	254,748	591,404	264,530
Wilkesboro (2)	1,889,666	4.19%	1,995,000	433,251	1,001,488	491,076
<b>Wilson County (5)</b>	<b>6,971,836</b>	<b>2.51%</b>	<b>6,746,000</b>	<b>1,606,204</b>	<b>3,614,033</b>	<b>1,256,988</b>
<b>Yancey</b>						
Burnsville (1)	986,810	7.58%	1,086,300	224,723	520,793	199,797
<b>TOTALS</b>	<b>869,111,881</b>	<b>4.81%</b>	<b>885,587,907</b>	<b>205,021,004</b>	<b>447,896,368</b>	<b>126,734,144</b>

## ABC BOARD REVENUE AND DISTRIBUTIONS

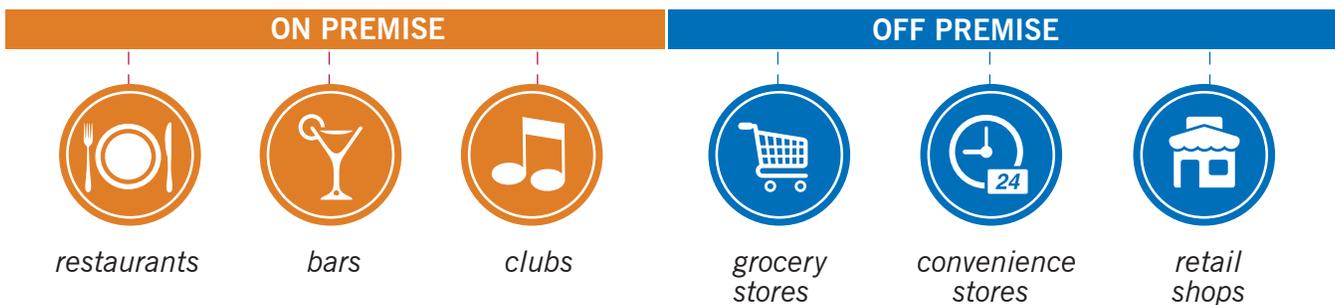
### JULY 1, 2013 - JUNE 30, 2014

Other Income & Expense	Local Profits				Local Distributions	
	Profit Before Distribution FY14	Profit Percent FY14	Profit Before Distribution FY13	Percent Change Over FY13	FY14	Forecast for FY15
121	210,647	11.73%	182,080	15.69%	199,138	148,656
1	5,292	2.47%	3,823	38.43%	1,000	0
0	15,555	3.49%	11,461	35.72%	15,412	0
57	22,201	2.95%	45,205	-50.89%	13,000	13,000
511	83,014	4.82%	87,715	-5.36%	83,014	50,590
76	224,598	8.95%	199,939	12.33%	198,300	200,000
0	60,109	4.75%	49,579	21.24%	2,847	3,500
-7,804	2,413	0.50%	1,985	21.56%	121	100
0	40,435	5.13%	38,321	5.52%	30,691	24,800
110	381	0.07%	16,057	-97.63%	2,885	7,103
253	81,314	6.35%	46,501	74.87%	77,288	73,800
1,728	124,631	6.24%	135,103	-7.75%	119,355	88,772
-6,767	35,395	4.31%	29,572	19.69%	2,454	0
201	136,165	7.91%	165,600	-17.77%	132,000	72,000
2,992	175,595	5.80%	217,870	-19.40%	174,260	317,819
-8,053	-4,786	-1.19%	-21,249	77.48%	0	0
-1,456	255,099	8.79%	212,777	19.89%	127,042	180,000
1,412	375,636	9.82%	384,000	-2.18%	375,443	368,600
30	115,350	7.06%	84,477	36.55%	14,986	92,300
-6,534	46,693	3.72%	53,209	-12.25%	2,636	8,000
-34,210	215,963	6.52%	158,136	36.57%	51,457	59,515
21,535	16,853,324	16.41%	16,285,465	3.49%	16,275,412	10,777,444
57	64,532	3.00%	147,049	-56.12%	9,851	11,000
2,349	9,884	1.22%	9,884	0.00%	15,619	0
2,141	133,210	9.37%	108,940	22.28%	71,379	76,101
-5,137	686,581	12.87%	656,083	4.65%	566,165	548,800
985	658,323	8.49%	696,428	-5.47%	658,323	524,174
0	-5,049	-0.46%	15,321	-132.95%	0	0
455	-35,694	-1.89%	5,862	-708.90%	0	55,500
11,893	506,504	7.27%	473,822	6.90%	361,869	363,000
0	41,497	4.21%	33,003	25.74%	2,129	4,800
<b>476,131</b>	<b>89,936,496</b>	<b>10.35%</b>	<b>86,417,900</b>	<b>4.07%</b>	<b>75,595,293</b>	<b>64,084,960</b>

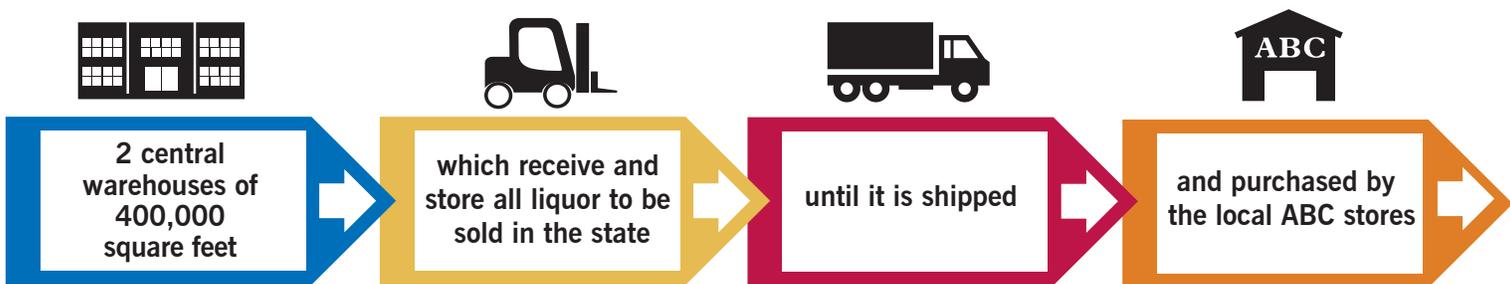


**OVERSIGHT OF ...**

Approximately **18,000** Retailers that Sell Alcohol for Consumption



**166** Active Local ABC Boards  
 own or lease the property and hire and manage the staff of the state's 423 Retail ABC Stores



**1,900**  
SPECIAL ORDER products

**2,100**  
LISTED products

**3,960**  
SPECIAL ORDERS processed during the fiscal year

## PERMITS



**1,299**

VIOLATIONS  
by permit holders  
heard by Commission  
during the fiscal year



**4,671**

permit holders,  
employees and  
applicants  
TRAINED



**7,684**

retail and commercial  
PERMITS ISSUED

## REVENUE DISTRIBUTIONS



**\$869,111,881 million**

in liquor revenues generated  
during fiscal year 2014



**\$329,657,228 million**

in total liquor revenue distributions  
by NC ABC boards during fiscal year.  
Distributions benefit the state's  
General Fund and the cities and counties  
where alcohol sales are allowed.



**\$713,650**

in revenues generated from  
penalties paid by permit holders  
to local school districts  
where violations occurred



**\$15.4 million**

collected by the state ABC  
Commission from permit  
application, renewal and other fees  
for the benefit of the General Fund



### Local ABC boards in North Carolina

are established and operated with  
**no state-appropriated funds.**

The state ABC Commission and  
warehouse operations are funded through  
fees from warehouse management.



# ABC

C O M M I S S I O N  
N O R T H C A R O L I N A

400 East Tryon Rd.  
Raleigh, NC 27610  
919.779.0700  
<http://abc.nc.gov>

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 4-b

**SUBJECT:** Sexual Assault Awareness Month

---

**DEPARTMENT:** Board of Commissioners

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT (S):**

Proclamation

**INFORMATION CONTACT:**

Donna Baker, 245-2130

Alex Stewart, Orange County Rape Crisis  
Center, (919) 968-4647

---

**PURPOSE:** To consider a proclamation recognizing April as Sexual Assault Awareness Month in Orange County.

**BACKGROUND:** The Orange County Rape Crisis Center, a non-profit, volunteer agency which has been serving the community since 1974 is working with others in the community to stop sexual violence and its impact through support, education and advocacy. Sexual assault is the most costly crime to its victims considering factors such as medical cost, lost earnings, pain, suffering and lost quality of life. The Orange County Rape Crisis Center assisted over 600 survivors of sexual violence, their loved ones, and community professionals during 2014.

The coordination of the Orange County Sexual Assault Response Team (SART) is bringing together members of law enforcement, the medical community, the legal system and other community advocates to improve services for survivors of sexual assault who come forward.

The Board of Commissioners is asked to proclaim April 2015 as "Sexual Assault Awareness Month" in Orange County, to encourage all residents to speak out against sexual assault, and to support their local communities' efforts to provide services to victims of these appalling crimes. The Board has approved similar resolutions in prior years.

**FINANCIAL IMPACT:** There is no financial impact associated with consideration of the proclamation.

**RECOMMENDATION (S):** The Manager recommends that the Board approve the proclamation designating April as "Sexual Assault Awareness Month" in Orange County and authorize the Chair to sign.

## ORANGE COUNTY BOARD OF COMMISSIONERS

### Proclamation “Sexual Assault Awareness Month”

---

WHEREAS, the Orange County Rape Crisis Center assisted over 600 survivors of sexual violence, their loved ones, and community professionals during 2014; and

WHEREAS, the Orange County Rape Crisis Center works with the County’s two school systems and other groups to provide students with age-appropriate information about violence prevention, reaching over 14,800 youth and adults each year; and

WHEREAS, the coordination of the Orange County Sexual Assault Response Team (SART) is bringing together members of law enforcement, the medical community, the legal system, and other community advocates to improve services for survivors of sexual assault who come forward; and

WHEREAS, 1 in 5 American women have been sexually assaulted at some point in their lives (Centers for Disease Control and Prevention, 2010); and

WHEREAS, in the United States rape is the most costly crime to its survivors, totaling \$127 billion a year considering factors such as medical cost, lost earnings, pain, suffering, and lost quality of life (U.S. Department of Justice, 1996); and

WHEREAS, in the United States 1 in 3 women and 1 in 4 men have experienced some form of sexual or physical violence committed by an intimate partner (Centers for Disease Control and Prevention, 2010); and

WHEREAS, there are more than 15,000 sex offenders registered as living in North Carolina (Department of Justice, 2014); and

WHEREAS, victim-blaming continues to be an enormous problem in instances of rape and sexual assault; and

WHEREAS, the Orange County Rape Crisis Center, a non-profit agency that has served this community since 1974, is working to stop sexual violence and its impact through support, education, and advocacy;

NOW, THEREFORE BE IT RESOLVED that we, the Orange County Board of Commissioners, do hereby proclaim the month of April 2015 as “SEXUAL ASSAULT AWARENESS MONTH” and encourage all residents to speak out against sexual violence and to support their local community’s efforts to prevent and respond to these appalling crimes.

This the 7<sup>TH</sup> day of April 2015.

---

Earl McKee, Chair  
Orange County Board of Commissioners

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 4-c

**SUBJECT:** Fair Housing Month

---

**DEPARTMENT:** Housing, Human Rights, and  
Community Development

**PUBLIC HEARING:** (Y/N)

No
----

---

**ATTACHMENT(S):**  
Proclamation

**INFORMATION CONTACT:**  
James Davis, 245-2488

---

**PURPOSE:** To approve a proclamation designating April as Fair Housing Month 2015 in Orange County.

**BACKGROUND:** The month of April is National Fair Housing Month. April 2015 will mark the 47<sup>th</sup> anniversary of the enactment of the Federal Fair Housing Act of 1968 and the 32<sup>nd</sup> anniversary of the North Carolina Fair Housing Act. These Acts grant every person a right to live where they choose, free from discrimination on the basis race, color, national origin, sex, religion, familial status, or disability.

The U.S. Department of Housing and Urban Development has chosen “***Fair Housing is Your Right. Use It!***” as the theme of this year’s Fair Housing Month. The chosen theme indicates the importance of fair housing in the nation today and encourages residents to exercise this right.

Established in 1987, the Orange County Human Relations Commission (HRC) is charged with enforcing the Orange County Civil Rights Ordinance that prohibits discrimination in housing and public accommodations on the basis of race, age, sex, religion, familial status, national origin, color, veteran’s status and disability.

The HRC will have a table at the County Expo on Friday, April 10, 2015 where it will present information about the federal and local fair housing laws. The HRC’s mascot, Franklin the Fair Housing Fox, will greet children and adults and give out buttons that promote the fair and equal treatment of all persons. In its continuing effort to reduce the incidences of housing discrimination, the HRC will make fair housing presentations throughout the year for residents and housing practitioners, and will distribute fair housing brochures and posters throughout the County, including versions translated in Spanish, Burmese and Karen. The HRC will also investigate all complaints of housing discrimination filed within the County.

**FINANCIAL IMPACT:** There is no financial impact associated with consideration of the proclamation.

**RECOMMENDATION(S):** The Manager recommends that the Board approve the proclamation and authorize the Chair to sign the proclamation.

# ORANGE COUNTY BOARD OF COMMISSIONERS

## PROCLAMATION

### FAIR HOUSING MONTH

**WHEREAS**, April 2015 marks the 47<sup>th</sup> anniversary of the Fair Housing Act of 1968 and the 32<sup>nd</sup> anniversary of the North Carolina Fair Housing Act prohibiting discrimination in housing on the basis of race, color, sex, religion, national origin, handicap and familial status; and

**WHEREAS**, the Orange County Board of Commissioners enacted the Orange County Civil Rights Ordinance on June 6, 1994, which affords to the residents of Orange County the protections guaranteed by Title VIII and additionally encompasses the protected classes of veteran status and age; and

**WHEREAS**, Orange County and the United States Department of Housing and Urban Development as well as concerned residents and the housing industry are working to make fair housing opportunities possible for everyone by encouraging others to abide by the letter and the spirit of fair housing laws; and

**WHEREAS**, despite of the protection afforded by the Orange County Civil Rights Ordinance and Title VIII as amended, illegal housing discrimination still occurs in our nation and in our County; and

**WHEREAS**, by supporting and promoting fair housing and equal opportunity, we are contributing to the health of our County, State and Nation.

**NOW, THEREFORE**, we, the Board of County Commissioners of Orange County North Carolina, do proclaim April 2015 as **FAIR HOUSING MONTH** and commend this observance to all Orange County residents.

*This the 7<sup>th</sup> day of April 2015.*

---

Earl McKee, Chair  
Orange County Board of Commissioners

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 4-d

**SUBJECT:** Public Safety Telecommunicators Week

---

**DEPARTMENT:** Emergency Services

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT(S):**

Proclamation

**INFORMATION CONTACT:**

Dinah L. Jeffries, 245-6100  
James Groves, 245-6100

---

**PURPOSE:** To proclaim the week of April 12 through 18, 2015 as Public Safety Telecommunicators Week in Orange County.

**BACKGROUND:** Every year across the nation, the second full week of April is dedicated to the professional women and men who serve as public safety telecommunicators. First conceived by Patricia Anderson of the Contra Costa County (California) Sheriff's Office in 1981, this practice was recognized by Representative Edward J. Markey (D-Massachusetts) in what became House Joint Resolution 284 to create "National Public Safety Telecommunicators Week" which became Public Law No. 102-264 on March 26, 1992.

Each day hundreds of Orange County residents and those passing through rely on the expertise and dedication of County Telecommunicators. These professionals help save countless lives by responding to emergency calls, dispatching law enforcement, fire and emergency medical personnel and equipment and providing support to the residents and visitors of the County. Their skills in making critical decisions during high-pressure situations enable a rapid emergency response, while providing excellent customer service to those in need.

Orange County Communications is the primary public safety answering point (PSAP) for all emergency and non-emergency service calls in the County. In 2014 Orange County Communications answered 80,489 9-1-1 calls and dispatched over 180,000 calls for service.

Orange County's Telecommunicators continue to strive for excellence in their performance and are among the highest trained in the state. They provide an invaluable service to the residents, visitors and to the public safety providers across the County.

**FINANCIAL IMPACT:** None.

**RECOMMENDATION(S):** The Manager recommends that the Board adopt the Proclamation and authorize the Chair to sign it.

## ORANGE COUNTY BOARD OF COMMISSIONERS

### PUBLIC SAFETY TELECOMMUNICATORS WEEK

April 12-18, 2015

#### A PROCLAMATION

WHEREAS, The Orange County 9-1-1 Center serves the residents, workers and visitors in Orange County by answering emergency calls for law enforcement, fire, emergency medical services, and other requests for service and efficiently dispatch the most appropriate assistance for those calls; and

WHEREAS, Our Telecommunicators are the “first” first responders that provide assistance to those residents, workers and visitors; and

WHEREAS, The critical functions performed by our professional Telecommunicators support many aspects of government services, including: Town Public Works, Public Transit, Protective Services, Animal Services, and other operations; and

WHEREAS, Our professional Telecommunicators continuously work to improve Orange County’s emergency response capabilities through their leadership and participation in training programs provided by the Association of Public Safety Communications Officials (APCO) and the National Emergency Number Association (NENA); and

WHEREAS, Our professional Telecommunicators serve the public and emergency responders in countless ways, often without due recognition by the beneficiaries of their services;

NOW, THEREFORE, we, the Orange County Board of County Commissioners, do hereby proclaim the week of April 12-18, 2015 as "Public Safety Telecommunicators Week" in Orange County, North Carolina in honor and recognition of our Telecommunicators and the vital contributions they make to the safety and well being of our residents, workers, visitors, and public safety partners.

Adopted this 7th day of April 2015.

---

Earl McKee, Chair  
Orange County Board of Commissioners

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 4-e

**SUBJECT:** Update Report: 2017 Countywide Revaluation of Real Property

---

**DEPARTMENT:** Tax Administration

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT(S):**

- 1) March 19, 2015 Memo from Tax Administrator - 2017 Property Tax Revaluation
- 2) RES-2012-048 Resolution Regarding the Next General Reappraisal (May 15, 2012)
- 3) RES-2013-041 Information and Resolution Regarding the Next Revaluation (May 7, 2013)

**INFORMATION CONTACT:**

Dwane Brinson, Tax Administrator,  
(919) 245-2726

**PURPOSE:** To discuss the project plan, current market trends and statistics, current economic indicators, and potential impacts as they relate to the 2017 countywide revaluation.

**BACKGROUND:** The Orange County Tax Administrator's Office conducted property tax revaluations in 2005 and 2009. Current tax assessments still reflect market value as of January 1, 2009. With a four-year revaluation cycle, the next revaluation would have occurred in 2013.

However, at its May 15, 2012 regular meeting, the Board of County Commissioners (BOCC) received a presentation from the Tax Administrator recommending postponing the 2013 revaluation to 2015. The BOCC subsequently approved a resolution (Attachment 2) to accept this recommendation and delay the revaluation to 2015.

Similarly, at its May 7, 2013 regular meeting, the BOCC received a presentation from the Tax Administrator recommending further postponing the next countywide revaluation until 2017. The BOCC approved a resolution to delay the revaluation to 2017 (Attachment 3).

**FINANCIAL IMPACT:** None

**RECOMMENDATION(S):** The Manager recommends that the Board receive the report on Orange County's 2017 countywide revaluation of real property.



**ORANGE COUNTY TAX ADMINISTRATION**  
228 S CHURTON STREET, SUITE 200, PO BOX 8181  
HILLSBOROUGH, NORTH CAROLINA 27278  
**Telephone** (919) 245-2725 **Fax** (919) 644-3332  
T. Dwane Brinson, Director

## Memorandum

To: Orange County Board of Commissioners  
Cc: Bonnie Hammersley, County Manager  
From: Dwane Brinson, Tax Administrator  
Date: March 19, 2015  
Re: 2017 Property Tax Revaluation Update

---

North Carolina state law, G.S. 105-286(a), mandates that counties conduct a countywide revaluation at least once every eight years. Orange County last conducted a countywide revaluation effective for January 1, 2009 and current tax assessments reflect market value as of that appraisal date. Therefore, Orange County is required to complete its next revaluation no later than January 1, 2017. This memorandum is an effort to explain current market conditions and provide an update of the 2017 countywide revaluation.

### **Current Market Conditions**

It is evident that the economy is improving. Sales volume is increasing, sales prices are rising and properties are selling faster. As part of this report an analysis of Orange County qualified sales is provided. Real property tax assessments in Orange County currently reflect market value as of January 1, 2009, the County's last revaluation appraisal date. Figures, ratios and statistics provided in this report compare the County's current tax assessment based on January 1, 2009 market value against recent qualified market sales. This is performed annually to determine the impact of a countywide revaluation, in part. Elaboration on recent qualified market sales and the statistical measuring tools is provided below.

## Sales Analysis

The predominant method of measuring mass appraisal effectiveness is through the median sales ratio. This is computed by dividing the assessed value by the sales price. A sales ratio of greater than 1 indicates that the tax assessment is higher than the property's recent sales price and vice versa. One simple way to describe this measure is that the sales ratio shows what percentage of market value is represented by current tax assessment. For example, a median sales ratio of 1.05 indicates that tax assessments in that category represent 105% of current market sales. However, this ratio is only a measure of central tendency. Ratios higher and lower than the median exist, too. Coefficient of Dispersion (COD) shows the data spread. A lower COD is better, and one less than 15 is a post-revaluation goal. The lower the COD, the more tightly-compacted the sales are around the median sales ratio.

Based on the 2014 qualified market sales analyzed, it appears Orange County tax assessments are still within an acceptable range. The median sales ratio is gradually falling, indicating market values and tax assessments are getting closer and closer. The COD is acceptable considering the sales analyzed are six years removed from the last revaluation.

**Median Sales Ratio** – 1.007 (down from 1.04 since the Tax Administrator's 2013 report)  
**Coefficient of Dispersion** – 19.80

## Revaluation Process

Field reviews for the 2017 revaluation began in April 2014 and have continued to date. Tax office appraisers are visiting residences and talking to residents when possible. During the visit, even if no one is home, the appraisers are leaving postcards at the residences as a means of collaboration between the tax office and residents. We want records to be accurate and the 2017 revaluation value to be indicative of market value. A tentative timeline is provided below:

- April 2014 – January 2016: Field visits to verify property records
- January 2016: Mail summary description of property with annual listing forms
- January 2016 – April 2016: Field reviews of sales used in models
- February 2016 – May 2016: Review grade, depreciation, etc. field reviews
- April 2016 – July 2016: Development of new rates for SOV and testing
- July 2016: Finalize SOV
- July/August 2016: Public Hearing on SOV
- September/October 2016: Adoption of SOV
- December 2016: Final, holistic review
- January 2017: Send out value change notices
- January 2017 – March 2017: Informal appeals
- April 2017 – June 2017: Board of Equalization and Review hearings

### Collaboration with Community

A local government project that directly affects each resident as much as a countywide revaluation should have built-in education and collaboration efforts. The tax office realizes that completing this project accurately and successfully requires assistance from the public.

Moreover, collaboration is the cornerstone of Orange County Government, and the tax office embraces that approach as well. We feel it is not enough for the public to hear about the 2017 revaluation only at the very end of the process through a notice of new value in early 2017.

Therefore, at a minimum, we are taking the following measures to collaborate with the public:

1. Presentations to Chambers of Commerce, Friends of Downtown Chapel Hill, BOCC, etc.
2. Press releases through Orange County Public Affairs
3. Sales bank posted on tax office website
4. Summary descriptions mailed with 2016 tax listing forms
5. Revaluation education YouTube videos
6. Frequently asked questions brochure

### Revaluation Goals

With any large project goals are established. As part of contingency planning, those goals must be prioritized as part of a larger strategic plan. The tax office has an opportunity to accomplish many goals with the 2017 revaluation, and a list of primary goals is provided below:

1. Update 2009 real property tax assessments to reflect market value as of January 1, 2017
  - a. Ensure accuracy of records through field visits, questionnaires, etc.
  - b. Build community support through collaboration and education
2. Capture building use data, i.e. commercial, residential, industrial and their subcategories
  - a. Will allow tax office to better assist Economic Development and Chambers of Commerce with studies and analyses
3. Review exempt properties in Orange County
  - a. Currently approximately \$7B of exempt property in Orange County
  - b. Important for Asset Management Services, Risk Management and the State's annually-required AV-50 report

To ensure the accuracy of tax records, a full list and measure revaluation should be undertaken every third to fourth revaluation, depending on the frequency of the county's revaluation cycle. With the advancement of technology, a full list and measure process will become more strategic. Appraisers will continue to have boots on the ground, but tools are becoming available to greatly improve accuracy and efficiency of the property taxation process. One such tool, for example, is through Pictometry. This company offers Sketch Check, a program that integrates recent aerial photos with a county's Geographic Information System (GIS) and county tax records to identify anomalies. While the tax office is not using this tool for the 2017 revaluation, it and similar technology will be considered for future revaluations and field work.

## Pictometry® Sketch Check™



### *Verify Your Sketch Data Quickly and Cost Effectively with Pictometry® Sketch Check*

Validating sketches is essential to producing fair and equitable valuations, yet the sheer volume of sketches can make sketch verifications a daunting and time-consuming task. There's a solution.

Pictometry Sketch Check takes your CAMA-based sketches and creates geo-referenced shape files that are compared with high-resolution orthogonal imagery. Any discrepancies between the images and the sketch are not only flagged but also categorized by degree of inconsistency. The result is a prioritization of the parcels that need attention, enabling you to achieve in months what might have taken you years.

Pictometry Sketch Check enables you to quickly and efficiently analyze your sketches, ensure fair and equitable property valuations, and share valuation GIS data with multiple departments including E9-1-1, zoning and planning.

#### **Features & Benefits:**

- Remotely determine the accuracy of sketches in your CAMA system data
- Dramatically reduce field visits, labor and fleet maintenance expenses
- Boost tax base by adding missed property changes
- Prioritize parcel review with our categorized scoring table
- Reuse GIS shape files for E911, zoning & planning

## Correcting Records

Should egregious record inaccuracies be discovered during the process leading up to the county's 2017 revaluation, those changes would take effect in the corresponding year. All records for the revaluation will be keyed into the system with an effective date of January 1, 2017. Any resulting change in tax assessment would take place with the revaluation date and the tax bill to be mailed in July/August 2017.

The North Carolina General Statutes (NCGS), specifically 105-381, allow a refund of taxes for only three instances:

1. A tax imposed through clerical errors;
2. An illegal tax;
3. A tax levied for an illegal purpose.

Much debate centers on taxpayers that may have been taxed for an area or square footage that did not exist. For example, a taxpayer may have been taxed for a finished bonus room that actually was unfinished or for a finished basement that actually was unfinished. Chris McLaughlin at the UNC School of Government opines that such situations are not legally refundable. In his opinion, these are deemed appraisal judgments and fit neither of the three refund options. Should a taxpayer be taxed on a house or structure, however, that did not exist, that would be refundable under an illegal tax. The line appears to be that a refund may be issued when a taxpayer is taxed on a structure that does not exist, but when the quality, individual features or property characteristics are inaccurate, Mr. McLaughlin holds that the taxpayer has the opportunity to appeal these each year during the appeals process. The NC Department of Revenue takes a position that the statute is unclear regarding these instances.

One reason it may be impractical to refund for such occurrences is that an appraisal is one's *opinion of value*. Different appraisers can form different opinions of value, albeit supported by market data, and different appraisers may even measure square footage to be slightly different. Because of this, the NC Real Estate Commission considers any differences less than 5% immaterial. Similarly, the International Association of Assessing Officers (IAAO) recommends the following standards of accuracy for data collection:

- Continuous or area measurement data, such as living area and exterior wall height, should be accurate within one foot (rounded to the nearest foot) of the true dimensions or within 5% of the area. If areas, dimensions, or volumes must be estimated, the property records should note where quantities are estimated.
- For each objective, categorical or binary data field to be collected or verified, at least 95% of the coded entries should be accurate.

- For each subjective categorical data field collected or verified, data should be coded correctly at least 90% of the time. Subjective categorical data characteristics include data items such as quality grade, physical condition, and architectural style.

It seems that both the NC Real Estate Commission and IAAO adhere to similar standards. Both recognize the imperfections that may occur when measuring a property, judging its quality of construction, or forming an opinion of value. In local government, the General Assembly has placed significant burden on the taxpayer to appeal any inaccuracies or valuation concerns each year during the appeals process. This process allows a local government's tax base to be finalized without jeopardizing budgeted revenue and fiscal standing.

### **Conclusion**

Market statistics show Orange County real estate markets to be improving. While we notice manifestations of properties selling for more or less than tax assessment, those will occur in any market in any year. The majority of current qualified market sales hover around current tax assessments. Furthermore, the economy is improving with more market activity, shorter selling times and higher selling prices. Should Orange County move forward with a 2015 revaluation, it likely will occur at a time when tax assessments and market values are in unison already. The sales ratio has been gradually declining in recent years indicating that market values are rising.

ORANGE COUNTY BOARD OF COMMISSIONERS

Resolution Establishing the Year of the Next General Reappraisal

**Whereas,** Orange County conducted its most recent General Appraisal of Real Property effective January 1, 2009; and

**Whereas,** the Orange County Board of Commissioners advanced its scheduled General Reappraisal of Real Property to January 1, 2013, pursuant to North Carolina General Statute (NCGS) 105-286 (a) (3); and

**Whereas,** after careful consideration, the Orange County desires to modify this schedule to postpone the effective date of the next General Reappraisal to January 1, 2015, as permitted by NCGS 105-286 (a) (3); and

**Whereas,** the Orange County Board of Commissioners also desires that the Orange County Tax Administrator make an annual report to the Board regarding conditions in the market for real property;

**Now, Therefore, Be It Resolved,** that the Orange County Board of Commissioners does hereby postpone the effective date of the next General Reappraisal to January 1, 2015;

**Be It Further Resolved,** that the Orange County Tax Administrator shall each year make at least one report to the Board of County Commissioners regarding conditions in the market for real property; and

**Be It Further Resolved,** that the Clerk to the Board shall forward a copy of this resolution to the North Carolina Department of Revenue as required under NCGS 105-286.

**Adopted,** this 15 day of May, 2012.

  
Bernadette Pelissier, Chair  
Orange County Board of Commissioners

**Attest:**  
  
Clerk to the Board

**Orange County Board of Commissioners**

**A Resolution Establishing the Year of the Next General Reappraisal**

**WHEREAS**, Orange County conducted its most recent General Appraisal of Real Property effective January 1, 2009; and

**WHEREAS**, the Orange County Board of Commissioners advanced its scheduled General Reappraisal of Real Property to January 1, 2013, pursuant to North Carolina General Statute (NCGS) 105-286(a)(3); and

**WHEREAS**, after careful consideration, on May 15, 2012, the Orange County Board of Commissioners modified this schedule and postponed the effective date of the next General Reappraisal of Real Property to January 1, 2015, pursuant to North Carolina General Statute (NCGS) 105-286(a)(3); and

**WHEREAS**, after careful consideration, the Orange County Board of Commissioners again desires to modify this schedule to postpone the effective date of the next General Reappraisal to **January 1, 2017**, as permitted by NCGS 105-286(a)(3); and

**WHEREAS**, the Orange County Board of Commissioners also desires that the Orange County Tax Administrator continue to make an annual report to the Board regarding conditions in the market for real property;

**WHEREAS**, the Orange County Board of Commissioners desires to return to its adopted four-year revaluation cycle after the 2017 revaluation;

**Now, Therefore, Be It Resolved**, that the Orange County Board of Commissioners does hereby postpone the effective date of the next general reappraisal to January 1, 2017;

**Be It Further Resolved**, that the Orange County Tax Administrator shall continue each year make at least one report to the Board of County Commissioners regarding conditions in the market for real property; and

**Be It Further Resolved**, that the Clerk to the Board shall forward a copy of this resolution to the North Carolina Department of Revenue as required under NCGS 105-286.

Adopted, this 7<sup>th</sup> day of May, 2013.

  
\_\_\_\_\_  
Barry Jacobs, Chair  
Orange County Board of Commissioners

**ORANGE COUNTY  
BOARD OF COMMISSIONERS  
ACTION AGENDA ITEM ABSTRACT**  
Meeting Date: April 7, 2015

**Action Agenda  
Item No. 5-a**

**SUBJECT:** Comprehensive Plan and Unified Development Ordinance Text Amendments and Zoning Atlas Amendments to Establish Two New Zoning Overlay Districts in the Efland Area (No Additional Comments Accepted)

---

**DEPARTMENT:** Planning and Inspections

**PUBLIC HEARING: (Y/N)**

Yes

---

**ATTACHMENTS:**

1. Comprehensive Plan and Unified Development Ordinance Outline Form (UDO & Zoning 2013-09)
2. Statement of Consistency
3. Ordinance Amending Comprehensive Plan, UDO, and Zoning Atlas
4. Excerpt of Minutes of February 24, 2014 Quarterly Public Hearing
5. Planning Board's Statement of Consistency and March 4, 2015 Draft Minutes Excerpt
6. Chart of Proposed Standards and Resident Input/Suggestions

**INFORMATION CONTACT:**

Perdita Holtz, Planner III, 919-245-2578  
Craig Benedict, Director, 919-245-2592  
John Roberts, County Attorney, 919-245-2318

---

**PURPOSE:** To receive the Planning Board recommendation, close the public hearing, and make a decision on Planning Director initiated amendments to the Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas to establish two new zoning overlay districts in the Efland area. The primary purpose of the overlay districts is to provide for a more village and urban style of development in an area of the county served, or intended to be served, by public water and sewer systems.

As a reminder, the reconvening of this hearing is solely to receive the Planning Board recommendation and any additional written evidence submitted since the February 24, 2014 Quarterly Public Hearing. This hearing is not intended to solicit additional input from the public. While the BOCC may ask staff questions related to the review of a given item, comments from the public shall not be solicited.

**BACKGROUND:** The proposed amendments were heard at the February 24, 2014 Quarterly Public Hearing (materials available at: <http://orangecountync.gov/occlerks/140224.pdf> and the minutes excerpt is included as Attachment 4). The Amendment Outline Form in Attachment 1 contains additional information regarding these amendments and the process that has occurred in reviewing the amendments.

Ninety-eight (98) parcels containing approximately 157 acres are located in the proposed Efland Village Overlay District. Sixty-four (64) parcels containing approximately 275 acres are located in the proposed Efland Interstate Overlay District. These figures include road and rail rights-of way.

Attachment 2 contains the required Statement of Consistency indicating the proposed amendment is consistent with the adopted Comprehensive Plan. Attachment 3 contains the proposed amendments with changes shown in colored text. A chart showing each proposed standard and the input/suggestions of an Efland area resident group is included in Attachment 6. All suggestions made by the resident group have been included in the amendments contained in Attachment 3.

Planning Director's Recommendation: The Planning Director recommends **approval** of the Statement of Consistency, indicating the amendments are reasonable and in the public interest, contained in Attachment 2 and proposed amendment package contained in Attachment 3.

Planning Board Recommendation: At its March 4, 2015 regular meeting, the Board voted unanimously to recommend approval of the proposed amendments. The Planning Board's signed Statement of Consistency and Minutes excerpt are included in Attachment 5.

Procedural Information: In accordance with Sections 2.3.10 and 2.8.8 of the Unified Development Ordinance, any evidence not presented at the public hearing must be submitted in writing prior to the Planning Board's recommendation. Additional oral evidence may be considered by the Planning Board only if it is for the purpose of presenting information also submitted in writing. The public hearing is held open to a date certain for the purpose of the BOCC receiving the Planning Board's recommendation and any submitted written comments.

**FINANCIAL IMPACT**: See Section C.3 in Attachment 1.

**RECOMMENDATION(S)**: The Manager recommends the Board:

1. Receive the Planning Board's recommendation;
2. Close the public hearing;
3. Deliberate as necessary on the proposed amendments; and
4. Decide accordingly and/or adopt the Statement of Consistency, contained within Attachment 2, and the Ordinance amending the Comprehensive Plan, UDO, and Zoning Atlas contained within Attachment 3, as recommended by the Planning Board and staff.

# COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2013-09

Two New Zoning Overlay Districts in the Efland Area

## A. AMENDMENT TYPE

### Map Amendments

- Land Use Element Map:  
From:  
To:
- Zoning Map: Add Two New Zoning Overlay Districts in the Efland Area  
From:  
To:
- Other:

### Text Amendments

- Comprehensive Plan Text:
 

Appendix F – Land Use and Zoning Matrix: Add tick marks to potentially allow a “Special Zoning Overlay District” in all of the Transition land use classifications.
- UDO Text:
  - UDO General Text Changes
  - UDO Development Standards
  - UDO Development Approval Processes

Section(s): Text Amendments to: Sections 2.5.7 and 4.4  
 Add New Sections: 4.5, 4.6, 6.6.3 and 6.6.4.  
 Renumber Existing Sections: 4.5, 4.6, and 6.6.3  
 Reference Changes in Existing Sections: 4.5.1, 6.8.12, and 7.13.2.
- Other:

## B. RATIONALE

### 1. Purpose/Mission

To consider Comprehensive Plan, UDO, and Zoning Atlas amendments to establish two new zoning overlay districts in the Efland Area. The proposal presented at the

February 2014 quarterly public hearing (QPH) was the staff recommended version of the text amendment considered by the BOCC at its February 5, 2013 meeting but it was not adopted. Agenda materials from the February 5, 2013 meeting can be viewed at: <http://www.orangecountync.gov/occlerks/130205.pdf>. The version to be considered at the April 7, 2015 BOCC meeting contains changes from the version presented at the February 2014 QPH (see Attachment 3).

## 2. **Analysis**

As required under Section 2.8.5 of the Unified Development Ordinance, the Planning Director is required to: 'cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners'. The following information is offered:

The proposed zoning overlay districts are consistent with the recommendations made in the adopted Efland-Mebane Small Area Plan (<http://orangecountync.gov/planning/documents/EflandPlanADOPTED062706.pdf>) which called for design standards in the "core area" of Efland. The primary purpose of the overlay districts is to provide for a more village and urban style of development in an area of the county served, or intended to be served, by public water and sewer systems. The affected area is also designated as a Commercial-Industrial Transition Activity Node (CITAN) on the County's Future Land Use Map. It is pertinent to note that some of the zoning districts allowed in a CITAN land use classification allow residential uses "by right" (e.g., residential uses, including single family residential, are allowed in the County's commercial zoning districts).

The proposed overlay districts requirements have been written so that the requirements will not pertain to existing or new single-family detached residential uses. New non-single-family residential uses (e.g., duplexes, multi-family) and new non-residential uses proposed in the overlay districts will be required to conform to the requirements of the overlay districts. Existing uses are not required to come into conformance with the new requirements as long as they continue to operate in the manner in which they are currently operating. The new requirements pertain to new development or substantially modified existing development.

Because County development regulations pertain primarily to areas that are not intended to be served by public and water systems, which tends to result in larger lot sizes and lower density, some of the County's regulations are not suitable for areas intended to have denser or more intensive development on smaller lots. For example, some of the land use buffer requirement in Section 6.8 of the UDO would be infeasible to meet on a parcel of property that is less than 100 feet in width and has an area measurement typically referred to in square feet rather than in acres. However, in areas of the county slated for denser development than the outlying rural areas, smaller sized lots with buildings closer together is to be expected. Therefore, development regulations must be modified to reflect these physical differences while continuing to strive for quality development. The proposed overlay districts endeavor to encourage development while ensuring quality.

Development will still be required to meet the impervious surface limitations

contained in Section 4.2 of the UDO. Because the impervious surface limitations stem from State statutes/rules, modifications to the allowable percentages are not permitted except as allowed in Section 4.2.8.

The primary reason the former proposal was not adopted was disagreement over whether sidewalks (publicly owned/maintained) and/or privately owned/maintained connecting walkways would be required in the Efland Village Overlay District. More information about this topic is available in the Amendment Form for the former project, viewable at: <http://www.orangecountync.gov/occlerks/130205.pdf>. The link to the October 2011 work session materials where the BOCC discussed and gave direction on “the sidewalk issue” is: <http://www.orangecountync.gov/OCCLERKS/1110062.pdf> and the Minutes from this work session can be found at: <http://server3.co.orange.nc.us:8088/weblink8/0/doc/23818/Page1.aspx>. The current proposal does not include a requirement for public sidewalks or private connecting walkways. The current proposal includes requirements for private internal pedestrian circulation systems for large projects (defined in the text).

At the February 2014 QPH, the BOCC directed staff to hold a public information meeting (PIM) in the community and the public hearing was adjourned to September 8, 2014. Planning staff held a PIM on April 7, 2014 which was attended by approximately 33 residents. Meeting attendees were encouraged to contact staff if they wanted to meet one-on-one with staff or in small groups to further discuss the proposed overlay districts.

A group of community members contacted Planning staff in August 2014 and Planning staff met with a group of residents eight times from August 2014 through January 2015. During this time, the public hearing was continued to December 1, 2014 and then again to April 7, 2015. The resident group provided numerous suggestions for changes to the proposed overlay district standards (see Attachment 5 for a chart depicting the suggestions) and these suggested changes have been incorporated into the UDO amendments contained in Attachment 3.

The resident group’s input and suggestions are primarily geared toward “softening” language to allow for more flexibility in enforcing the standards (e.g., change “shall” to “should”). Additionally, some suggestions relate to clarifying the standard while in other cases the resident group was not in favor of having a standard at all (for example, prohibiting the use of chain link fencing, regulating the orientation of buildings on sites, or regulating the location of doorways on a building).

The Efland-Mebane Small Area Plan Implementation Focus Group (IFG), an advisory board appointed by the BOCC, met on February 2, 2015 to review and discuss the resident group’s suggestions. Approximately 10 Efland area residents also attended the IFG meeting which allowed the IFG to hear directly from the residents who made the suggested changes to the standards. After lengthy discussion, the IFG indicated it is comfortable with and concurs with the changes the resident group suggested.

Planning staff held a second PIM on February 23, 2015. The meeting has originally been scheduled for February 18, 2015 but inclement weather conditions necessitated

postponement of the meeting. Approximately 15 people attended the meeting and the question/comment period after staff's presentation was light with no substantive comments made.

### **3. Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)**

#### Objective LU-1.1:

Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available. (See also Economic Development Objectives ED-2.1, ED-2.3, ED-2.10, and Water and Wastewater Objective WW-2.)

#### Objective LU-3.7:

Ensure that new development patterns in non-residential nodes encourage a clustered, walkable development pattern and discourage strip development.

#### Objective LU-3.8:

Develop a process for implementing small area plan recommendations through the revision of County policies and regulations.

#### Objective LU-3.9:

Create new zoning district(s) which allow for a mixing of commercial and residential uses, a mixing of housing types, and creates a more pedestrian friendly development pattern. New districts should be applied in areas where public services exist or are planned for in the future, in areas that promote higher intensity and high density uses on the Future Land Use map.

#### Objective H-3.6:

Work within the Orange County government system to identify and resolve existing policies which may be at odds with historic preservation goals, green building approaches, and workforce and affordable housing efforts. (See also Cultural Resources Objective CR-3 and Economic Development Objective ED-4.1.)

### **4. New Statutes and Rules**

Not applicable.

## C. PROCESS

### 1. TIMEFRAME/MILESTONES/DEADLINES

#### a. BOCC Authorization to Proceed

June 19, 2012 (last year's proposal)  
October 15, 2013 (current proposal)

#### b. Quarterly Public Hearing

February 24, 2014 (current proposal)

The former proposal was heard at the November 19, 2012 joint public hearing. Meeting Minutes and a summary of the questions/comments made at the November 2012 public hearing are part of the February 5, 2013 meeting materials (<http://www.orangecountync.gov/occlerks/130205.pdf>).

#### c. BOCC Updates/Checkpoints

February 4, 2014 – approval of legal ad  
September 8, 2014 – extended public hearing  
December 1, 2014 – extended public hearing  
January 12 & 22, 2015 – e-mails sent to BOCC regarding upcoming Implementation Focus Group & public information meetings  
February 4, 2015- Update on Planning Board agenda (BOCC receives link to materials)  
March 4, 2015 – Planning Board recommendation (BOCC receives link to materials)  
April 7, 2015 – BOCC decision

#### d. Other

### 2. PUBLIC INVOLVEMENT PROGRAM

**Mission/Scope:** Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements.

#### a. Planning Board Review:

November 6, 2013 – special presentation on NC counties ability to provide/maintain sidewalks (agenda materials are available at: <http://www.orangecountync.gov/planning/documents/PBAgendaNov2013-web.pdf>; minutes are available at: <http://www.orangecountync.gov/planning/documents/11613PBMinutes.pdf>)

February 4, 2015 – update on the status of the proposed overlay districts  
March 4, 2015 - recommendation

b. Advisory Boards:

The EMSAP Implementation Focus Group reviewed and commented on the proposed overlay districts as part of the prior process. Staff did not suggest that the Group be reconvened prior to the February 2014 QPH since significant changes to the former work were not being proposed.

The EMSAP IFG met on February 2, 2015 to review and discuss the changes suggested by a group of Efland area residents. The IFG concurred with the resident group's suggestions.

c. Local Government Review:

Not applicable

d. Notice Requirements

February 2014 QPH

Notices to affected and adjacent property owners were mailed on February 7, 2014. A total of 110 letters were mailed to affected property owners and 77 postcards were mailed to adjacent property owners.

Legal advertisements were run in The Herald Sun and the News of Orange on February 12 and 19.

25 notification signs were posted in strategic areas of the affected area on February 11, 2014. The signs were posted 3 days before the "deadline date" due to forecasts for snow and ice.

April 7, 2014 PIM

Courtesy postcards were mailed on March 18, 2014 to over 100 affected property owners and ten signs were posted in the affected area.

February 18, 2015 PIM (inclement weather necessitated the postponement of the meeting to February 23)

Courtesy postcards were mailed on February 4, 2015 to over 100 affected property owners and to people who attended the April 7, 2014 PIM. Additionally, ten signs were posted in the affected area. An e-mail was sent on February 18th to Efland area residents for whom staff has e-mail addresses and a press release was written by the Public Affairs office advising the public of the postponement.

e. Outreach:

General Public: Because significant changes to the prior materials were not being proposed, Planning staff did not suggest a separate public meeting for these amendments in the Amendment Outline/Process Form that was approved by the BOCC on October 15, 2013.

An “open house” style public information meeting for the prior proposal was held on November 14, 2012 at the Efland-Cheeks Community Center. Ten people and one BOCC member attended the meeting.

A public information meeting was held on April 7, 2014 at Efland-Cheeks Elementary Schools. Approximately 33 people attended this meeting.

A group of Efland area residents asked Planning staff to meet with them to discuss the proposed overlay districts. From August 2014 through January 2015, staff met with a group of residents eight times. 8-10 residents attended all or most of the meetings and there were several other people who attended less frequently.

A second public information meeting was held on February 23, 2015 (postponed from original date of February 18 due to inclement weather conditions). Approximately 15 people attended this meeting.

Small Area Plan Workgroup: Because significant changes to the prior materials were not being proposed, Planning staff did not suggest additional meetings in the Amendment Outline/Process Form that was approved by the BOCC on October 15, 2013.

As part of the prior proposal, the EMSAP IFG met on August 29, 2012 to review and comment on the proposed overlay districts. The group decided that additional meetings were not necessary as the proposed overlay districts were consistent with the intent of the adopted EMSAP.

The IFG met on February 2, 2015 to review and discuss suggestions made by a group of Efland area residents regarding changes to the proposed standards. The IFG concurred with the suggested changes.

Other: \_\_\_\_\_

**3. FISCAL IMPACT**

This project required a substantial amount of Planning staff time to complete and was accomplished by existing staff. The legal advertisements, notification mailings, and signs were paid using Planning Department funds budgeted for these purposes.

Adoption of the two new zoning overlay districts is not expected to impact County funding needs.

## D. AMENDMENT IMPLICATIONS

Adoption of the amendments will mean that new development (other than detached single family houses) in the affected area will be subject to the requirements of the zoning overlay district. In some cases, such as required buffering, this is a lessening of existing regulations to reflect the smaller sized lots that exist in the affected area. In other instances, such as shared driveway access requirements, the proposed regulations are slightly more restrictive than existing regulations.

The regulation requirements are consistent with the recommendations contained in the adopted Efland-Mebane Small Area Plan and are being proposed in order to encourage a more urban style of development in the proposed Efland Interstate Overlay District and a more urban village style of development in the proposed Efland Village Overlay District while also promoting good planning/development practices and quality development.

## E. SPECIFIC AMENDMENT LANGUAGE

See Attachment 3.

**Primary Staff Contact:**

Perdita Holtz, Planner III

(919) 245-2578

pholtz@orangecountync.gov

## Attachment 2

**STATEMENT OF CONSISTENCY  
OF PROPOSED COMPREHENSIVE PLAN, UNIFIED DEVELOPMENT ORDINANCE, AND  
ZONING ATLAS AMENDMENTS WITH THE 2030 COMPREHENSIVE PLAN AND/OR  
OTHER ADOPTED COUNTY PLANS**

Orange County has initiated amendments to the Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas affecting approximately 432 acres located in the Efland area of the county. These amendments establish two new zoning overlay districts in the area.

The Board of County Commissioners finds:

- The requirements of Section 2.8 of the Unified Development Ordinance (UDO) have been deemed complete, and
- Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds documentation within the record denoting that the rezoning **is consistent** with the adopted 2030 Comprehensive Plan and/or other adopted County plans.

The amendment is consistent with applicable plans because it:

- Supports the following 2030 Comprehensive Plan goals and objectives:

Objective LU-1.1:

Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available.

Objective LU-3.7:

Ensure that new development patterns in non-residential nodes encourage a clustered, walkable development pattern and discourage strip development.

Objective LU-3.8:

Develop a process for implementing small area plan recommendations through the revision of County policies and regulations.

Objective LU-3.9:

Create new zoning district(s) which allow for a mixing of commercial and residential uses, a mixing of housing types, and creates a more pedestrian friendly development pattern. New districts should be applied in areas where public services exist or are planned for in the future, in areas that promote higher intensity and high density uses on the Future Land Use map.

Objective H-3.6:

Work within the Orange County government system to identify and resolve existing policies which may be at odds with historic preservation goals, green building

approaches, and workforce and affordable housing efforts. (See also Cultural Resources Objective CR-3 and Economic Development Objective ED-4.1.)

- Further implements the Efland-Mebane Small Area Plan, adopted June 27, 2006.

The amendments are reasonable and in the public interest because:

- The proposed amendments establish overlay districts that modify existing development regulations to reflect that this is an area of the county with smaller lots and which is served, or scheduled to be served, with water and sewer lines. Existing development regulations, particularly buffer and setback requirements, can make development difficult to achieve on smaller sized lots.
- The proposed amendments achieve a reasonable balance of attempting to encourage high quality development while protecting existing land uses and community character.
- The proposed amendments encourage development in an area of the county designated as Commercial-Industrial Transition Activity Node on the Future Land Use Map of the 2030 Comprehensive Plan.
- The proposed amendments promote public health, safety, and general welfare by furthering the goals and objectives of the 2030 Comprehensive Plan, including further implementation of the Efland-Mebane Small Area Plan (adopted June 27, 2006).

The Board of County Commissioners hereby adopts this Statement of Consistency and findings expressed herein.

---

Earl McKee, Chair

---

Date

**AN ORDINANCE AMENDING  
THE ORANGE COUNTY COMPREHENSIVE PLAN, UNIFIED DEVELOPMENT  
ORDINANCE, AND ZONING ATLAS**

WHEREAS, Orange County initiated amendment to the Orange County Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas, as established in Sections 1.1, 1.2, and 1.7 of the Orange County Unified Development Ordinance (UDO), in order to establish two new zoning overlay districts and accompanying regulations in an area of the county known as Efland, and

WHEREAS, the Board finds that the text amendment to the Comprehensive Plan is necessary to promote implementation of the Comprehensive Plan, and

WHEREAS, pursuant to Sections 1.1.5 and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds that the amendments will carry out the intent and purpose of the adopted Efland-Mebane Small Area Plan and is internally consistent with the 2030 Comprehensive Plan or part thereof including, but not limited to, the following:

**Objective LU-1.1:**

Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available. (See also Economic Development Objectives ED-2.1, ED-2.3, ED-2.10, and Water and Wastewater Objective WW-2.)

**Objective LU-3.7:**

Ensure that new development patterns in non-residential nodes encourage a clustered, walkable development pattern and discourage strip development.

**Objective LU-3.8:**

Develop a process for implementing small area plan recommendations through the revision of County policies and regulations.

**Objective LU-3.9:**

Create new zoning district(s) which allow for a mixing of commercial and residential uses, a mixing of housing types, and creates a more pedestrian friendly development pattern. New districts should be applied in areas where public services exist or are planned for in the future, in areas that promote higher intensity and high density uses on the Future Land Use map.

**Objective H-3.6:**

Work within the Orange County government system to identify and resolve existing policies which may be at odds with historic preservation goals, green building approaches, and workforce and affordable housing efforts. (See also Cultural Resources Objective CR-3 and Economic Development Objective ED-4.1.)

and

WHEREAS, the parcels over which a zoning overlay district will be placed are depicted on the map in the attached pages and are identified as follows:

<b>Efland Village Overlay District</b>			
<b>PIN</b>	<b>Approximate Acreage</b>	<b>PIN</b>	<b>Approximate Acreage</b>
9844776873	1.15	9844990565	9.58
9844781300	0.65 of 0.99 acre parcel	9844995085	4.18 of 4.64 acre parcel
9844781766	2.17	9844999100	0.77 of 1.93 acre parcel
9844783301	1	9854074868	0.25
9844783725	2.14	9854074909	0.44
9844784391	0.85	9854074954	0.26
9844785743	4.02	9854076999	0.27
9844786242	0.46	9854077979	0.28
9844786326	0.08	9854078927	0.04
9844787303	0.23	9854078931	0.22
9844788137	3.64	9854078939	0.02
9844788631	2.01	9854078949	0.28
9844788940	1.86	9854078996	0.24
9844799385	4.69	9854079976	0.27
9844870924	2.43	9854080094	1.77
9844874973	0.4	9854080850	1.07
9844880661	0.98	9854081212	0.51
9844880970	0.88	9854081353	0.82
9844881230	1.35	9854081693	1.66
9844882391	1.15	9854081916	0.52
9844882528	1.13	9854083138	0.15
9844883012	1.15	9854083232	0.15
9844883596	1.34	9854083321	0.51
9844883951	2.39	9854083835	1.12
9844884079	0.37	9854084052	0.15
9844884284	0.38	9854084057	0.16
9844884355	0.33	9854084115	0.46
9844886648	1.14	9854084152	0.15
9844886973	1.42	9854084252	0.46
9844887024	2.03	9854084353	0.3
9844887342	0.97	9854084605	1.59
9844892385	3.51	9854086528	0.47
9844893637	2.2	9854087250	2.74
9844896163	1.3	9854088807	0.40 of 0.93 acre parcel

<b>Efland Village Overlay District</b>			
<b>PIN</b>	<b>Approximate Acreage</b>	<b>PIN</b>	<b>Approximate Acreage</b>
9844896477	3.48	9854089170	0.44
9844972913	0.59	9854089250	0.52
9844973943	0.24	9854172953	0.34
9844974903	0.24	9854173499	0.99
9844974974	0.36	9854175987	0.82
9844976945	1.37	9854180304	0.98
9844980845	9.3	9854181001	0.94
9844981114	5.8	9854184217	7.25
9844985234	1.83	9854189274	1
9844987242	1.53	9854272951	1.99
9844987792	1.77	9854274935	0.75
9844988083	1.27	9854280393	0.48
9844988391	0.74	9854281107	0.43
9844988652	0.92	9854282236	0.68
9844988811	0.35	9854283244	1.84

<b>Efland Interstate Overlay District</b>			
<b>PIN</b>	<b>Approximate Acreage</b>	<b>PIN</b>	<b>Approximate Acreage</b>
9844763221	0.79 of 5.5 acre parcel	9844966325	0.04
9844766443	1.82 of 5.02 acre parcel	9844970156	0.53
9844768882	5.64	9844970237	0.46
9844778312	5.7	9844970317	0.66
9844854839	1.29	9844970543	0.33
9844861573	16.78	9844971003	0.74
9844865155	2.72	9844972545	1.6
9844867573	12.67	9844973039	1.36
9844873438	2.67	9844973217	0.49
9844873578	0.09	9844973308	0.55
9844877368	3.64	9844975018	1.21
9844879067	0.71	9844975240	0.39
9844879543	0.68	9844975300	0.4
9844960493	0.44	9844975309	0.48
9844960563	0.59	9844975514	0.94
9844960792	1.56	9844978308	3.58
9844961126	1.63	9854051970	4.58
9844963059	0.89	9854070389	3.04
9844963252	0.38	9854073630	0.52
9844963354	0.56	9854074304	6.1
9844963540	0.57	9854076601	0.51
9844963644	0.48	9854077569	0.51
9844963748	0.57	9854077601	0.51
9844965134	1.12	9854078611	0.51

<b>Efland Interstate Overlay District</b>			
<b>PIN</b>	<b>Approximate Acreage</b>	<b>PIN</b>	<b>Approximate Acreage</b>
9844965259	0.31	9854079412	2.48
9844965336	0.41	9854161576	90.73
9844965437	0.34	9854171451	3.68
9844965621	0.99	9854178549	2.37
9844965735	0.32	9854272077	12.89
9844965832	0.32	9854276296	2.22
9844966039	0.51	9854361253	2.02
9844966320	0.04	9854466706	8.92 of 187.77 acre parcel

and

WHEREAS, the requirements of Sections 2.3 and 2.8 of the Unified Development Ordinance (UDO) have been deemed complete, and

WHEREAS, the Board has found the proposed amendments to be reasonably necessary to promote the public health, safety, and general welfare.

BE IT ORDAINED by the Board of Commissioners of Orange County that the Orange County Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas are hereby amended as shown on the attached pages.

BE IT FURTHER ORDAINED THAT this ordinance be placed in the book of published ordinances and that this ordinance is effective upon its adoption.

Upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing ordinance was adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

I, Donna S. Baker, Clerk to the Board of Commissioners for Orange County, DO

HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said

Board at a meeting held on \_\_\_\_\_, 2015 as relates in any way to the

adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

SEAL

\_\_\_\_\_  
Clerk to the Board of Commissioners

## Amendment Package for Two Proposed Zoning Overlay Districts in the Efland Area

### Notes

The pages that follow contain the amendments necessary to the Unified Development Ordinance (UDO) text, Zoning Atlas, and Comprehensive Plan text to adopt two new zoning overlay districts in the Efland area.

The following colors/text effects are used:

- **Red Text:** Proposed additions/changes to existing text, presented at the February 2014 quarterly public hearing.
- **Green Text:** Changes suggested after the February 2014 quarterly public hearing by a group of Efland Area residents who worked with Planning staff to revise the proposal.
- **Green Strikethrough Text:** Former proposed additions/changes to the existing text that have been suggested for deletion after the February 2014 quarterly public hearing by a group of Efland Area residents who worked with Planning staff to revise the proposal.
- **Orange Text:** Changes made in late March 2015 in response to review by the County Attorney's office or to correct typographical errors found in final proofing.

Many of the proposed changes utilize footnotes to provide a brief explanation as to rationale. Users are reminded that these excerpts are part of a much larger document (the UDO) that regulates land use and development in Orange County. The full UDO is available on-line at: <http://orangecountync.gov/planning/Ordinances.asp>

The adopted Efland-Mebane Small Area Plan is also available on-line at: [http://orangecountync.gov/planning/admin\\_EM\\_SAP.asp](http://orangecountync.gov/planning/admin_EM_SAP.asp)

The Comprehensive Plan is available on-line at: [http://orangecountync.gov/planning/compre\\_cpupdate.asp](http://orangecountync.gov/planning/compre_cpupdate.asp)

Some text on the following pages has a large "X" through it to denote that these sections are not part of the amendments under consideration. The text is shown only because in the full UDO it is on the same page as text proposed for amendment. Text with a large "X" is not proposed for deletion; proposed deletions are shown in red or green ~~strike~~through text.

As was noted in the legal advertisement for this proposal, existing sections 4.5 and 4.6 will be renumbered to 4.7 and 4.8, respectively. Additionally, existing Section 6.6.3 will be renumbered to 6.6.5. Reference updates to Sections 6.8.12 and 7.13.2 are also included in this packet.

under G.S. 153A-344.1. Unless terminated at an earlier date, the zoning right shall be valid until \_\_\_\_\_."

- (B) The site specific development plan for a project which requires the preparation of an Environmental Impact Statement (EIS) in accordance with Section 6.16 of this Ordinance shall not be approved until the EIS has been made available for public review, and has been presented to the Board of County Commissioners in accordance with Section 2.23 of this Ordinance.

#### 2.5.6 Guarantee of Improvements

- (A) If a guarantee of improvements is required as a condition of site plan approval, the applicant shall provide Orange County with a security bond, escrow agreement, or irrevocable letter of credit by an approved institution.
- (B) The guarantee shall be effective for 12 months and shall include the cost of the improvements plus 10%.
- (C) Prior to issuance of any site plan approval, the guarantee shall be approved by the County Attorney.
- (D) If a guarantee is not submitted, the developer must install all required improvements to the satisfaction of the County prior to issuance of the zoning compliance permit.

#### 2.5.7 Additional Requirements for Overlay Districts

##### (A) Efland-Cheeks Highway 70 Corridor Overlay District

###### (1) Approval Requirements

Within the Efland-Cheeks Highway 70 Corridor Overlay District (ECOD), no construction activity shall begin nor shall any conversion of existing single-family residence to a non-residential land use, excavation, soil removal, grading or disturbance of vegetation including trees, land disturbing activity associated with a non-residential land use, be commenced, nor any sign erected until such time as a site plan has been approved and a permit issued by the Planning Director in accordance with this Section and Sections 2.4 and 6.6-2<sup>1</sup> of this Ordinance.

##### (B) Efland Interstate Overlay District<sup>2</sup>

###### (1) Approval Requirements

Within the Efland Interstate Overlay District, no construction activity shall begin nor shall any excavation, soil removal, filling, grading or disturbance of vegetation, including trees, be commenced, nor any sign erected for any use subject to the requirements of the overlay district until such time as a site plan has been approved and a permit issued by the Planning Director in accordance with this Section and Section 2.4 of this Ordinance.

##### (C) Efland Village Overlay District

###### (1) Approval Requirements

<sup>1</sup> Staff suggests this reference be removed so that the potential for omissions in future amendments is minimized. Section 2.5.3 already requires compliance with Article 6 (and other articles).

<sup>2</sup> The two additions here are formalities to ensure grading and/or construction does not commence prior to the issuance of necessary permits.

Within the Efland Village Overlay District, no construction activity shall begin nor shall any excavation, soil removal, filling, grading or disturbance of vegetation, including trees, be commenced, nor any sign erected for any use subject to the requirements of the overlay district until such time as a site plan has been approved and a permit issued by the Planning Director in accordance with this Section and Section 2.4 of this Ordinance.

**(D) Major Transportation Corridor Overlay District<sup>3</sup>**

**(1) Approval Requirements**

Within the Major Transportation Corridor District, no construction activity shall begin nor shall any excavation, soil removal, filling, grading or disturbance of vegetation, including trees, be commenced, nor any sign erected until such time as a site plan has been approved and a permit issued by the Planning Director in accordance with this Section and Section 2.4 of this Ordinance.

**2.5.8 Additional Requirements for Economic Development Districts**

- (A)** Prior to submission of an application for site plan approval, applicants shall meet with representatives of the Planning and Inspections, and Economic Development Departments to identify policies, procedures, regulations, and fees applicable to development proposals.
- (B)** Any proposed subdivision in an Economic Development District shall follow the approval procedures as specified in Section 2.16.
- (C)** In addition to the submittal requirements contained in this Section, a complete application shall also include:
  - (1)** Building elevation drawings for each proposed structure; and
  - (2)** A minimum of two drawings of sections through the site illustrating existing and proposed grades, as well as the relationship of different site features.

**SECTION 2.6: FLOODPLAIN DEVELOPMENT PERMIT AND CERTIFICATE REQUIREMENTS**

**2.6.1 Requirements for Special Flood Hazard Area Overlay District**

All projects proposing the development of property located within the Special Flood Hazard Area Overlay District shall be required, regardless of the proposed land use, to submit a site plan prepared by a registered engineer, landscape architect, or land surveyor in accordance with the provisions of Section 2.5.

**2.6.2 Plans and Application Requirements**

Application for a floodplain development permit shall be made to the Floodplain Administrator on forms furnished by the Planning Department prior to any development activities proposed to be located within flood prone areas.

The following items/ information shall be presented to the Floodplain Administrator to apply for a floodplain development permit:

- (A)** A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
  - (1)** The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, driveways, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;

<sup>3</sup> This subsection is currently (B).

**4.3.6 Compliance**

~~No structure or land shall hereafter be located, extended, converted, altered, or developed, improved, or maintained in any way without full compliance with the terms of the regulations pertaining to the SFHA and other applicable regulations.~~

**SECTION 4.4: EFLAND-CHEEKS HIGHWAY 70 CORRIDOR**

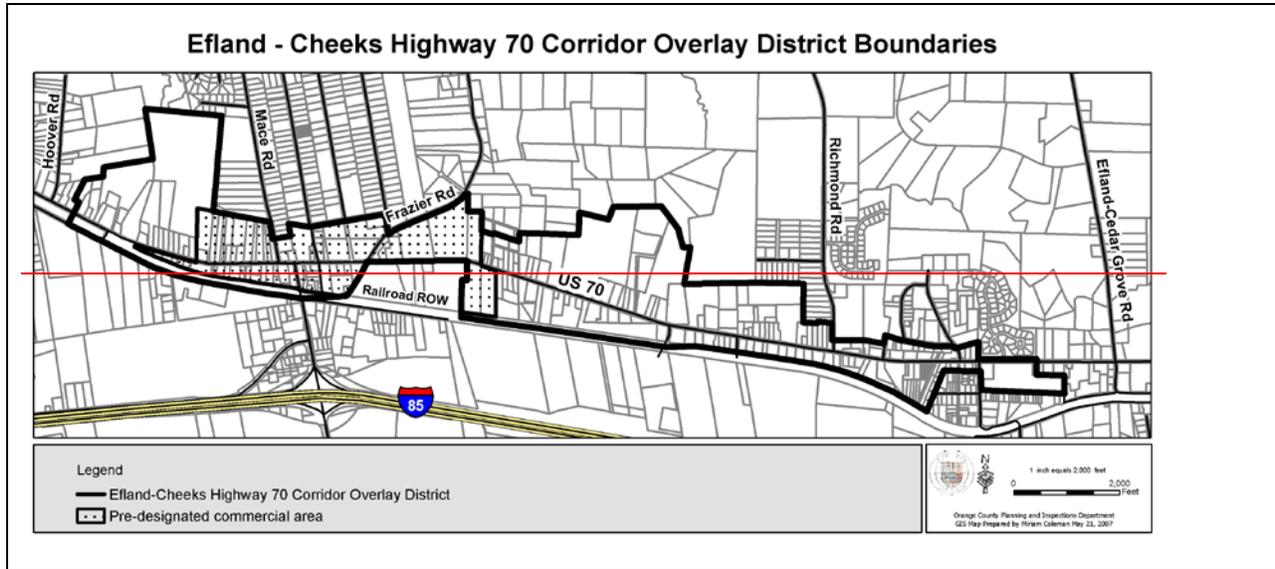
**4.4.1 Intent**

- (A) The Efland-Cheeks Highway 70 Corridor Overlay District (ECOD) is established to provide for compatibility of uses between existing single-family residential land uses and non-residential developments along a designated portion of Highway 70 within Cheeks Township.
- (B) The Highway 70 corridor covered under this overlay district is part of the Efland Mebane Small Area Plan, adopted by the Board of County Commissioners on June 27, 2006, which outlines acceptable levels of development within the study area, including allowing for additional non-residential development along Highway 70.
- (C) The regulations contained in this Ordinance are designed to preserve and enhance the character of the community while allowing for mixed, but compatible, land uses by permitting logical expansion of existing non-residential developments throughout the corridor.
- (D) It is the intent of this overlay district to encourage land use patterns that will:
  - (1) Protect existing single-family residential land uses,
  - (2) Protect the character of the area,
  - (3) Enhance property values,
  - (4) Maintain the economic viability and carrying capacity of the corridor,
  - (5) Preserve open vistas whenever possible,
  - (6) Encourage small businesses to locate in appropriate areas, and
  - (7) Continue to promote and provide for the general welfare of local citizens and property owners.
- (E) Standards are established in Section 6.6.2 to allow for the development of additional non-residential land uses within the ECOD in order to maintain and enhance the economic vitality of the area while protecting the less intensive mixture of existing residential land uses

**4.4.2 Applicability**

- (A) This district is intended for properties adjacent to Highway 70 within Cheeks Township of Orange County in accordance with the boundaries shown ~~on the map below and~~<sup>4</sup> on the Orange County Zoning Atlas.
- (B) The requirements of this Ordinance pertaining to ECOD apply to all non-residential land uses and developments within the Highway 70 Overlay District except for existing non-residential land uses located within previously established general commercial or Existing Commercial-5 (EC-5) zoning districts.

<sup>4</sup> Rather than populating the UDO with maps that are redundant to the Zoning Atlas (which is where overlay districts **must** be shown), staff is suggesting that the boundaries of overlay districts be maintained only on the Zoning Atlas. Staff also believes this may decrease any future problems if overlay district boundaries were ever changed (e.g., someone forgetting or not realizing that both a text amendment to the UDO **and** a Zoning Atlas amendment are necessary).



[Note to be removed if adopted: Map to be deleted from UDO and boundary to be shown only on Zoning Atlas]

#### 4.4.3 Non-residential Development

Non-residential development within the Highway 70 Corridor shall be limited to the following and shall be in accordance with the standards contained in this Section and Section 6.6.2:

- (A) Pre-designated commercial area as indicated on the Orange County Zoning Atlas, and
- (B) Along Highway 70 as depicted on the Orange County Zoning Atlas.

#### 4.4.4 Permitted Uses

Within the ECOD, uses of land and structures shall be permitted as follows:

- (A) Non-residential development within the pre-designated commercial area shall adhere to the permitted and special uses outlined for the Neighborhood Commercial - 2 (NC-2) zoning district as contained within Section 5.2 of this Ordinance.
- (B) Non-residential uses within the Highway 70 Corridor Overlay District, shall be limited to professional office and similar institutional uses and shall abide by the standards contained in this Section and Section 6.6.2.
- (C) No more than 40% of the Highway 70 corridor outside of the pre-designated commercial areas shall be permitted for non-residential uses.
  - (1) This figure shall be calculated by the sum of the street frontage of lots used for non-residential purposes compared to the total street frontage of all lots on both sides of the roadway outside of the pre-designated commercial areas along the overlay district corridor.
  - (2) The 40% limitation includes non-residential uses conducted within new or converted/rehabilitated structures that have a residential appearance.

#### 4.4.5 Lot and Use Requirements for Non-Residential Development

In addition to the Development Standards in Section 6.6.2, the following lot and use requirements shall apply to all applicable non-residential development within the pre-designated commercial areas and along the Highway 70 corridor:

- (A) **Minimum Lot Width**

The minimum lot width for all lots created after December 3, 2007 shall be 130 feet, unless the lot is served by public sewer and shared ingress/egress in which case the minimum lot width shall be 75 feet.

**(B) Setbacks and Building Height**

- (1) The setbacks and building heights for all structures, regardless of the proposed land use, shall conform to the setbacks of the underlying zoning district.
- (2) If Building Height Limitation modifications are pursued in accordance with Section ~~5.2.2(A)~~ 6.2.2(A)<sup>5</sup>, in no case shall building height exceed 35 feet.
- (3) Where applicable, the front yard setback shall be measured from any future right-of-way as designated in the Orange County ~~Thoroughfare Plan~~ Comprehensive Transportation Plan<sup>6</sup>.

**(C) Floor Area Ratio**

- (1) The maximum floor area ratio for non-residential uses in the pre-designated commercial area shall be 0.200 with a maximum building square footage total of 20,000 square feet.
- (2) The maximum floor area ratio for non-residential uses along the Highway 70 Corridor shall be 0.100 with a maximum building square footage total of 6,000 square feet.

**(D) Yard Encroachments**

- (1) No fences shall be permitted in the front yard of non-residential uses unless a demonstrated need can be shown.
- (2) Within the pre-designated commercial area, vinyl-coated chain link fencing shall be permitted for non-residential uses.
- (3) Outside of the pre-designated commercial area but within the boundaries of the Highway 70 Overlay District, chain link or similar fencing shall not be permitted for non-residential uses.

**(E) ~~Outside Storage of Materials~~**

- ~~(1) All outside storage of materials on non-residential lots is prohibited.~~
- ~~(2) This prohibition includes the storage of goods or materials which are not an integral part of the use of the property and which are not obviously for sale.~~
- ~~(3) This prohibition does not include the storage of materials where the primary use of the property includes the outside display of goods for sale such as automobiles, boats, mobile homes, etc., and the materials stored outside are for sale.<sup>7</sup>~~

**SECTION 4.5: EFLAND INTERSTATE<sup>8</sup>**

**4.5.1 Intent**

- (A) The Efland Interstate Overlay District is established to provide for a more urban style of development in an area of the county served, or intended to be served, by public water and sewer systems.

<sup>5</sup> Correct reference is 6.2.2(A)

<sup>6</sup> There has been a change in the name the plans the NC Department of Transportation uses. This change is only to update the name. Users should note the Orange County Comprehensive Transportation Plan is currently being developed, it has not yet been adopted.

<sup>7</sup> Suggest deleting this because it also appears in Section 6.6.2(B)

<sup>8</sup> Existing Section 4.5 (Major Transportation Corridor) has been renumbered to become Section 4.7 and existing Section 4.6(Stoney Creek Basin) has been renumbered to become Section 4.8. Because of this renumbering, an reference is Section 7.13.2 will also be updated.

- (B) The geographic area covered by the Efland Interstate Overlay District is part of the Efland-Mebane Small Area Plan, adopted by the Board of County Commissioners on June 27, 2006, which outlines acceptable levels of development within the study area, including allowing for additional non-residential and residential development in this overlay district.
- (C) Standards are established in Section 6.6.3 in order to maintain and enhance the economic vitality of the area while protecting existing land uses. Unless otherwise stated, the standards are in addition to standards contained in this Ordinance, including Sections 6.2 (Lot and Building Standards), 6.5 (Architectural Design Standards) and 6.6.5 (Major Transportation Corridor)<sup>9</sup>

#### 4.5.2 Applicability

- (A) This district is intended for all properties located south of the railroad tracks and north of Interstate 85/40 in the general vicinity of Mount Willing Road in accordance with the boundaries shown on the Orange County Zoning Atlas.<sup>10</sup>
- (B) The requirements of this Ordinance pertaining to the Efland Interstate Overlay District apply to all residential and non-residential land uses and developments in the designated district except for detached single-family residential land uses and developments.

#### 4.5.3 Permitted Uses and Dimensional and Ratio Standards

- (A) Within the Efland Interstate Overlay District, uses of land and structures and Dimensional and Ratio Standards are those permitted in the underlying zoning district or districts. All other requirements for the use of land and structures contained in this Ordinance shall be met unless otherwise provided.
- (B) **Minimum Setbacks**
  - (1) The minimum side and rear setback shall be ~~with the~~<sup>11</sup> width of the required buffer in 6.6.3(B) or the setback required in Article 3 or Section 6.2.8, whichever is less, except as provided in (a).<sup>12</sup>
    - (a) For parcels subject to the setback and yard requirements in Section 4.7.4, the requirements of said Section shall apply.<sup>13</sup>
  - ~~(2) Where applicable, the front yard setback shall be measured from any future right-of-way as designated on the Orange County Thoroughfare Plan.~~

### SECTION 4.6: EFLAND VILLAGE

#### 4.6.1 Intent

- (A) The Efland Village Overlay District is established to provide for an urban village style of development in an area of the county served, or intended to be served, by public water and sewer systems.

<sup>9</sup> This Section is currently 6.6.3 but will be renumbered to 6.6.5 as part of this amendment because Standards for the two proposed new overlay districts will be inserted into the UDO as 6.6.3 and 6.6.4.

<sup>10</sup> The geographic area is also the area currently designated as Commercial-Industrial Transition Activity Node (CITAN) on the Future Land Use Map of the Comprehensive Plan. However, staff believes it is prudent to reference only the Zoning Atlas for the boundary in case the boundaries of the CITAN are ever changed. This is because the boundaries of the zoning overlay district would not necessarily change just because a land use category boundary change is made; a change to the zoning overlay district boundary will require an amendment to the Zoning Atlas.

<sup>11</sup> Typographical error corrected in late March 2015.

<sup>12</sup> A lessening of setbacks is suggested in order to allow for a more urban style of development (e.g., building closer together and/or more density).

<sup>13</sup> Clearly stating that the Major Transportation Corridor (MTC) requirements will still apply.

- (B) The geographic area covered by the Efland Village Overlay District is part of the Efland-Mebane Small Area Plan, adopted by the Board of County Commissioners on June 27, 2006, which outlines acceptable levels of development within the study area, including allowing for additional non-residential and residential development in this overlay district.
- (C) Standards are established in Section 6.6.4 in order to maintain and enhance the economic vitality of the area while protecting existing land uses. Unless otherwise stated, the standards are in addition to standards contained in this Ordinance, including Sections 6.2 (Lot and Building Standards), 6.5 (Architectural Design Standards) and 6.6.5 (Major Transportation Corridor)<sup>13</sup>

#### 4.6.2 Applicability

---

- (A) This district is intended for all properties located north of the railroad tracks in a geographic area commonly referred to as “Efland” in accordance with the boundaries shown on the Orange County Zoning Atlas.<sup>14</sup>
- (B) The requirements of this Ordinance pertaining to the Efland Village Overlay District apply to all residential and non-residential land uses and developments in the designated district except for detached single-family residential land uses and developments.

#### 4.6.3 Permitted Uses and Dimensional and Ratio Standards

---

- (A) Within the Efland Village Overlay District, uses of land and structures and Dimensional and Ratio Standards are those permitted in the underlying zoning district or districts. All other requirements for the use of land and structures contained in this Ordinance shall be met unless otherwise provided.
- (B) **Setbacks and Building Height**
  - (1) In lieu of the front setback required in Article 3, the minimum front yard setback for properties fronting on U.S. Highway 70 shall be 30-feet.<sup>15</sup>
  - (2) In lieu of the front setback required in Article 3, the front yard setback for parcels located in the overlay district but not fronting on U.S. Highway 70 shall be in keeping with the front setback provided by adjacent uses.<sup>16</sup>
  - (3) The minimum side and rear setback shall be the width of the required Land Use Buffer (Section 6.8.6) or the setback required in Article 3, whichever is less, but in no case shall be less than 10-feet.<sup>17</sup>

---

<sup>13</sup> This Section is currently 6.6.3 but will be renumbered to 6.6.5 as part of this amendment because Standards for the two proposed new overlay districts will be inserted into the UDO as 6.6.3 and 6.6.4.

<sup>14</sup> The geographic area is also the area currently designated as Commercial-Industrial Transition Activity Node (CITAN) on the Future Land Use Map of the Comprehensive Plan. However, staff believes it is prudent to reference only the Zoning Atlas for the boundary in case the boundaries of the CITAN are ever changed. This is because the boundaries of the zoning overlay district would not necessarily change just because a land use category boundary change is made; a change to the zoning overlay district boundary will require an amendment to the Zoning Atlas.

<sup>15</sup> This setback is suggested in order to have a more uniform setback along Highway 70 while providing enough of a setback to accommodate any future widening of the road. (No widening of the road is currently planned, but it is good planning practice to attempt to ensure for future possibilities).

<sup>16</sup> This is suggested in order to have a more uniform building line along a street where there could be more of a “patchwork” of zoning districts that have different front setback requirements.

<sup>17</sup> A lessening of setback requirements is suggested in order to allow for a more urban village style – building closer together and/or more density than is currently permitted.

- (4) ~~Where applicable, the front yard setback shall be measured from any future right-of-way as designated on the Orange County Comprehensive Transportation Plan<sup>19</sup>.~~
  - (5) ~~Although a portion of the Efland Village Overlay District is within the Major Transportation Corridor (MTC) Overlay District, the requirements of the MTC Section 4.5.4 (Building Setback and Yard Requirements) do not apply. The parcels are included in the MTC only because they fall within the prescribed distance criteria but do not fall under any existing requirements pertaining to the MTC. The requirements of Section 6.12.12(B)(9) (off premise commercial signs prohibited) continue to apply.<sup>20</sup>~~
  - (6) If Building Height Limitation modifications are pursued in accordance with Section 6.2.2(A), in no case shall building height exceed 40 feet.<sup>21</sup>
- (C) **Yard Encroachments**
- (1) ~~No fences shall be permitted in the front yard of lots, other than those used for single-family detached residential purposes, used for non-residential uses unless a demonstrated need can be shown.<sup>22</sup>~~
  - (2) ~~Chain link or similar fencing shall not be permitted for uses other than single-family detached residential. Fences located in the front yard of residential uses, other than single-family detached dwellings, shall be a maximum of five feet in height, as measured from the normal finished grade in the vicinity of the fence base.<sup>23</sup>~~

## SECTION 4.7: MAJOR TRANSPORTATION CORRIDOR

### ~~4.7.1 Intent~~

- (A) ~~It is the intent of Orange County to protect and enhance those natural and environmental features which constitute important physical, aesthetic, recreational, and economic assets through the provision of special controls of public and private development along major transportation corridors.~~
- (B) ~~The Board of County Commissioners finds as a fact that:~~
  - (1) ~~Major transportation corridors serve a key function in the orderly development of Orange County as major traffic movers, as well as serve as entrances to Orange County from outside the area.~~

<sup>19</sup> Users should note the Orange County Comprehensive Transportation Plan is currently being developed; it has not yet been adopted. The Efland Area resident group has suggested that if/when a Comprehensive Transportation Plan the includes future right-of-way designation is adopted, this type of requirement can be added to the regulations at that time. Until such time, the proposed language is premature.

<sup>20</sup> The County Attorney's office has advised Planning staff to remove this statement. It was included primarily for informational purposes to help people who are located within both the MTC overlay district and the Efland Village overlay district know they did not have to research the requirements of the MTC overlay district since only one part of the existing requirements (prohibition of off premise commercial signs) apply to the properties located in both districts.

<sup>21</sup> Some of the zoning districts that could be applied in a CITAN allow buildings taller than 40 feet. A building height limitation of 40-feet is suggested in order to maintain an urban village character.

<sup>22</sup> The fencing regulations [(1) and (2)] are in keeping with the ECOD regulations in order to discourage unaesthetic fencing in the front yards of properties. The Efland Area Resident Group has suggested that fences should be allowed in the front yard of duplex and multi-family uses but should be limited to 5-feet in height.

<sup>23</sup> The Efland Area Resident Group has suggested that chain link fencing should be allowed as a fence type, so the proposed standard is shown as proposed for deletion. The new language in (2) is to achieve the 5-foot height restriction mention in footnote 21. The text in orange strikethrough was suggested for deletion by the County Attorney's office in late March 2015.

(3) In addition, the ability of different areas of the County to attract and accommodate different types of development depends on the capacity of the thoroughfare system and the character and quality of development along major corridors.

(C) The Major Transportation Corridor district is intended to enhance the attractiveness and orderly development of land adjacent to major transportation facilities through the provision of a set of development standards and regulations for application to public and private development of land adjacent to these corridors. The major transportation corridors include the interstate system as designated in the adopted Comprehensive Plan.

Section  
reference  
update

(D) The district establishes development standards (see Section ~~6.6-36.6.5~~) and a site plan review process for development within the district. (See Section 2.5).

**4.7.2 Applicability**

(A) The Major Transportation Corridor (MTC) district is established as a district which overlays other zoning districts established in this Ordinance. The new use of any land or any new structure within the MTC district shall comply with the use regulations applicable to the underlying zoning district as well as the requirements of the MTC district.

(B) The provisions, requirements and restrictions of this district shall not apply to the use of land within the district for single family or two-family dwellings or to any building or structure existing prior to the creation of this district unless it is structurally altered to the extent of increasing the floor area by 50% or more or is enlarged to any degree to occupy a vacant lot.

(C) This district shall be applied along any interstate highway in the County designated in the adopted Comprehensive Plan as such and to any proposed interstate highway designated in the adopted Comprehensive Plan as such.

(D) The minimum length of the district shall be a continuous distance along the thoroughfare within the County's jurisdiction and outside of the extraterritorial planning jurisdictions of the Towns of Hillsborough, Chapel Hill, and Carrboro and the City of Mebane.

(E) The minimum width of the district is 1,250 feet from the edge of the right-of-way measured along a line which is perpendicular to the edge of the right-of-way on each side of the roadway, except at interstate interchanges where the District shall extend 2,500 feet from the right-of-way on each side of the intersecting road.

**4.7.3 Permitted Uses**

Within the Major Transportation Corridor (MTC) District, uses of land and structures are those permitted in the underlying zoning district or districts. All other requirements for the use of land and structures contained in this Ordinance shall be met unless otherwise provided.

**4.7.4 Building Setback and Yard Requirements**

Building setback and required yard areas for the overlay district are as follows:

(A) The front yard requirement shall be 100 feet from the edge of the right-of-way of an interstate highway or 50 feet from the edge of an intersecting road at an interstate interchange.

(B) The rear yard requirement shall be 50 feet from the edge of the rear property line or 100 feet from the edge of the right-of-way of an interstate highway when a rear yard is adjacent to the interstate.

(C) The side yard requirement shall be 50 feet from the side property line or 100 feet from the edge of the right-of-way of an interstate highway where the side property line is adjacent to the interstate.

- (f) Windows on the street frontage side of a building shall be limited to 40% of the total building façade.
- (g) The principal building shall be oriented facing towards the fronting street.
- (h) Building Access
  - (i) A functional doorway for public or direct-entry access into a building shall be provided from the fronting street.
  - (ii) Corner entrances should be provided on corner lot buildings.
  - (iii) Additional entrances to a building may be provided.
- (i) Rooflines & Materials
  - (i) Decorative cornices shall be provided for buildings with a flat roof, defined as roofs with a pitch less than 3:12.
  - (ii) Eaves shall be provided with a pitched roof, defined as roofs with a pitch greater than 3:12.
  - (iii) Pitched roofs are generally preferred over flat roofs.
  - (iv) All rooftop mechanical equipment (i.e. vents, ducts, communication antennas, HVAC units, etc) shall be screened from view or designed and installed in a manner using materials and colors compatible with the building architecture.
  - (v) Highly reflective roofing materials shall be avoided. All proposed metal roofing should be standing seam or copper. Galvanized steel and tin roofs are permitted.
- (j) Residential manufactured structures are not permitted for conversion to a non-residential use.

**(H) Additional Architectural Standards for existing single-family structures being converted into non-residential use:**

- (1) The exterior façade of an existing single-family residence proposed for conversion into non-residential use shall not be altered to accommodate new non-residential land uses except where modifications are necessary to address building or fire code requirements.
- (2) Any structures proposed for removal shall either be moved to another location for re-use contemporaneously with the construction of the new structure or be deconstructed in such a manner that the resultant materials are suitable for re-use by the deconstructing party or others in future building projects. It is the intent of this Sub-Section that the removed structure be recycled to the extent possible.

**6.6.3 Efland Interstate<sup>24</sup>**

**(A) Circulation and Connectivity**

- (1) All site planning for property east of Mount Willing Road shall take into account the need for a connecting roadway between Mount Willing Road and the Interstate 85/U.S. Highway 70 Connector.<sup>25</sup>
- (2) All site planning west of Mount Willing Road shall take into account:<sup>26</sup>

<sup>24</sup> Existing Section 6.6.3 (Major Transportation Corridor) has been renumbered to 6.6.5. References in existing Sections 4.5.1 and 6.8.12 will be updated.

<sup>25</sup> (1) and (2) are putting concepts from the EMSAP and an adopted access management plan into regulations.

<sup>26</sup> Because (a) is suggested for removal, (b) will become the remainder of this sentence.

- (a) ~~A possible re-alignment of Efland-Cedar Grove Road under the existing railroad track to connect to Mount Willing Road, as described in the adopted Efland-Mebane Small Area Plan.<sup>27</sup>~~
- (b) The need for a connecting roadway between Mount Willing Road and Buckhorn Road, as depicted on the Efland-Buckhorn-Mebane Access Management Plan, adopted November 11, 2011.
- (3) In order to manage access on public streets, a site shall be permitted no more than one entrance/exit point unless justified by:
- (a) site configuration;
  - (b) trip generation;
  - (c) ~~and~~ traffic conditions, including the need for separate service and visitor/employee vehicular access, and/or one-way traffic movement; or
  - (d) other factors.<sup>28</sup>
- (4) Intra-site accessibility shall be provided. Vehicles shall not be required to enter the public street in order to move from one area to another on the same site.
- (5) On all corner lots, no vehicular openings shall be located closer than 60 feet from the point of intersection of the street right-of-way lines.<sup>29</sup>
- (6) Driveway eEntrances/exits shall not exceed 36 feet in width measured at the property line; however, in instances where parking lots serve tractor/trailer traffic, the driveway entrance/exit may be increased to 40 feet in width.
- (7) Exits for parking facilities containing more than 36 parking spaces shall contain holding lanes for left-turning and right-turning traffic unless the Planning Director determines that due to the physical features of a site, holding lanes would be unsafe and should not be required.
- (8) **Shared Driveways/Access**
- (a) In order to ~~manage access~~ minimize the number of driveway curb cuts on Mount Willing Road, thereby improving traffic flow and safety, developments subject to this Section, fronting on Mount Willing Road, and located contiguous to one another shall provide shared driveways/access whenever feasible, as determined during site plan review.
    - (i) ~~Owners of contiguous parcels subject to this Section shall execute reciprocal easement agreements between the separate property owners and have the same recorded in the Office of the Orange County Register of Deeds prior to the issuance of a Zoning Compliance Permit. The easement agreement shall be sufficient to allow for the development of a private service road or driveway to channel access from Mount Willing Road to each property. Figure 6.6.2.A.3 shows an example of the shared access.~~ Methods to achieve shared driveways/access may include reciprocal easement agreements among property owners, reservation of future access easements on property

<sup>27</sup> The Efland Area Resident Group also has suggested that this alignment be removed from the adopted Access Management Plan. (This action is separate from the UDO amendment).

<sup>28</sup> (3) and (4) are current requirements for properties in EDDs and is good practice for many types of projects. However, it should be noted that NCDOT may not approve more than one entrance/exit point - see (9). The text in orange is to show a reconfiguration of language suggested by the County Attorney's office in late March 2015 in an effort to make the language more clear. The actual language has not been suggested for change.

<sup>29</sup> (5) through (9) are current requirements of ECOD and are suggested as good practices to be implemented in the Efland Interstate overlay district as well.

being developed, or other methods determined during site plan review.

- (ii) ~~Developments subject to this Section, fronting on Mount Willing Road, and not contiguous to other similarly situated development shall be required to designate stub outs to adjoining properties on the site plan so that shared access can be developed if and when the adjacent property is developed in either a manner which subjects it to this Section or if individual curb cut for a single-family detached residential land use is deemed to be a traffic safety hazard by the County and NCDOT. The location of shared driveways shall be determined during site plan review. Shared driveways do not necessarily need to be located at the front of lots if rear or side access is proposed and feasible.~~

- (9) All driveway entrances must have an approved NCDOT driveway permit and must be paved to NCDOT standards from the edge of the existing roadway pavement to the existing right-of-way limit on the interior of the property.

**(10) Pedestrian Circulation<sup>30</sup>**

- (a) Unless deemed unnecessary by the Planning Director during site plan review, large projects, defined in (b), ~~shall~~ may be required encouraged to provide an internal pedestrian circulation system, owned and maintained by the property owner. The system ~~shall~~ may be required encouraged to provide pedestrian walkways to outparcels and also within any large parking areas.
- (b) For the purposes of this subsection, a large project is defined as one located on 5 or more acres or proposing more than 50,000 square feet of building area. A large parking area is one containing parking for 100 or more vehicles.

**(B) Landscaping and Buffering<sup>31</sup>**

In lieu of the requirements outlined in Section 6.8 of this Ordinance, the following standards shall apply:

- (1) There shall be a minimum ten feet wide vegetative buffer along all rights-of-ways comprised of vegetation that complements surrounding plantings and which includes trees planted in accordance with Section 6.8 where possible.
- (2) There shall be a minimum 15 feet wide vegetative buffer along all common property lines separating non-residential and residential land uses. The required plantings shall be in accordance with those required for Buffer Yards Type A outlined within Section 6.8 of this Ordinance.
- (3) There shall be a minimum eight feet wide landscaped strip along all property lines separating non-residential uses from non-residential uses. The landscaped strip shall be comprised of vegetation that forms a semi-opaque intermittent visual obstruction from the ground to a height of at least 15 feet, ~~except in required sight triangles~~. Joint use agreements between adjacent property owners for shared ingress/egress and/or parking may result in a waiver regarding the exact location(s) of the required buffers.

<sup>30</sup> In October 2011, the issue of sidewalks was discussed at a BOCC work session and the decision was made that, due to NC counties' challenges in funding maintenance of public sidewalks, public sidewalks would not become a requirement for development in Orange County at this time. However, walkability in large commercial projects is generally desirable as is the ability of pedestrians to safely traverse large parking areas. Therefore, staff is suggesting that some projects may be required to provide privately maintained walkways.

<sup>31</sup> These lesser buffer requirements are in keeping with those required in the ECOD and are suggested in order to provide for a more urban style of development in areas of the county served or to be served by public water and sewer systems.

- (4) The provisions of this subsection do not waive the buffer requirements found in Section 6.6.5 (Major Transportation Corridor).

**(C) Architectural Design Standards**

- (1) In addition to the requirements in Section 6.5 (Architectural Design Standards), ~~the national prototype architectural styles of the external design of chain businesses shall be altered as necessary to complement the surrounding area~~ should consider and complement the existing community character.<sup>32</sup>
- ~~(2) Drive-through facilities on non-residential uses are allowable in this area.~~<sup>33</sup>

**(D) Signage**

- (1) Signage shall conform to requirements within Section 6.12 of this Ordinance unless in conflict with this subsection, in which case the requirements of this subsection shall apply.
- (2) The sign area of signs may be up to 64 square feet in size.<sup>34</sup>

**6.6.4 Efland Village**

**(A) Circulation and Connectivity<sup>35</sup>**

**(1) Shared Driveways/Access for Properties Fronting on U.S. Highway 70**

- (a) In order to ~~manage access~~ minimize the number of driveway curb cuts on U.S. Highway 70, thereby improving traffic flow and safety, developments subject to this Section, fronting on U.S. Highway 70, and located contiguous to one another shall provide shared driveways/access whenever feasible, as determined during site plan review.
- (i) ~~Owners of contiguous parcels subject to this Section shall execute reciprocal easement agreements between the separate property owners and have the same recorded in the Office of the Orange County Register of Deeds prior to the issuance of a Zoning Compliance Permit. The easement agreement shall be sufficient to allow for the development of a private service road or driveway to channel access from Mount Willing Road to each property. Figure 6.6.2.A.3 shows an example of the shared access. Methods to achieve shared driveways/access may include reciprocal easement agreements among property owners, reservation of future access easements on property being developed, or other methods determined during site plan review.~~
- (ii) ~~Developments subject to this Section, fronting on Mount Willing Road, and not contiguous to other similarly situated development shall be required to designate stub outs to adjoining properties on the site plan so that shared access can be developed if and when the adjacent property is developed in either a manner which subjects it to this Section or if individual curb cut for a~~

<sup>32</sup> This language is suggested in order to ensure that any proposed “chain architecture” will blend better with the surrounding area.

<sup>33</sup> The Efland Area Resident Group has suggested that drive-throughs should be allowed in both proposed overlay districts, in accordance with existing County regulations. Therefore, it is redundant to state that drive-throughs are allowed in the Efland Interstate overlay district.

<sup>34</sup> The Efland Area Resident Group reviewed existing sign regulations and believed they are sufficient for the Interstate Overlay district except that signs should be allowed to be larger than existing regulations allow (existing regulations allow signs up to 32 square feet).

<sup>35</sup> Please see footnoted explanations for the Efland Interstate overlay district as they apply to this section as well.

~~single-family detached residential land use is deemed to be a traffic safety hazard by the County and NCDOT. The location of shared driveways shall be determined during site plan review. Shared driveways do not necessarily need to be located at the front of lots if rear access is proposed and feasible.~~

- (2) In order to manage access on public streets, ~~a site shall~~ ~~which include new construction or additions increasing the square footage of a building by more than 50% should~~ be permitted no more than one entrance and exit point unless justified by:
- (a) site configuration;
  - (b) trip generation;
  - (c) ~~and~~ traffic conditions, including the need for separate service and visitor/employee vehicular access, and/or one-way traffic movement; or
  - (d) other factors.<sup>36</sup>
  - ~~(e) This standard applies to new construction or that increases the square footage of a building by more than 50% of the existing square footage.~~
- (3) Intra-site accessibility ~~shall~~ ~~should~~ be provided. Vehicles ~~shall~~ ~~should~~ not be required to enter the public street in order to move from one area to another on the same site.
- (a) This standard applies to new construction or ~~redevelopment of a site additions~~ that increases the square footage of a building by more than 50% of the existing square footage.
- (4) On all corner lots, no vehicular openings shall be located closer than 60 feet from the point of intersection of the street right-of-way lines.
- (5) ~~Driveway E~~ entrances/exits shall not exceed 36 feet in width measured at the property line; however, in instances where parking lots serve tractor/trailer traffic, the driveway entrance/exit may be increased to 40 feet in width.
- (6) Exits for parking facilities containing more than 36 parking spaces shall contain holding lanes for left-turning and right-turning traffic unless the Planning Director determines that due to the physical features of a site, holding lanes would be unsafe and should not be required.
- (7) All driveway entrances must have an approved NCDOT driveway permit and must be paved to NCDOT standards from the edge of the existing roadway pavement to the existing right-of-way limit on the interior of the property.
- (8) **Pedestrian Circulation**<sup>37</sup>
- (a) Unless deemed unnecessary by the Planning Director during site plan review, large projects, defined in (b), ~~shall may be required~~ encouraged to provide an internal pedestrian circulation system, owned and maintained by the property owner. The system ~~shall may be required~~ encouraged to provide pedestrian walkways to outparcels and also within any large parking areas.

<sup>36</sup> The text in orange is to show a reconfiguration of language suggested by the County Attorney's office in late March 2015 in an effort to make the language more clear. The intent actual language has not been suggested for change.

<sup>37</sup> In October 2011, the issue of sidewalks was discussed at a BOCC work session and the decision was made that, due to NC counties' challenges in funding maintenance of public sidewalks, public sidewalks would not become a requirement for development in Orange County at this time. However, walkability in large commercial projects is generally desirable as is the ability of pedestrians to safely traverse large parking areas. Therefore, staff is suggesting that some projects may be required to provide privately maintained walkways.

- (b) For the purposes of this subsection, a large project is defined as one located on 2 or more acres or proposing more than 15,000 square feet of building area. A large parking area is one containing parking for 50 or more vehicles.

**(B) Outside Storage of Materials Prohibited<sup>38</sup>**

- (1) All outside storage of materials on lots other than those used for single-family detached residential purposes is prohibited.
- (2) This prohibition includes the storage of goods or materials which are not an integral part of the use of the property and which are not obviously for sale.
- (3) This prohibition does not include the storage of materials where the primary use of the property includes the outside display of goods for sale such as automobiles, boats, mobile homes, etc., and the materials stored outside are for sale.

**(C) Landscaping and Buffering<sup>39</sup>**

In lieu of the requirements outlined in Section 6.8 of this Ordinance, the following standards shall apply:

- (1) There shall be a minimum ten feet wide vegetative buffer along all rights-of-ways comprised of vegetation that complements surrounding plantings and which includes trees planted in accordance with Section 6.8 where possible.
- (a) Parcels fronting on U.S. Highway 70 shall provide buffer plantings in accordance with those required for Buffer Yards Type A outlined within Section 6.8 of this Ordinance.
- (2) There shall be a minimum 15 feet wide vegetative buffer along all common property lines separating uses subject to the requirements of this overlay district and single family detached residential land uses. The required plantings shall be in accordance with those required for Buffer Yards Type A outlined within Section 6.8 of this Ordinance.
- (3) There shall be a minimum eight feet wide landscaped strip along all property lines separating non-residential uses from non-residential uses. The landscaped strip shall be comprised of vegetation that forms a semi-opaque intermittent visual obstruction from the ground to a height of at least 15 feet, **except in required sight triangles**. Joint use agreements between adjacent property owners for shared ingress/egress and/or parking may result in a waiver regarding the exact location(s) of the required buffers.
- (4) Although portions of the Efland Village Overlay District are also within the Major Transportation Corridor Overlay District, the buffer requirements found in Section 6.6.5 (Major Transportation Corridor) do not apply since said section applies only to properties that abut the interstate.

**(D) Parking Lot Design<sup>40</sup>**

- (1) Up to 15% of the required parking spaces may be located in the front yard. The remainder of the required parking spaces shall be located at the side or rear of the structure.

<sup>38</sup> This is a restriction currently found in the ECOD and is suggested for the Efland Village overlay district as well.

<sup>39</sup> These lesser buffer requirements are in keeping with those required in the ECOD and are suggested in order to provide for a more urban style of development in areas of the county served or to be served by public water and sewer systems.

<sup>40</sup> These are requirements in the ECOD which are also good practice for the Efland Village. An exception being that ECOD requires parking to be located solely in the side and rear yards. Staff is suggesting that a few parking spaces be allowed at the front of buildings in the Efland Village overlay district.

- (a) Existing buildings that change use shall comply with this requirement to the extent feasible, as determined during the site plan submittal process.
- (2) Shared parking areas shall be encouraged for contiguous non-residential land uses, in accordance with Section 6.9 of this Ordinance.
- (3) Parking areas with spaces in excess of 110% of the minimum parking spaces required, per Section 6.9 of this Ordinance, shall not be permitted.
- (4) Interior landscaping of the parking lots shall be provided in accordance with Section 6.8 of this Ordinance.
- (E) **Signage**<sup>41</sup>
  - (1) Signage shall conform to all the requirements within Section 6.12 of this Ordinance unless in conflict with this subsection, in which case the requirements of this subsection shall apply.<sup>42</sup>
  - (2) Only monument style signs that do not exceed six feet in height are permitted within the Efland Village Overlay District. The height limit of signs is 15-feet, as measured from the normal ground elevation below the sign.
  - (3) The sign area of signs may be up to 64 square feet in size.
  - (4) Digital signs shall not be permitted except as an incidental addition to a permitted sign such as gas prices or the current time and/or temperature being displayed digitally.<sup>43</sup>
  - (5) Portable signs and banner signs are allowed only for special events and may be displayed no sooner than 30 days prior to the event and must be removed within 7 days after conclusion of the event.
  - (6) New single pole signs are not permitted. Single pole signs existing as of [date of adoption] shall be considered conforming uses and may be replaced if they are damaged or destroyed.
- (F) **Architectural Design Standards**<sup>44</sup>

In addition to the requirements in Section 6.5 (Architectural Design Standards), the following design standards shall apply:

- (1) **Corporate Franchise Architecture**
  - (a) ~~Under no circumstances shall modern corporate franchise building design be permitted.~~
  - (b) ~~Franchise or 'chain' businesses desiring to locate in the Efland Village Overlay District shall be required to design the building in accordance with these guidelines.~~
  - (c) ~~For purposes of this Sub-Section, "modern corporate franchise building design" means a building design that is trademarked, branded, or easily identified with a particular chain or corporation and is ubiquitous in nature.~~

<sup>41</sup> These are requirements in the ECOD which are also good practice for the Efland Village.

<sup>42</sup> The Efland Area Resident Group reviewed existing sign regulations and have suggested the language shown in green text for the Efland Village overlay district.

<sup>43</sup> Typographical error corrected on March 5, 2015. The County Attorney's office suggested that the text in orange strikethrough be deleted in late March 2015.

<sup>44</sup> (1) through (3) and (5) and (6) are requirements in the ECOD which are also good practice for the Efland Village. (4) is suggested in order to articulate that we are encouraging human scale architecture in the Efland Village overlay district. The existing requirements in Section 6.5 basically implement this point but "human scale" is a more modern term that will likely be recognizable to people in the development community.

The external design of chain businesses should consider and complement the existing community character.

~~(2) The principal building shall be oriented facing towards the fronting street.~~

~~(3) **Building Access**~~

~~(a) A functional doorway for public or direct entry access into a building shall be provided from the fronting street.~~

~~(b) Additional entrances to a building may be provided.~~

**(4) Human Scale and Fenestration**

(a) New buildings shall be designed to contribute to a human scale. Large expanses of blank walls shall be avoided discouraged and fenestration (the arrangement, proportioning, and design of windows and doors in a building) and/or design features (such as brick coursing changes, decorative architectural features, patterns of paint, or murals) shall should be provided in such a way that a building is relatable to humans and does not overpower the area.

(b) Additions to existing non-residential buildings should be designed to both complement the existing building and achieve human scale to the extent feasible.

(c) The functional use of the building should be considered when determining design features and fenestration.

~~(5) Drive-through facilities are prohibited on all non-residential uses.<sup>45</sup>~~

**(6) Mirrored glass is prohibited** discouraged and in no case shall comprise more than 50% of the building façade.

**6.6.5 Major Transportation Corridor (MTC)**

**(A) Landscaping and Buffers**

In addition to the requirements set forth in Section 6.8 of this Ordinance, the following standards shall be met:

(1) A minimum of 100 feet of buffer area from the edge of the interstate highway's right of way, shall be preserved. The purpose of this buffer is to protect, preserve and promote the visual appeal, character and value of land adjacent to major transportation facilities; to provide for the separation of spaces; and to promote the public health, safety and welfare through minimizing potential nuisances such as the transmission of noise, odor, dust, litter and glare of lights.

(2) In areas of dense mature forest, existing vegetation may be used to fulfill the buffer requirements. Where there is no existing vegetation in the buffer area, or if existing vegetation does not provide a sufficient buffer, all proposed plantings must be shown on the landscape plan to fulfill the buffer requirement. The new plantings shall be predominantly evergreen and shall reach a mature size of at least 30 feet. New trees shall be located so as to establish at maturity a continuous screen in the 100 foot buffer area along the adjacent interstate highway.

(3) Landscaping shall be in accordance with an approved landscaping plan.

(4) Any areas left in a natural state shall remain undisturbed except as follows:

<sup>45</sup> The Efland Area Residents Group has suggested that drive-throughs should be allowed in the Village overlay district, in accordance with existing County regulations.

- ~~(C) The Planning Director may grant the extension on requests for planting extensions submitted between May 15 and September 15 of each year, and may grant the extensions at other times if there are unfavorable conditions for planting.~~
- ~~(D) If the initial LREC has expired and conditions are still deemed unsuitable for planting, an applicant may request one additional extension of up to 90 days. During periods of extreme drought, as evidenced by the official declaration of Stage 3 or greater mandatory water conservation requirements, the Planning Director, or designee, may authorize additional 90-day extensions beyond the one extension typically allowed. These extensions may be continued throughout the period in which the extreme drought conditions remain.~~
- ~~(E) The applicant shall also acknowledge that no Final Zoning Compliance Permit shall be issued while there is an active (pending) LREC unless a performance guarantee (such as a letter of credit or performance bond) sufficient to cover 110% of the installed landscaping costs has been posted with the Planning and Inspections Department.~~

**6.8.12 Additional Standards for Economic Development Districts**

**(A) Landscape and Tree Preservation Plan**

The Landscape and Tree Preservation Plan shall be prepared in accordance with the requirements of Section 6.8.10.

**(B) Preservation of Existing Features**

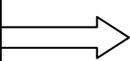
- (1) Natural features such as streams and ponds, hillsides, rock formations, unique vegetation and natural areas, wildlife habitats, and other similar features must be incorporated into the overall development concept.
- (2) Building sites, parking areas, and other uses shall be situated in such a way as to protect existing tree stock having a diameter of one-foot or greater when measured four and a half feet above ground level.
- (3) Trees to be saved shall be noted on the landscape and tree preservation plan and appropriate measures to protect the tree stock from damage during construction, including no grading within the critical root zone, shall be indicated in accordance with Section 6.8.4.
- (4) Where possible, trees shall be protected in stands or clusters.
- (5) The siting of buildings shall take advantage of scenic views and take into consideration the impact of new structures on views from off-site.
- (6) Where ever possible, access to views are to be preserved for adjacent property owners and passing motorists.
- (7) Scenic views and visual elements within the visual corridor shall be identified and preserved where possible.

**(C) Buffering Neighboring Uses**

- (1) A minimum buffer of 100 feet in width is to be provided at the boundary of all Economic Development Districts.
- (2) In accordance with Section ~~6.6.3~~ 6.6.5, a buffer of 100 feet in width is to be maintained adjacent to the right-of-way of interstate highways.
- (3) In the Buckhorn EDD, a buffer of 150 feet is required on the portion of the boundary adjacent to the Clearview Subdivision and adjoining residential area on the north side of West Ten Road.
- (4) In the Hillsborough EDD, a buffer of 100 feet is required along the Old 86 roadway corridor. For properties located within the EDH-1 zoning district, a 80 foot wide buffer is required.

Section reference update →

Section reference update



- (5) Limited breaks in required interstate highway buffers may be allowed in accordance with Section ~~6.6.3(5)~~ 6.6.5(5).
- (6) Buffers may consist of existing wooded areas. If existing vegetation is not sufficient for screening, a planted buffer shall be augmented and interspersed, consisting of 50-75% evergreen trees reaching a minimum mature height of 30-feet.
- (7) In lieu of the Land Use Buffers required in Section 6.8.6, buffers between adjacent land uses, whether internal or external to the project, shall be provided in accordance with the Land Use Buffer Schedule that follows.
- (8) Trees with a caliper of six inches or greater should be considered for preservation.
- (9) No grading for building or parking shall encroach upon required buffer.
- (10) Landscape buffer widths may be reduced if the buffer material is adequate to provide additional screening.
- (11) Decorative walls may be used to augment required landscaping for buffer reduction.
- (12) Access and utility crossings are to be made as close to perpendicular as possible to the length of the buffer.
- (13) No land disturbances for buildings, parking, or storage, drainage, etc. are permitted within a required buffer.

TABLE 6.8.12.C: LAND USE BUFFER SCHEDULE		
A WHEN THIS LAND USE IS BEING DEVELOPED AND...	B ABUTS THIS EXISTING LAND USE... NOTE: "ABUTTING LAND USES INCLUDE THOSE ACROSS A STREET (OTHER THAN AN INTERSTATE HIGHWAY) FROM A PROPOSED DEVELOPMENT"	"A" PROVIDES A BUFFER WIDTH OF .... NEXT TO "B"
<b>Residential, all types</b>	Residential, all types	N/A
	Finance	20
	Government, Information, Recreation, Retail, Services, Non-Residential Use/Reuse of Historic Buildings	30
	Other (all other Use Types in Section 5.2.2)	50
	Interstate Highway (See also Section 6.6.3)	100
	Arterial Road	30
	Collector Road	20
	Railroad	40
	Transmission Lines	40
	Undeveloped Parcel	20
<b>Finance</b>	Residential, all types	20
	Finance	20
	Government, Information, Recreation, Retail, Services, Non-Residential Use/Reuse of Historic Buildings	20
	Other (all other Use Types in Section 5.2.2)	N/A
	Interstate Highway (See also Section 6.6.3)	100
	Arterial Road	20
	Collector Road	20
	Railroad	20
	Transmission Lines	20
Undeveloped Parcel	20	
<b>Government, Information, Recreation, Retail,</b>	Residential, all types	30
	Finance	20

- ~~(7) To provide for the active and low impact recreational needs of county residents, including implementation of the Master Recreation & Parks Plan.~~
- ~~(8) To provide greater efficiency in the siting of services and infrastructure by reducing road length, utility runs, and the amount of paving for development.~~
- ~~(9) To create compact neighborhoods accessible to open space amenities and with a strong identity.~~

**7.13.2 Applicability**

- (A) All Flexible Development subdivision plats shall comply with the requirements and standards specified herein and in all respects with other applicable codes and ordinances to the extent that they are not in conflict with these provisions.
- (B) Flexible Developments located within the Stoney Creek Basin Overlay District shall comply with provisions of Section 4.6 4.8<sup>46</sup> of this Ordinance.
- (C) The Village Option for a Flexible Development shall not be located in the Rural Buffer (RB) zoning district.
- (D) Applicants seeking approval of a Minor Subdivision Final Plat by the Planning Department are encouraged to work with the Planning Department staff in identifying and preserving open space areas as part of such developments.

Section reference update

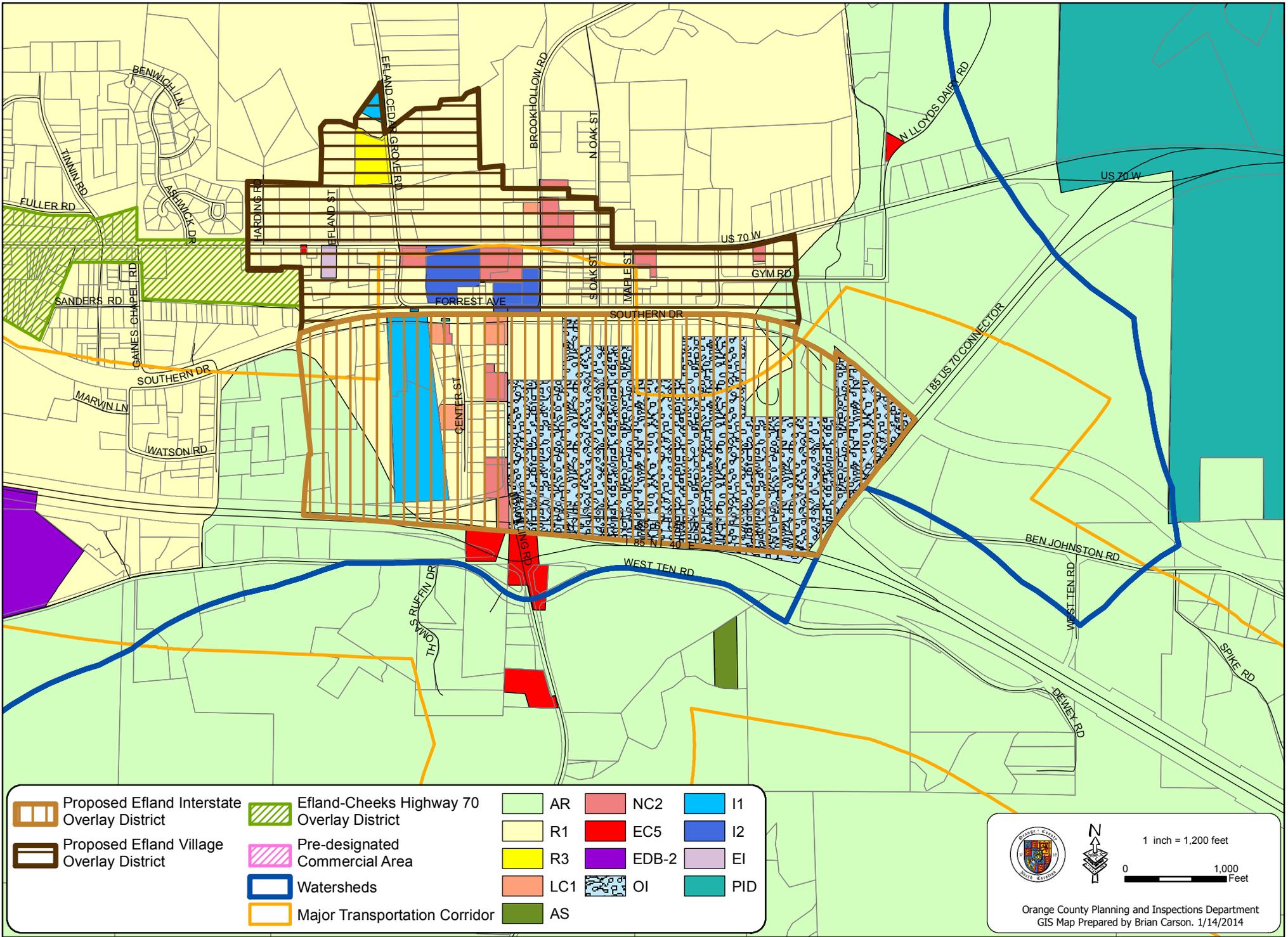
**7.13.3 Open Space Standards**

- (A) Minimum Required Open Space**
  - (1) Where a developer elects to seek approval of a Flexible Development as specified herein, at least 33% of the total land area in the Flexible Development must be set aside as protected open space.
  - (2) Such open space shall meet the standards contained in this Section unless the developer chooses to seek approval of a conventional subdivision as specified herein.
- (B) Planning for Open Space**
  - (1) Open space design in subdivision projects shall be planned as part of a comprehensive project design.
  - (2) The long-term success of open space is improved when a layout is chosen with a perspective of future usefulness, efficiency, connectivity and compatibility with both existing development and other types of open spaces.
  - (3) Open space is an important amenity for subdivision residents and an essential part of the County's character and environmental quality.
  - (4) Open space planning must indicate a thoughtful understanding of that importance, and shall be evaluated based on its merits.
  - (5) A Flexible Development subdivision plan shall always provide open space which prominently meets at least one of the three following goals in open space design:
    - (a) The Maintenance of Wildlife Corridors and/or Habitat;
    - (b) The Preservation of Rural Character; or
    - (c) The Creation or Protection of Space for Outdoor Recreation.
  - (6) When relevant, a Flexible Development subdivision plan shall address the following additional goals in open space design:

<sup>46</sup> This reference change is necessary due to renumbering Sections in order to insert the two proposed overlay district.

## Zoning Atlas Amendments

# Proposed Zoning Overlay Districts



Orange County Planning and Inspections Department  
GIS Map Prepared by Brian Carson, 1/14/2014

1 inch = 1,200 feet  
0 1,000 Feet

## 2030 Comprehensive Plan Amendments



APPROVED 4/15/2014

**MINUTES  
ORANGE COUNTY BOARD OF COMMISSIONERS  
QUARTERLY PUBLIC HEARING  
February 24, 2014  
7:00 P.M.**

The Orange County Board of Commissioners met with the Orange County Planning Board for a Quarterly Public Hearing on February 24, 2014 at 7:00 p.m. at the DSS Officers, Hillsborough, N.C.

**COUNTY COMMISSIONERS PRESENT:** Chair Barry Jacobs and Commissioners Mark Dorosin, Alice M. Gordon, Earl McKee Bernadette Pelissier, Renee Price and Penny Rich

**COUNTY COMMISSIONERS ABSENT:**

**COUNTY ATTORNEY PRESENT:** James Bryan (Staff Attorney)

**COUNTY STAFF PRESENT:** Interim County Manager Michael Talbert and Deputy Clerk to the Board David Hunt (All other staff members will be identified appropriately below)

**PLANNING BOARD MEMBERS PRESENT:** Planning Board members Maxecine Mitchell, Johnny Randall, Paul Guthrie, Herman Staats, Tony Blake, and H.T. "Buddy" Hartley

**PLANNING BOARD MEMBERS ABSENT:** Chair Pete Hallenbeck, Lisa Stuckey, Andrea Rohrbacher and James Lea

Chair Jacobs called the meeting to order at 7:03 pm. He reviewed the following items at the members' places:

- Booklet/Blue Sheets/Cream Sheets/PowerPoint – Item C-1 – Class A Special Use Permit
- Letter – Item C-3 - Unified Development Ordinance (UDO) Text Amendment

**A. OPENING REMARKS FROM THE CHAIRS**

**B. PUBLIC CHARGE**

*The Chair dispensed with the reading of the public charge.*

**C. PUBLIC HEARING ITEMS**

Planning Board Member Buddy Hartley introduced this item.

1. Class A Special Use Permit - To review a Class A Special Use Permit application seeking to develop a solar array/public utility station on two parcels of property, totaling approximately 52 acres in area, off of Redman Road between the railway and Interstate 85/40 in Cheeks Township.

**Buddy Hartley:** An item involving a special use permit is a quasi-judicial setting, so approval or denial of such permits are based on sworn testimony and evidence from individuals who are speaking before the Board. So, we will ask that all individuals that wish to speak on this be sworn to before the clerk.

*Those who were speaking to this item were then sworn in.*

**Michael Harvey:** Good evening. I am Michael Harvey of the Orange County Planning Department. I have been duly sworn, and my job here this evening is to present to you a Class

Tony Blake said one more point would be to find out if the adjacent owners have been notified to find out if this is a problem for them.

Michael Harvey said the adjoining property owners were made aware of the text amendment. He said no complaints have been received.

Judy Foster said she owns the property next door to the kennel, and she has no objection to the 25 foot setback. She said she would agree to this, and she is right next to their parking lot.

Commissioner Gordon said she is not unsympathetic to this; she is just trying to find out what the options are. She said the question is a general question about universal standards versus specific standards. She said she loves dogs, and this is a wonderful operation that has not conformed with the regulations, so it is a difficult question.

A motion was made by Commissioner Dorosin, seconded by Commissioner Pelissier to:

1. Accept the applicant's proposed amendments to the UDO as detailed in this abstract and attachments.
2. Refer the matter to the Planning Board with a request that a recommendation be returned to the BOCC in time for the April 15, 2014 BOCC regular meeting.
3. Adjourn the public hearing until April 15, 2014 in order to receive and accept the Planning Board's recommendation and any submitted written comments.

VOTE: UNANIMOUS

3. **2030 Comprehensive Plan and Unified Development Ordinance (UDO) Text Amendments and Zoning Atlas Amendments** - To review government-initiated amendments to the text of the Comprehensive Plan and UDO and to the Zoning Atlas to establish two new zoning overlay districts in the Efland area.

Perdita Holtz reviewed the following PowerPoint slides:

### **Comprehensive Plan Text, Unified Development Ordinance Text, and Zoning Atlas Amendments for Two New Zoning Overlay Districts in the Efland Area**

Quarterly Public Hearing

February 24, 2014

Item C.4

#### **Background**

- Heard at November 2012 quarterly public hearing
- Denied by BOCC in February 2013
- 1 year waiting period required for a new application in cases of denial
- This proposal is the staff-recommended version considered on February 5, 2013

#### **Basic Charge**

- Implement recommendations in the adopted Efland- Mebane Small Area Plan to establish design and site planning standards for this area of the County served by public (or quasi-public) water and sewer systems.

- Amend plans and regulations as necessary in order to establish two new zoning overlay districts.

### **Comprehensive Plan Text Amendment (chart)**

#### **What is a zoning overlay district?**

- Regulatory tools that create a special zoning district, placed over the existing base zones, which identifies special provisions in addition to, or in lieu of, those in the underlying base zone.
- Purpose is to guide development within the specified area.
- Overlay district regulations can be more restrictive or less restrictive than the regulations that apply to the underlying base zones.

### **Zoning Atlas Amendment (map)**

#### **Future Land Use Map (Map)**

#### **Relationship to Existing Efland-Cheeks Overlay District (map)**

#### **UDO Text Amendments**

- Amendments to several sections necessary to implement the new zoning overlay districts
- Intent of the new districts:
  - Allow for a more urban style of development in the Efland Interstate Overlay District
  - Allow for an urban village style of development in the Efland Village Overlay District

#### **Why Necessary?**

- Different development regulations necessary in order to reflect the reality of smaller sized lots (both existing and anticipated) served by water and sewer.
- Encourage high quality growth in an area of the county proposed for additional growth while protecting existing development and community character.
- Ensure good planning practices related to site design, transportation, and architecture are achieved.

#### **General Information**

- Many of the proposed changes in the amendment packet contain footnotes explaining the reason/rationale for the proposed change.
- Website contains more information
  - Questions and Answers
  - Synopsis of Proposed New Regulations and/or Differences from Existing Regulations
  - (Orange County, Planning Department, "Current Interest Projects")

#### **Exceptions and Existing Uses**

- Single-family detached residences (both existing and new) are not subject to the requirements of the overlay districts.
- Other existing land uses are not required to come into conformance with the new regulations so long as the property continues to be used as it is currently being used.
- The requirements of the Major Transportation Corridor (MTC) Overlay District are not being altered.

### **Synopsis of Changes**

(Applicable to Both Districts)

- Side and rear setback can be less
  - Intent is to allow required buffer and minimum setback to be the same
- Smaller (less wide) buffer between lots
  - In keeping with those required in the existing Efland Cheeks Overlay District along Highway 70
- No more than 1 entrance/exit point, unless justified
- Large projects must provide an internal pedestrian circulation system
- Must provide intra-site accessibility
- Requirements for driveways and shared access
  - Shared access only applicable if fronting on Mount Willing Road or Highway 70

### **Synopsis of Changes**

(Efland Interstate Overlay District only)

- Site Planning must take into account need for connecting roadways shown on the adopted Access Management Plan for the area
- Requires that national prototype architectural styles of chain businesses be altered as necessary to complement the surrounding area

### **Synopsis of Changes**

(Efland Village Overlay District only)

- Changes in front yard setback requirements
  - Minimum of 30-feet along Highway 70
  - If not along Highway 70: front setback in keeping with adjoining uses
- No fences in front yards unless a demonstrated need can be shown
- No chain link or similar fencing
- No outside storage of materials
- Allows up to 15% of parking to be located in the front yard (setback area)
- Encourages shared parking and puts a cap on parking
- Limits signage to monument style signs that do not exceed 6-feet in height and prohibits pole signs
- Does not permit modern corporate franchise building design
- Principal building must face fronting street and have a functional doorway
- Requires that buildings be designed to contribute to a “human scale”
- Prohibits drive-throughs and mirrored glass

### **Public Notification**

- Completed in accordance with Section 2.8.7 of the UDO
  - Newspaper legal ads for 2 successive weeks
  - Mailed notices to affected property owners
  - Mailed notices to property owners within 500-feet of affected properties
  - Posted 25 signs in strategic areas of the affected area

### **Recommendation**

- Receive the proposal to amend the Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas.
- Conduct the Public Hearing and accept public, BOCC, and Planning Board comment on the proposed amendment.

- Refer the matter to the Planning Board with a request that a recommendation be returned to the Board of County Commissioners in time for the April 15, 2014 BOCC regular meeting.
- Adjourn the public hearing until April 15, 2014 in order to receive and accept the Planning Board's recommendation and any submitted written comments.

Perdita Holtz said there is already a similar overlay district along Highway 70. She reviewed the comprehensive plan graphic and said the zoning districts need to be consistent with the comprehensive plan. She said the area where the proposed overlay district is located is a commercial/industrial transition activity node. She said staff is also suggesting a tick mark be added in the other three transition land use classifications, so that any future overlay districts that are contemplated will not require a comprehensive plan amendment.

She reviewed the map of the Zoning Atlas Amendment, as well as the Future Land Use Map and the map of the overlay district mentioned earlier. She said the proposed text amendments contain amendments to several areas. She said the current development regulations primarily address development on large size lots.

Referring to the slide "Synopsis of Changes (Efland Village Overlay District only)", she noted that varied setbacks along an individual street create a more chaotic feel and look. She said it is good urban design for a village setting to have consistent setbacks.

Chair Jacobs asked for an explanation of how all of this came to be proposed.

Perdita Holtz said this is part of the Efland Mebane small area plan, which was a plan made up of appointed residents in the area. She said this is a community driven plan, and it is based on recommended standards for achieving good development.

Commissioner McKee noted that the Efland Mebane small area plan was brought forward in 2004, and the committee ran for two years. He asked if staff has gone back to the community since 2006.

Perdita Holtz said committee meetings were held when the zoning overlay districts were last proposed, and public information meetings were held in 2012. She said these meetings were not held for these changes, as these are substantially similar to what was proposed in 2012.

Commissioner McKee said, since this was denied by the Board in 2013, it would have been good to go back to the community to get their response before moving forward with another proposal.

Perdita Holtz said the amendment outline form for this item specifically stated that there would not be another public outreach meeting and the reason why. She said this was because this has already undergone public comment in the past, but she understands the concern.

Commissioner Price asked for an explanation of the rationale behind the fencing.

Perdita Holtz said this does not apply to single family houses, but it has to do with the aesthetics of having chain link or other fencing in the front yard.

Commissioner Price asked why there is an aversion to chain link fences.

Perdita Holtz said the committee expressed concern about this if there was a lot of commercial development.

Commissioner Price asked if this would apply to a duplex.

Perdita Holtz said you would not be able to have a chain link fence in the front yard.

Commissioner McKee asked about the drive-throughs. He asked if drive-throughs along highway 70 on any commercial facility would be banned.

Perdita Holtz said that is correct. She said there was a point in the small area plan that these would not be permitted in the Efland Village, but it would be permitted in the interstate district. She said the concern was having a string of fast food restaurants cropping up on Highway 70.

Commissioner Price said she believes another concern about the drive-throughs was the concern of car stacking and all of the associated fumes.

Perdita Holtz said that was a concern in the County, but the concern specific to this plan was about the proliferation of fast food restaurants on Highway 70.

Commissioner Rich said she remembers this as one of the first things that came before the Board when she came on, and she didn't have a lot of information. She said her concern at that time was calling things urban when there are no sidewalks being put in. She said she still has concerns with calling things urban, when there is no way for people to use their feet to get there, because there are no sidewalks. She is unsure of why the word urban is used in these settings.

Perdita Holtz said the growth management systems map adopted in 2003 calls areas rural designated and urban designated, and this is in one of the urban designated areas.

Commissioner Rich questioned whether this is really urban. She said the County is just creating an area where people are being allowed to build density.

Perdita Holtz said it depends on your definition of urban, but this is creating areas where people can not only build density, but can put non-residential uses.

Commissioner Rich said you can't walk there; you have to drive your car there.

Perdita Holtz said it is true that you cannot walk there on a sidewalk.

Commissioner Pelissier said the difficulty is that this is just a small area compared to an urban area like Chapel Hill or Carrboro. She said, even in Chapel Hill, 15-501 by-pass is in an urban area, but there are no sidewalks. She said it is difficult because of the scope of what is being looked at.

Commissioner Rich said it might just be her getting stuck on the word urban; but when these overlays are done, there are all these districts of overlays that are supposed to be urban, but none of them connect.

Perdita Holtz said the small area plan is supportive of having a sidewalk network, but right now, counties in North Carolina have trouble providing, funding, and maintaining sidewalks. She questioned whether you hold this up just because sidewalks can't be provided right now. She asked if development regulation should be kept in place that sometimes requires a buffer of 100 feet, when lots are only 100 feet wide; or if the County should implement something that is good for development now, and the sidewalk issue will continue to be worked on.

Commissioner Rich said she understands that, and if the County will be forward thinking and work toward sidewalks, then she is fine with this. She just doesn't want to approve an urban overlay and then that's the end of it.

Perdita Holtz said this is just one aspect of implementing the small area plan, and there is still more to do. She said keeping sidewalks and bike lanes in mind is part of the plan, and it is something she thinks Orange County will do when the time is right.

Commissioner McKee referred to the statement on creating non-conforming uses. He asked how "operating in the manner in which they are currently operating" will be defined. He said he is aware of multiple parcels of property where new regulations prevent expansion of existing business. He is concerned that this is what will happen here.

Perdita Holtz said this would create non-conforming uses if someone wanted to expand their businesses.

Commissioner Price asked if there would be a time limit for a non-conforming business if there is a change in ownership and a gap in use.

Michael Harvey said there is a time limit of 6 months within any 180 day given period.

Greg Andrews said he lives in the Efland Community and he owns a business in the proposed overlay district. He said he is also here in part to represent the Efland Ruritan Club. He proposed a public hearing in the Efland community. He said there are a lot of elderly folks who cannot come sit at this meeting for 3 or 4 hours to get to this part. He said he would like to

see the people who sat on this committee and made these recommendations. He referenced the discussion about sidewalks and said he does not know how safe walkways would be on highway 70. He asked that this issue remain open. He said the Efland Ruritans would be happy to hold this event in Efland.

Doug Efland said he owns property in the Efland village area. He said he has a lot of questions, and he would like this to continue with some sort of public meeting in Efland. He said there are a lot of things that are alarming or hard to understand in the proposed text. He referenced shared right of ways and other parts of the text that he did not understand. He referenced the section on easement agreements between contiguous parcel owners and asked what incentive it is for an adjacent property owner to enter an agreement with you if there are no plans to develop their property. He said there are certainly questions. He questioned the stipulations on connecting roadways to the east and west side of Mount Willing. He asked that this discussion be continued.

Ben Lloyd said urban to him is Chapel Hill, Charlotte or New York City. He said Efland is a sleepy little community where most of the residents have been living there all of their lives. He said this small area study has been going on for 20 years and notice of this public hearing was given 15 days ago. He has taken a quick look at this plan, and it would take a lawyer to pick all this stuff out. He said the people in the Efland community need to have the opportunity to have some input into this plan. He asked for an open Efland community meeting, followed by a public hearing for general public input.

He said he has a letter from Joseph Forrest and he asked what to do with that. He read the letter and asked it to be entered into the record.

Bill Efland said he also agrees with having the hearing in Efland. He asked if the residents are privy to having the names of the people on the Mebane Efland small area plan committee. He asked if there were any Efland family members on that committee and he said he feels that they should have been involved in this process.

Commissioner McKee said there were Efland folks on this committee. He said he would share the list of names after the meeting.

Lindsey Efland said he has had 40 years of Orange County government saving us from ourselves. He said when all is said and done this language affects approximately ten parcels of land. He said there are only a few developable properties. He said it has also been noted that the community has not been part of the planning process of late. He said this is a significant change for the future of the community and there is not any understandable language as it relates to the re-development of buildings. He feels work needs to be done on this and local input should be involved. He respectfully requests that the public hearing be continued while planning staff works with land owners to help them, and the planning board, understand the full implications of what is going on.

Mike Efland questioned how many landowners of involved parcels were on the committee. He wants to know whose brainchild this is.

Brian Efland said there are a lot of Eflands from Efland, and he is not aware of any who were on the committee. He feels that stake holders should be involved in these decisions. He noted the large number of community members present, and he said no one who sees this likes it. He would like to see continued discussion in the community.

Commissioner McKee said this came before the Board a year ago, and he still does not like it. He feels this should be sent back to staff with instructions to work with the affected community to address their concerns. He said this is not a countywide zoning overlay; it affects a very small number of people in a very big way, and these people need to be involved upfront. He understands there was a public meeting two years ago, but there have been changes made. He does not think the public hearing needs to be held over, but this should be sent back to staff instead.

Commissioner Price said she voted against it last time, and her comments are the same. She questioned whether the public received notice of the meeting last year when this was on the agenda.

Perdita Holtz said the notice went out for the November 2012 quarterly public hearing, and the notice contained an update on the information meeting held in November, which was attended by only ten residents.

Commissioner Price said she would still like to see more discussion with the community.

Commissioner Pelissier said this reflects the comments of the small area plan. She said that was a big picture, and this is only a small section of the Efland area plan. She is fine with having community meetings. She said it is important to continue this to avoid waiting another year. She said things get more difficult the longer this goes on. She suggested continuing the public hearing with a set date.

Perdita Holtz suggested this be continued to the May Quarterly Public Hearing. She said a public hearing out in the community has never been done before, and it would require a quorum of both the Board and the planning board. She said a public meeting can be held with staff in attendance.

Commissioner Pelissier said she was not trying to imply having a public hearing in the community, as this will not allow for question and answers with staff, which is what the community wants. She said this is called a public information session.

Ben Lloyd said people really want a public information session.

Chair Jacobs noted, in fairness to staff, that meetings were held at the Efland Ruritan and there were repeated attempts to recruit people from Efland. He said there were people from Efland who served diligently. He said this was the Efland Mebane small area plan. He said the conversation included plans to get Mebane involved to insure that it would not annex into Efland. He said if this is not a concern now, it is because Mebane has agreed not to do this. He said there were signs up, and there were meetings at the Efland Community Center, the Efland Ruritan Club and Efland Cheeks Elementary school. He feels it is a good idea for the community to meet with staff to ask questions about this, and then this can come back to the Board. He said there have been no attempts to exclude anyone.

An unidentified resident asked when the meeting was held at the Ruritan Club. He asked if the details presented tonight were discussed at that meeting four years ago.

Perdita Holtz said the details were discussed at the open house community meeting held in November of 2012 from 4 - 6 pm at the Efland Community Center, and 10 people came.

Greg Andrews said if this was turned down last time, he would like to see what changes have been made since then.

Chair Jacobs said staff does that in the documents, and this is included.

Greg Andrews said it seems that at least two of the Board members recognize that there is not enough change to make a difference

A motion was made by Commissioner McKee, seconded by Commissioner Price to turn this proposal down and send it back to staff for further review and community input before bringing it back.

Commissioner Gordon said this cannot be turned down, as this is not voted on at this meeting. She asked if Commissioner McKee would like to turn it back to the staff.

Commissioner McKee said it was turned back to staff a year ago.

Commissioner Rich said she is fine with the description of the sidewalks because of the forward thinking that the sidewalk issue is not being dropped. She said she does not understand why this wouldn't just continue to be a public hearing to get more information.

Commissioner Price said staff and the Commissioners would be able to have dialogue with the community. She said it would give more time for community input.

Chair Jacobs said this may just be a difference of semantics. He said the motion is to defer further Board of Commissioner consideration until staff meets with the members of the

Efland Community to address their concerns, and then this comes back to the Board. He said this does not say that this won't come back to the Board, but it directs staff to meet with the community.

Commissioner Dorosin suggested holding an informational meeting with the public at the Whitted building to allow Commissioners and staff to attend, in an effort to bridge the gap. He asked if this could be added to the motion.

Commissioner McKee and Commissioner Price agreed to this.

Commissioner Pelissier also suggested an amendment to the motion, stating that this would come back in May.

Commissioner McKee said he could not accept this, as he is not sure that this allows adequate time for staff to address community concerns. He said this would set an artificial deadline.

Commissioner Pelissier said she would like to have a specific time frame.

Commissioner McKee and Commissioner Price agreed to September.

Chair Jacobs reviewed the amended motion to have a public information meeting to give the Efland community members an opportunity to: meet with staff and Commissioners to express concerns, and for staff to explain the proposals, to come back for the September Public Hearing.

Michael Talbert said there are two options: 1. To close the existing public hearing or 2. Continue this public hearing until the September 2014 Public Hearing.

Commissioner McKee said he will add this to the beginning of his motion.

Commissioner Gordon said she is not sure about having a public information meeting that requires the Commissioners to have a quorum.

Commissioner Price said this is just a public meeting and the Commissioners can attend, but quorum is not required.

A motion was made by Commissioner McKee, seconded by Commissioner Price to close the public hearing; hold a staff coordinated public information session; and to bring this item back to a meeting in September, 2014. (There was discussion of the possibility of no QPH in September and the public hearing would possibly be during a regular meeting.)

VOTE: UNANIMOUS

Commissioner Price suggested there be more than one meeting.

#### **5. 2030 Comprehensive Plan and Unified Development Ordinance (UDO) Text**

**Amendments** - To review government-initiated amendments to the text of the UDO to establish a zoning program commonly referred to as Agricultural Support Enterprises (ASE) outside of the Rural Buffer land use classification.

Perdita Holtz reviewed the following PowerPoint slides:

#### **Agricultural Support Enterprises Outside of the Rural Buffer Land Use Classification**

Quarterly Public Hearing

February 24, 2014

Item C.5

#### **History & Purpose of Amendment**

- A work-in-progress since 2001
  - Need for Conditional Zoning construct was one of the "sticking points"
  - We now have this type of zoning in the UDO

**STATEMENT OF CONSISTENCY  
OF PROPOSED COMPREHENSIVE PLAN, UNIFIED DEVELOPMENT ORDINANCE, AND  
ZONING ATLAS AMENDMENTS WITH THE 2030 COMPREHENSIVE PLAN AND/OR  
OTHER ADOPTED COUNTY PLANS**

Orange County has initiated amendments to the Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas affecting approximately 432 acres located in the Efland area of the county. These amendments establish two new zoning overlay districts in the area.

The Planning Board finds:

- The requirements of Section 2.8 of the Unified Development Ordinance (UDO) have been deemed complete, and
- Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds documentation within the record denoting that the rezoning **is consistent** with the adopted 2030 Comprehensive Plan and/or other adopted County plans.

The amendment is consistent with applicable plans because it:

- Supports the following 2030 Comprehensive Plan goals and objectives:

Objective LU-1.1:

Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available.

Objective LU-3.7:

Ensure that new development patterns in non-residential nodes encourage a clustered, walkable development pattern and discourage strip development.

Objective LU-3.8:

Develop a process for implementing small area plan recommendations through the revision of County policies and regulations.

Objective LU-3.9:

Create new zoning district(s) which allow for a mixing of commercial and residential uses, a mixing of housing types, and creates a more pedestrian friendly development pattern. New districts should be applied in areas where public services exist or are planned for in the future, in areas that promote higher intensity and high density uses on the Future Land Use map.

Objective H-3.6:

Work within the Orange County government system to identify and resolve existing policies which may be at odds with historic preservation goals, green building approaches, and workforce and affordable housing efforts. (See also Cultural Resources Objective CR-3 and Economic Development Objective ED-4.1.)

- Further implements the Efland-Mebane Small Area Plan, adopted June 27, 2006.

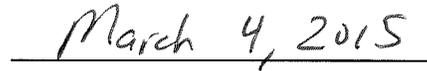
The amendments are reasonable and in the public interest because:

- The proposed amendments establish overlay districts that modify existing development regulations to reflect that this is an area of the county with smaller lots and which is served, or scheduled to be served, with water and sewer lines. Existing development regulations, particularly buffer and setback requirements, can make development difficult to achieve on smaller sized lots.
- The proposed amendments achieve a reasonable balance of attempting to encourage high quality development while protecting existing land uses and community character.
- The proposed amendments encourage development in an area of the county designated as Commercial-Industrial Transition Activity Node on the Future Land Use Map of the 2030 Comprehensive Plan.
- The proposed amendments promote public health, safety, and general welfare by furthering the goals and objectives of the 2030 Comprehensive Plan, including further implementation of the Efland-Mebane Small Area Plan (adopted June 27, ~~2006~~ 2006)

The Planning Board hereby recommends that the Orange County Board of County Commissioners consider adoption of the proposed Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas amendments.



Pete Hallenbeck, Chair



Date

**D R A F T E X C E R P T****MINUTES****ORANGE COUNTY PLANNING BOARD****MARCH 4, 2015****REGULAR MEETING**

1  
2  
3  
4  
5  
6  
7 **MEMBERS PRESENT:** Peter Hallenbeck (Chair), Cheeks Township Representative; Lisa Stuckey (Vice-Chair), Chapel  
8 Hill Township Representative; Maxecine Mitchell, At-Large Bingham Township; Herman Staats, At-Large, Cedar  
9 Grove Township; James Lea, Cedar Grove Township Representative; Tony Blake, Bingham Township  
10 Representative; Laura Nicholson, Eno Township Representative; Paul Guthrie, At-Large Chapel Hill Township;  
11 Buddy Hartley, Little River Township Representative; Bryant Warren, Hillsborough Township Representative; Lydia  
12 Wegman-At-Large Chapel Hill Township;

13  
14 **MEMBERS ABSENT:** Andrea Rohrbacher, At-Large Chapel Hill Township;

15  
16 **STAFF PRESENT:** Craig Benedict, Planning Director; Perdita Holtz, Special Projects Coordinator; Michael Harvey,  
17 Current Planning Supervisor; Tina Love, Administrative Assistant II;

18  
19 **OTHERS PRESENT:** Tim and Ruth Sukow, Joe Forrest, Doug Efland, Marsha Efland, Lindsay and Knox Efland

20  
21 **AGENDA ITEM 1: CALL TO ORDER AND ROLL CALL**

22 \*\*\*\*\*

23  
24  
25 **AGENDA ITEM 7: COMPREHENSIVE PLAN, UNIFIED DEVELOPMENT ORDINANCE, AND ZONING ATLAS AMENDMENTS:**  
26 To make a recommendation to the BOCC on government-initiated amendments that would  
27 establish two new zoning overlay districts in the Efland area. This item was heard at the  
28 February 24, 2014 quarterly public hearing and the Planning Board received an update on the  
29 topic at its February 4, 2015 meeting.  
30 **Presenter:** Perdita Holts, Special Projects Coordinator

31  
32 *Perdita Holtz reviewed the item and background.*

33  
34 Paul Guthrie: On page 22 in the middle, second paragraph, what is your definition of "high quality development"?

35  
36 Perdita Holtz: It was something talked about as part of the small area plan process and wanting to ensure that we  
37 didn't end up with a preponderance of metal or cinderblock buildings and the regulations that pertain to internal  
38 pedestrian systems, etc. that all add up to what we would term "high quality development".

39  
40 Pete Hallenbeck: If you look at the proposed amendments, you talk about community character and the Planning  
41 Department will take pictures of buildings to have something to look back on when you are making that somewhat  
42 subjective call. Your point is well taken but there will be enough recorded for someone to look at that and say, "how  
43 did that happen?"

44  
45 Craig Benedict: Some of the differences are that we had a lot more mandates about how development should occur  
46 very prescriptive but it did mention high quality development. That is subjective but we are creating a mandate and  
47 that didn't go together so now we are creating something that is feasible.

48  
49 Pete Hallenbeck: I am happy with the development and the community involvement.

50  
51 **MOTION** by Laura Nicholson to approve amendments as presented by staff. Seconded by Lisa Stuckey.

52 **VOTE: UNANIMOUS**

53  
54 *Craig Benedict reviewed the history of this project for the new members.*

**D R A F T EXCERPT**

55  
56 Paul Guthrie: This is a good case study about how we deal with changes in this county. This whole county over the  
57 next 50 years will urbanize tremendously so this kind of issue will come up over time and some time when the  
58 planning staff catches their breath, they may want to strategize the process so we won't have to reinvent the wheel  
59 each time.

60  
61 Pete Hallenbeck: A lot of those steps are underway. The UDO is not perfect or light reading but a lot better. There  
62 is progress here. What happened in Efland will set a lot of precedence.

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Interstate Overlay District</b>			
Easy Ref. No.	Section Number in UDO Revisions	Proposed Standard	Efland Area Resident Group Input/Suggestion
1.	4.5.3 (B)(1)	The minimum side and rear setback shall be with width of the required buffer in 6.6.3(B) or the setback required in Article 3 or Section 6.2.8, whichever is less, except as provided in (a).	OK as is
2.	4.5.3(B)(1)(a)	(Referenced in standard above) For parcels subject to the setback and yard requirements in Section 4.7.4, the requirements of said Section shall apply.	OK as is
3.	4.5.3(B)(2)	Where applicable, the front yard setback shall be measured from any future right-of-way as designated on the Orange County Thoroughfare <u>Comprehensive Transportation Plan</u> .	Delete this requirement. It can be added in the future if necessary if/when a Comprehensive Transportation Plan that includes future right-of-way designations is adopted.
4.	6.6.3(A)(1) (A) is "Circulation and Connectivity"	All site planning for property east of Mount Willing Road shall take into account the need for a connecting roadway between Mount Willing Road and the Interstate 85/U.S. Highway 70 Connector.	OK as is
5.	6.6.3 (A)(2)	All site planning west of Mount Willing Road shall take into account: (a) A possible re-alignment of Efland-Cedar Grove Road under the existing railroad track to connect to Mount Willing Road, as described in the adopted Efland-Mebane Small Area Plan. (b) The need for a connecting roadway between Mount Willing Road and Buckhorn Road, as depicted on the Efland-Buckhorn-Mebane Access Management Plan, adopted November 11, 2011.	The possible realignment of Efland-Cedar Grove Road under the existing railroad track should be removed from the adopted Access Management Plan and proposed standard (a) should be deleted from the proposed UDO amendment.
6.	6.6.3 (A)(3)	In order to manage access on public streets, a site shall be permitted no more than one entrance/exit point unless justified by site configuration, trip generation, and traffic conditions, including the need for separate service and visitor/employee vehicular access, and/or one-way traffic movement.	Rewrite as follows: In order to manage access on public streets, a site shall be permitted no more than one entrance/exit point unless justified by site configuration, trip generation, and traffic conditions, including the need for separate service and visitor/employee vehicular access, and/or one-way traffic movement, <b>or other factors</b> .

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Interstate Overlay District</b>			
<b>Easy Ref. No.</b>	<b>Section Number in UDO Revisions</b>	<b>Proposed Standard</b>	<b>Efland Area Resident Group Input/Suggestion</b>
7.	6.6.3 (A)(4)	Intra-site accessibility shall be provided. Vehicles shall not be required to enter the public street in order to move from one area to another on the same site.	OK as is
8.	6.6.3 (A)(5)	On all corner lots, no vehicular openings shall be located closer than 60 feet from the point of intersection of the street right-of-way lines.	OK as is
9.	6.6.3 (A)(6)	Entrances/exits shall not exceed 36 feet in width measured at the property line; however, in instances where parking lots serve tractor/trailer traffic, the driveway entrance/exit may be increased to 40 feet in width	Make it clearer that this standard refers to driveways, not public roads. Rewrite to read: <b>Driveway</b> Entrances/exits shall not exceed 36 feet in width measured at the property line; however, in instances where parking lots serve tractor/trailer traffic, the driveway entrance/exit may be increased to 40 feet in width
10.	6.6.3 (A)(7)	Exits for parking facilities containing more than 36 parking spaces shall contain holding lanes for left-turning and right-turning traffic unless the Planning Director determines that due to the physical features of a site, holding lanes would be unsafe and should not be required.	OK as is

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Interstate Overlay District</b>			
Easy Ref. No.	Section Number in UDO Revisions	Proposed Standard	Efland Area Resident Group Input/Suggestion
11.	6.6.3 (A)(8)	<p><u>Shared Access</u></p> <p>(a) In order to manage access on Mount Willing Road, developments subject to this Section, fronting on Mount Willing Road, and located contiguous to one another shall provide shared access.</p> <p>(i) Owners of contiguous parcels subject to this Section shall execute reciprocal easement agreements between the separate property owners and have the same recorded in the Office of the Orange County Register of Deeds prior to the issuance of a Zoning Compliance Permit. The easement agreement shall be sufficient to allow for the development of a private service road or driveway to channel access from Mount Willing Road to each property. Figure 6.6.2.A.3 shows an example of the shared access.</p> <p>(ii) Developments subject to this Section, fronting on Mount Willing Road, and not contiguous to other similarly situated development shall be required to designate stub outs to adjoining properties on the site plan so that shared access can be developed if and when the adjacent property is developed in either a manner which subjects it to this Section or if individual curb cut for a single-family detached residential land use is deemed to be a traffic safety hazard by the County and NCDOT.</p>	<p>Rewrite as follows:</p> <p><u>Shared Driveways/Access</u></p> <p>(a) In order to <del>manage access</del> <b>minimize the number of driveway curb cuts</b> on Mount Willing Road, <b>thereby improving traffic flow and safety</b>, developments subject to this Section, fronting on Mount Willing Road, and located contiguous to one another shall provide shared <b>driveways/access whenever feasible, as determined during site plan review.</b></p> <p><b>(i) Methods to achieve shared driveways/access may include reciprocal easement agreements among property owners, reservation of future access easements on property being developed, or other methods determined during site plan review.</b></p> <p><b>(ii) The location of shared driveways shall be determined during site plan review. Shared driveways do not necessarily need to be located at the front of lots if rear or side access is proposed and feasible.</b></p>
12.	6.6.3 (A)(9)	All driveway entrances must have an approved NCDOT driveway permit and must be paved to NCDOT standards from the edge of the existing roadway pavement to the existing right-of-way limit on the interior of the property.	OK as is

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Interstate Overlay District</b>			
Easy Ref. No.	Section Number in UDO Revisions	Proposed Standard	Efland Area Resident Group Input/Suggestion
13.	6.6.3 (A)(10)	<p><u>Pedestrian Circulation</u></p> <p>(a) Unless deemed unnecessary by the Planning Director during site plan review, large projects, defined in (b), shall provide an internal pedestrian circulation system, owned and maintained by the property owner. The system shall provide pedestrian walkways to outparcels and also within any large parking areas.</p> <p>(b) For the purposes of this subsection, a large project is defined as one located on 5 or more acres or proposing more than 50,000 square feet of building area. A large parking area is one containing parking for 100 or more vehicles.</p>	<p>Rewrite as follows:</p> <p><u>Pedestrian Circulation</u></p> <p>(a) Unless deemed unnecessary by the Planning Director during site plan review, large projects, defined in (b), <del>shall</del> <b>may be required to</b> provide an internal pedestrian circulation system, owned and maintained by the property owner. The system <del>shall</del> <b>may be required to</b> provide pedestrian walkways to outparcels and also within any large parking areas.</p> <p>(b) For the purposes of this subsection, a large project is defined as one located on 5 or more acres or proposing more than 50,000 square feet of building area. A large parking area is one containing parking for 100 or more vehicles.</p>
14.	6.6.3 (B)(1) (B) is "Landscaping and Buffering"	<p>In lieu of the requirements outlined in Section 6.8 of this Ordinance, the following standards shall apply:</p> <p>(1) There shall be a minimum ten feet wide vegetative buffer along all rights-of-ways comprised of vegetation that complements surrounding plantings and which includes trees planted in accordance with Section 6.8 where possible.</p>	OK as is
15.	6.6.3 (B)(2)	<p>In lieu of the requirements outlined in Section 6.8 of this Ordinance, the following standards shall apply:</p> <p>(2) There shall be a minimum 15 feet wide vegetative buffer along all common property lines separating non-residential and residential land uses. The required plantings shall be in accordance with those required for Buffer Yards Type A outlined within Section 6.8 of this Ordinance.</p>	OK as is

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Interstate Overlay District</b>			
Easy Ref. No.	Section Number in UDO Revisions	Proposed Standard	Efland Area Resident Group Input/Suggestion
16.	6.6.3 (B)(3)	In lieu of the requirements outlined in Section 6.8 of this Ordinance, the following standards shall apply: (3) There shall be a minimum eight feet wide landscaped strip along all property lines separating non-residential uses from non-residential uses. The landscaped strip shall be comprised of vegetation that forms a semi-opaque intermittent visual obstruction from the ground to a height of at least 15 feet. Joint use agreements between adjacent property owners for shared ingress/egress and/or parking may result in a waiver regarding the exact location(s) of the required buffers.	Rewrite as follows: In lieu of the requirements outlined in Section 6.8 of this Ordinance, the following standards shall apply: (3) There shall be a minimum eight feet wide landscaped strip along all property lines separating non-residential uses from non-residential uses. The landscaped strip shall be comprised of vegetation that forms a semi-opaque intermittent visual obstruction from the ground to a height of at least 15 feet, <b>except in required sight triangles</b> . Joint use agreements between adjacent property owners for shared ingress/egress and/or parking may result in a waiver regarding the exact location(s) of the required buffers.
17.	6.6.3 (B)(4)	The provisions of this subsection do not waive the buffer requirements found in Section 6.6.5 (Major Transportation Corridor).	OK as is
18.	6.6.3 (C)(1) "Architectural Design Standards"	In addition to the requirements in Section 6.5 (Architectural Design Standards), the national prototype architectural styles of chain businesses shall be altered as necessary to complement the surrounding area.	Rewrite as follows: In addition to the requirements in Section 6.5 (Architectural Design Standards), <del>the national prototype architectural styles of</del> <b>the external design of</b> chain businesses <del>shall be altered as necessary to complement the surrounding area</del> <b>should consider and complement the existing community character.</b> <sup>1</sup>

<sup>1</sup> Planning staff intends to invite the community to submit photos of buildings and/or design features showing what the community members believes are features that should be considered and encouraged in future development. Staff will keep a compilation of the photos in the Planning office (and likely on the website) so site designers, architects, and Planning staff can see the types of features/designs the community would like to see in new development.

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Interstate Overlay District</b>			
<b>Easy Ref. No.</b>	<b>Section Number in UDO Revisions</b>	<b>Proposed Standard</b>	<b>Efland Area Resident Group Input/Suggestion</b>
19.	6.6.3 (C)(2)	Drive-through facilities on non-residential uses are allowable in this area.	Delete this standard. Drive-throughs should be allowed in both proposed overlay districts, in accordance with existing County ordinance. Therefore, it is redundant to state that drive-throughs are allowed in the overlay district.
19a.			Add new language for signs in Section 6.6.3: (D) Signage <ul style="list-style-type: none"> <li>(1) Signage shall conform to requirements within Section 6.12 of this Ordinance unless in conflict with this subsection, in which case the requirements of this subsection shall apply.</li> <li>(2) The sign area of signs may be up to 64 square feet in size.</li> </ul>

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
Easy Ref. No.	Section Number in UDO Revisions	Proposed Standard	Efland Area Resident Group Input/Suggestion
20.	4.6.3 (B)(1)	In lieu of the front setback required in Article 3, the minimum front yard setback for properties fronting on U.S. Highway 70 shall be 30-feet.	OK as is
21.	4.6.3 (B)(2)	In lieu of the front setback required in Article 3, the front yard setback for parcels located in the overlay district but not fronting on U.S. Highway 70 shall be in keeping with the front setback provided by adjacent uses.	OK as is
22.	4.6.3 (B)(3)	The minimum side and rear setback shall be the width of the required Land Use Buffer (Section 6.8.6) or the setback required in Article 3, whichever is less, but in no case shall be less than 10-feet.	OK as is
23.	4.6.3 (B)(4)	Where applicable, the front yard setback shall be measured from any future right-of-way as designated on the Orange County Comprehensive Transportation Plan.	Delete this requirement. It can be added in the future if necessary if/when a Comprehensive Transportation Plan that includes future right-of-way designations is adopted.
24.	4.6.3 (B)(5)	Although a portion of the Efland Village Overlay District is within the Major Transportation Corridor (MTC) Overlay District, the requirements of <b>Section 4.5.4 (Building Setback and Yard Requirements)</b> <del>the MTC do not apply.</del> The parcels are included in the MTC <del>only</del> because they fall within the prescribed distance criteria <del>but do not fall under any existing requirements pertaining to the MTC.</del> <b>The requirements of Section 6.12.12(B)(9) (off-premise commercial signs prohibited) continue to apply.<sup>2</sup></b>	OK as is
25.	4.6.3 (B)(6)	If Building Height Limitation modifications are pursued in accordance with Section 6.2.2(A), in no case shall building height exceed 40 feet.	OK as is

<sup>2</sup> When researching sign requirements, staff discovered the changes shown to the proposed standard are necessary.

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
<b>Easy Ref. No.</b>	<b>Section Number in UDO Revisions</b>	<b>Proposed Standard</b>	<b>Efland Area Resident Group Input/Suggestion</b>
26.	4.6.3(C)(1)	No fences shall be permitted in the front yard of lots, other than those used for single-family detached residential purposes, unless a demonstrated need can be shown.	<p>Fences should be allowed in the front yard of duplex and multi-family uses but should be limited to 5-feet in height.</p> <p>Rewrite as follows:</p> <p>(1) No fences shall be permitted in the front yard of lots used for non-residential uses unless a demonstrated need can be shown.</p> <p>(2) Fences located in the front yard of residential uses, other than single-family detached dwellings, shall be a maximum of five feet in height, as measured from the normal finished grade in the vicinity of the fence base.</p>
27.	4.6.3(C)(2)	Chain link or similar fencing shall not be permitted for uses other than single-family detached residential.	Delete this proposed standard. Chain link fencing should be allowed.

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
Easy Ref. No.	Section Number in UDO Revisions	Proposed Standard	Efland Area Resident Group Input/Suggestion
28.	6.6.4 (A)(1) "Circulation and Connectivity"	<p><u>Shared Access for Properties Fronting on U.S. Highway 70</u>                      (a) In order to manage access on U.S. Highway 70, developments subject to this Section, fronting on U.S. Highway 70, and located contiguous to one another shall provide shared access.</p> <p>(i) Owners of contiguous parcels subject to this Section shall execute reciprocal easement agreements between the separate property owners and have the same recorded in the Office of the Orange County Register of Deeds prior to the issuance of a Zoning Compliance Permit. The easement agreement shall be sufficient to allow for the development of a private service road or driveway to channel access from <del>Mount Willing Road</del> <b>U.S. Highway 70<sup>3</sup></b> to each property. Figure 6.6.2.A.3 shows an example of the shared access.</p> <p>(ii) Developments subject to this Section, fronting on U.S. Highway 70, and not contiguous to other similarly situated development shall be required to designate stub outs to adjoining properties on the site plan so that shared access can be developed if and when the adjacent property is developed in either a manner which subjects it to this Section or if individual curb cut for a single-family detached residential land use is deemed to be a traffic safety hazard by the County and NCDOT.</p>	<p>Rewrite as follows:  <u>Shared Driveways/Access for Properties Fronting on U.S. Highway 70</u>                      (a) In order to <del>manage access</del> <b>minimize the number of driveway curb cuts</b> on U.S. Highway 70, <b>thereby improving traffic flow and safety</b>, developments subject to this Section, fronting on U.S. Highway 70, and located contiguous to one another shall provide shared <b>driveways/access whenever feasible, as determined during site plan review.</b></p> <p>(i) <b>Methods to achieve shared driveways/access may include reciprocal easement agreements among property owners, reservation of future access easements on property being developed, or other methods determined during site plan review.</b></p> <p>(ii) <b>The location of shared driveways shall be determined during site plan review. Shared driveways do not necessarily need to be located at the front of lots if rear access is proposed and feasible.</b></p>

<sup>3</sup> Correct cut-and-paste error.

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
Easy Ref. No.	Section Number in UDO Revisions	Proposed Standard	Efland Area Resident Group Input/Suggestion
29.	6.6.4 (A)(2)	In order to manage access on public streets, a site shall be permitted no more than one entrance and exit point unless justified by site configuration, trip generation, and traffic conditions, including the need for separate service and visitor/employee vehicular access, and/or one-way traffic movement.	Rewrite as follows: In order to manage access on public streets, a site <del>shall</del> <b>should</b> be permitted no more than one entrance and exit point unless justified by site configuration, trip generation, and traffic conditions, including the need for separate service and visitor/employee vehicular access, and/or one-way traffic movement, <b>or other factors.</b> <b>(i) This standard applies to new construction or redevelopment of a site that increases the square footage of a building by more than 50% of the existing square footage.</b>
30.	6.6.4 (A)(3)	Intra-site accessibility shall be provided. Vehicles shall not be required to enter the public street in order to move from one area to another on the same site.	Rewrite as follows: Intra-site accessibility <del>shall</del> <b>should</b> be provided. Vehicles <del>shall</del> <b>should</b> not be required to enter the public street in order to move from one area to another on the same site. <b>(i) This standard applies to new construction or redevelopment of a site that increases the square footage of a building by more than 50% of the existing square footage.</b>
31.	6.6.4 (A)(4)	On all corner lots, no vehicular openings shall be located closer than 60 feet from the point of intersection of the street right-of-way lines.	OK as is
32.	6.6.4 (A)(5)	Entrances/exits shall not exceed 36 feet in width measured at the property line; however, in instances where parking lots serve tractor/trailer traffic, the driveway entrance/exit may be increased to 40 feet in width.	Make it clearer that this standard refers to driveways, not public roads. Rewrite to read: <b>Driveway</b> <del>E</del> entrances/exits shall not exceed 36 feet in width measured at the property line; however, in instances where parking lots serve tractor/trailer traffic, the driveway entrance/exit may be increased to 40 feet in width

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
Easy Ref. No.	Section Number in UDO Revisions	Proposed Standard	Efland Area Resident Group Input/Suggestion
33.	6.6.4 (A)(6)	Exits for parking facilities containing more than 36 parking spaces shall contain holding lanes for left-turning and right-turning traffic unless the Planning Director determines that due to the physical features of a site, holding lanes would be unsafe and should not be required.	OK as is
34.	6.6.4 (A)(7)	All driveway entrances must have an approved NCDOT driveway permit and must be paved to NCDOT standards from the edge of the existing roadway pavement to the existing right-of-way limit on the interior of the property.	OK as is
35.	6.6.4 (A)(8)	<p><u>Pedestrian Circulation</u></p> <p>(a) Unless deemed unnecessary by the Planning Director during site plan review, large projects, defined in (b), shall provide an internal pedestrian circulation system, owned and maintained by the property owner. The system shall provide pedestrian walkways to outparcels and also within any large parking areas.</p> <p>(b) For the purposes of this subsection, a large project is defined as one located on 2 or more acres or proposing more than 15,000 square feet of building area. A large parking area is one containing parking for 50 or more vehicles.</p>	<p>Rewrite as follows:</p> <p><u>Pedestrian Circulation</u></p> <p>(a) Unless deemed unnecessary by the Planning Director during site plan review, large projects, defined in (b), <del>shall</del> <b>may be required to</b> provide an internal pedestrian circulation system, owned and maintained by the property owner. The system <del>shall</del> <b>may be required to</b> provide pedestrian walkways to outparcels and also within any large parking areas.</p> <p>(b) For the purposes of this subsection, a large project is defined as one located on 2 or more acres or proposing more than 15,000 square feet of building area. A large parking area is one containing parking for 50 or more vehicles.</p>
36.	6.6.4 (B)(1) “Outdoor Storage of Materials Prohibited”	All outside storage of materials on lots other than those used for single-family detached residential purposes is prohibited.	OK as is

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
<b>Easy Ref. No.</b>	<b>Section Number in UDO Revisions</b>	<b>Proposed Standard</b>	<b>Efland Area Resident Group Input/Suggestion</b>
37.	6.6.4 (B)(2)	This prohibition includes the storage of goods or materials which are not an integral part of the use of the property and which are not obviously for sale.	OK as is
38.	6.6.4 (B)(3)	This prohibition does not include the storage of materials where the primary use of the property includes the outside display of goods for sale such as automobiles, boats, mobile homes, etc., and the materials stored outside are for sale.	OK as is
39.	6.6.4 (C)(1) “Landscaping and Buffering”	In lieu of the requirements outlined in Section 6.8 of this Ordinance, the following standards shall apply: (1) There shall be a minimum ten feet wide vegetative buffer along all rights-of-ways comprised of vegetation that complements surrounding plantings and which includes trees planted in accordance with Section 6.8 where possible. (a) Parcels fronting on U.S. Highway 70 shall provide buffer plantings in accordance with those required for Buffer Yards Type A outlined within Section 6.8 of this Ordinance.	OK as is
40.	6.6.4 (C)(2)	In lieu of the requirements outlined in Section 6.8 of this Ordinance, the following standards shall apply: (2) There shall be a minimum 15 feet wide vegetative buffer along all common property lines separating uses subject to the requirements of this overlay district and single family detached residential land uses. The required plantings shall be in accordance with those required for Buffer Yards Type A outlined within Section 6.8 of this Ordinance.	OK as is

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
<b>Easy Ref. No.</b>	<b>Section Number in UDO Revisions</b>	<b>Proposed Standard</b>	<b>Efland Area Resident Group Input/Suggestion</b>
41.	6.6.4 (C)(3)	In lieu of the requirements outlined in Section 6.8 of this Ordinance, the following standards shall apply: (3) There shall be a minimum eight feet wide landscaped strip along all property lines separating non-residential uses from non-residential uses. The landscaped strip shall be comprised of vegetation that forms a semi-opaque intermittent visual obstruction from the ground to a height of at least 15 feet. Joint use agreements between adjacent property owners for shared ingress/egress and/or parking may result in a waiver regarding the exact location(s) of the required buffers.	Rewrite as follows: In lieu of the requirements outlined in Section 6.8 of this Ordinance, the following standards shall apply: (3) There shall be a minimum eight feet wide landscaped strip along all property lines separating non-residential uses from non-residential uses. The landscaped strip shall be comprised of vegetation that forms a semi-opaque intermittent visual obstruction from the ground to a height of at least 15 feet, <b>except in required sight triangles</b> . Joint use agreements between adjacent property owners for shared ingress/egress and/or parking may result in a waiver regarding the exact location(s) of the required buffers.
42.	6.6.4 (C)(4)	Although portions of the Efland Village Overlay District are also within the Major Transportation Corridor Overlay District, the buffer requirements found in Section 6.6.5 (Major Transportation Corridor) do not apply since said section applies only to properties that abut the interstate.	OK as is
43.	6.6.4 (D)(1) "Parking Lot Design"	Up to 15% of the required parking spaces may be located in the front yard. The remainder of the required parking spaces shall be located at the side or rear of the structure.	Add language to address existing buildings that change use as follows: (1)(a) Existing buildings that change use shall comply with this requirement to the extent feasible, as determined during the site plan submittal process.
44.	6.6.4 (D)(2)	Shared parking areas shall be encouraged for contiguous non-residential land uses, in accordance with Section 6.9 of this Ordinance.	OK as is
45.	6.6.4 (D)(3)	Parking areas with spaces in excess of 110% of the minimum parking spaces required, per Section 6.9 of this Ordinance, shall not be permitted.	OK as is

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
<b>Easy Ref. No.</b>	<b>Section Number in UDO Revisions</b>	<b>Proposed Standard</b>	<b>Efland Area Resident Group Input/Suggestion</b>
46.	6.6.4 (D)(4)	Interior landscaping of the parking lots shall be provided in accordance with Section 6.8 of this Ordinance.	OK as is
47.	6.6.4 (E)(1) "Signage"	Signage shall conform to all requirements within Section 6.12 of this Ordinance.	Rewrite as follows: Signage shall conform to all requirements within Section 6.12 of this Ordinance <b>unless in conflict with this subsection, in which case the requirements of this subsection shall apply.</b>
48.	6.6.4 (E)(2)	Only monument style signs that do not exceed six feet in height are permitted within the Efland Village Overlay District <u>unless the sign is considered a wall or window sign.</u>	Delete this requirement. See #49a below for proposed sign requirements
49.	6.6.4 (E)(3)	Pole signs are not permitted.	Rewrite as follows: New single pole signs are not permitted. Single pole signs existing as of [date of adoption] shall be considered conforming uses and may be replaced if they are damaged or destroyed. <sup>4</sup>

<sup>4</sup> Planning staff will conduct a photo inventory of all existing pole signs in the Efland Village overlay district area and keep the inventory on file for future reference.

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
<b>Easy Ref. No.</b>	<b>Section Number in UDO Revisions</b>	<b>Proposed Standard</b>	<b>Efland Area Resident Group Input/Suggestion</b>
49a.			<p>Add new language in regards to signs:</p> <ol style="list-style-type: none"> <li>(1) The height limit of signs is 15-feet, as measured from the normal ground elevation below the sign.</li> <li>(2) The sign area of signs may be up to 64 square feet in size.</li> <li>(3) Digital signs shall not be permitted except as an incidental addition to a permitted sign such as gas prices or the current time and/or temperature being displayed digitally.<sup>5</sup></li> <li>(4) Portable signs and banner signs are allowed only for special events and may be displayed no sooner than 30 days prior to the event and must be removed within 7 days after conclusion of the event.</li> </ol>

<sup>5</sup> Typographical error corrected on March 5, 2015.

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
<b>Easy Ref. No.</b>	<b>Section Number in UDO Revisions</b>	<b>Proposed Standard</b>	<b>Efland Area Resident Group Input/Suggestion</b>
50.	6.6.4 (F)(1) "Architectural Design Standards"	In addition to the requirements in Section 6.5 (Architectural Design Standards), the following design standards shall apply: <u>(1) Corporate Franchise Architecture</u> (a) Under no circumstances shall modern corporate franchise building design be permitted. (b) Franchise or 'chain' businesses desiring to locate in the Efland Village Overlay District shall be required to design the building in accordance with these guidelines. (c) For purposes of this Sub-Section, "modern corporate franchise building design" means a building design that is trademarked, branded, or easily identified with a particular chain or corporation and is ubiquitous in nature.	Rewrite to read as follows: In addition to the requirements in Section 6.5 (Architectural Design Standards), the following design standards shall apply: <u>(1) Corporate Franchise Architecture</u> The external design of chain businesses should consider and complement the existing community character. <sup>6</sup>
51.	6.6.4 (F)(2)	The principal building shall be oriented facing towards the fronting street.	Delete this proposed standard.
52.	6.6.4 (F)(3)(a) (Building Access)	A functional doorway for public or direct-entry access into a building shall be provided from the fronting street.	Delete this proposed standard.
53.	6.6.4 (F)(3)(b)	Additional entrances to a building may be provided.	Delete this proposed standard.

<sup>6</sup> Planning staff intends to invite the community to submit photos of buildings and/or design features showing what the community members believes are features that should be considered and encouraged in future development. Staff will keep a compilation of the photos in the Planning office (and likely on the website) so site designers, architects, and Planning staff can see the types of features/designs the community would like to see in new development.

Efland Area Resident Group Input/Suggestions for each Proposed Standard is in the Column on the Right

<b>Efland Village Overlay District</b>			
Easy Ref. No.	Section Number in UDO Revisions	Proposed Standard	Efland Area Resident Group Input/Suggestion
54.	6.6.4 (F)(4)(a)	Buildings shall be designed to contribute to a human scale. Large expanses of blank walls shall be avoided and fenestration (the arrangement, proportioning, and design of windows and doors in a building) shall be provided in such a way that a building is relatable to humans and does not overpower the area.	<p>Rewrite as follows:</p> <p>(a) <b>New b</b>Buildings shall be designed to contribute to a human scale. Large expanses of blank walls shall be <del>avoided</del> <b>discouraged</b> and fenestration (the arrangement, proportioning, and design of windows and doors in a building) <b>and/or design features (such as brick coursing changes, decorative architectural features, patterns of paint, or murals) shall</b> should be provided in such a way that a building is relatable to humans and does not overpower the area.</p> <p>(b) <b>Additions to existing non-residential buildings should be designed to both complement the existing building and achieve human scale to the extent feasible.</b></p> <p>(c) <b>The functional use of the building should be considered when determining design features and fenestration.</b></p>
55.	6.6.4 (F)(5)	Drive-through facilities are prohibited on all non-residential uses.	Delete this standard. Drive-throughs should be allowed in both proposed overlay districts, in accordance with existing County ordinance. Therefore, it is redundant to state that drive-throughs are allowed in the overlay district.
56.	6.6.4 (F)(6)	Mirrored glass is prohibited.	Rewrite as follows: Mirrored glass is discouraged and in no case shall comprise more than 50% of the building façade.

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 5-b

**SUBJECT:** Public Hearing on the Financing of Various Capital Investment Plan Projects and Equipment, and the Refinancing of Two 2006 Installment Financing

---

**DEPARTMENT:** Finance and Administrative Services

**PUBLIC HEARING: (Y/N)**

Yes
-----

**ATTACHMENT(S):**

- Attachment 1. November 6, 2014  
Agenda Abstract
- Attachment 2. Copy of Public Hearing  
Notice
- Attachment 3. Resolution

**INFORMATION CONTACT:**

Paul Laughton, (919) 245-2152

---

**PURPOSE:** To conduct a public hearing on the issuance of approximately \$16,270,000 to finance capital investment projects and equipment for the year; carry out refinancing of approximately \$10,200,000 from two 2006 installment financing issuances; and approve a related resolution supporting the County's application to the Local Government Commission (LGC) for its approval of the financing arrangements.

**BACKGROUND:** At its November 6, 2014 meeting, the Board of County Commissioners received preliminary information of capital projects and equipment financing for the year (Attachment 1). At that meeting the Board made a preliminary determination to finance costs of these projects and equipment by the use of installment financing, as authorized under Section 160A-20 of the North Carolina General Statutes. County staff estimates that the total amount to be financed for capital investment projects and equipment will be approximately \$16,270,000. The financing will also include amounts to pay transaction costs.

Also included is the refinancing of approximately \$10,200,000 from a 2006 installment financing secured by Carrboro High School, and a 2006 Certificates of Participation installment financing secured by Gravelly Hill Middle School.

The statutes require that the County conduct a public hearing on the proposed financing and refinancing contracts. A copy of the published notice of this hearing is provided (Attachment 2).

After conducting the public hearing and receiving public input, the Board will consider the adoption of the resolution (Attachment 3). This resolution formally requests the required approval from the North Carolina Local Government Commission for the County's financing arrangements, and makes certain findings of fact as required under the LGC's guidelines.

County staff has been in contact with the LGC staff, and staff expects no obstacles to receiving LGC approval.

If the Board adopts the resolution (indicating its intent to continue with the financing and refinancing plans), the Board will be asked to consider a resolution giving final approval to the financing and refinancing plans at its April 21, 2015 meeting. Staff expects the LGC to approve the financing and refinancing plans at the LGC's meeting on May 5, 2015. Under the current schedule, staff expects to set the final interest rates and other terms of the financing around May 5, and to close on the financing and refinancing by the end of May 2015.

**FINANCIAL IMPACT:** There is no financial impact related to this action. However, there will be a financial impact in proceeding with the financing. A preliminary estimate of maximum debt service applicable to the capital investment projects and equipment financing would require the highest debt service payment of \$1,765,240 falling in FY 2016-17. The tax rate equivalent for the estimated highest debt service payment is approximately 1.08 cents. However, a portion of this debt financing is related to projects where the debt service payments will be paid for from Sportsplex and Solid Waste Enterprise funds, as well as a Water and Sewer project to be paid from the Article 46 quarter-cent Sales Tax proceeds earmarked for economic development.

The General Fund portion of this annual debt service is estimated at \$1.1 million or a tax rate equivalent of approximately 0.67 cents. Based on current resources and the retirement of some existing debt, no adjustment to the tax rate associated with this financing is anticipated to occur during the period noted. Regarding the refinancing, it is estimated that the County will realize savings of approximately \$451,788 over the life of the refinancing term.

**RECOMMENDATION(S):** The Manager recommends that the Board conduct the public hearing, close the public hearing, and adopt the resolution supporting the application to the Local Government Commission for approval of the financing and refinancing arrangements.

**ORANGE COUNTY  
BOARD OF COMMISSIONERS****COPY****ACTION AGENDA ITEM ABSTRACT**

Meeting Date: November 6, 2014

Action Agenda  
Item No. 7-a**SUBJECT:** Preliminary Information and Approval to Finance Various Capital Investment Plan Projects and County Equipment**DEPARTMENT:** Finance and Administrative Services**PUBLIC HEARING: (Y/N)**

N

**ATTACHMENT(S):**

1. Description of Projects to be Financed
2. Financing Schedule

**INFORMATION CONTACTS:**Clarence Grier, 919-245-2453  
Robert Jessup, 919-933-9891**PURPOSE:** To provide a preliminary finding and approve financing for capital investment projects and equipment for the year.**BACKGROUND:** As part of the FY2014-19 Capital Investment Plan, several projects were approved for equipment financing. Those projects included the following (see Attachment 1 for additional information):**Projects Requiring Financing Needed in FY 2014-15**

Project	Amount
<b>County Projects:</b>	
Cedar Grove Community Center	\$ 2,822,226
Southern Orange Campus	400,000
HVAC	150,000
HVAC Projects (FY2012-13)	205,999
Roofing	179,010
Information Technologies	450,000
Emergency Services Radio Systems	500,000
Communication Systems Improvements	122,000
Soccer.com Soccer Center	125,000
Lands Legacy	2,400,000
<b>Total County Projects</b>	<b>7,354,235</b>
<b>Water &amp; Sewer Projects: (Paid w/ Article 46 Sales Tax Proceeds)</b>	
Efland Sewer to Mebane	4,581,400
<b>Total Water &amp; Sewer Projects</b>	<b>4,581,400</b>
<b>Sportsplex Projects:</b>	
Phase II - Pool Mezzanine	950,000
<b>Total Sportsplex Projects</b>	<b>950,000</b>

**Solid Waste Projects:**

Eubanks Road Solid Waste Convenience Center	640,483
<b>Total Solid Waste Projects</b>	<b><u>640,483</u></b>

**Equipment/Vehicle Purchases:**

Vehicle Replacement Fund	775,119
In-Car Cameras Replacements - Sheriff	517,798
Board of Elections - Voting Equipment	437,385
Board of Elections - Electronic Poll Books	242,485
<b>Total Equipment/Vehicle Purchases</b>	<b><u>1,972,787</u></b>

<b>Grand Total FY 2014-15 Financing</b>	<b><u>\$ 15,498,905</u></b>
---	-----------------------------

Additionally, there are some previous year capital projects, although approved budgetary, for which the financing was not issued due to the project schedule and decisions. The preliminary schedule for the financing is attached to the abstract. County staff will be receiving bids from financial institutions to secure the financing. Staff anticipates receiving \$15.5 million in financing for an average of 10 years at an interest rate of 2.30 percent, which will result in an average annual debt service cost of \$1,752,650.

**FINANCIAL IMPACT:** There is no financial impact related to this action. However, there will be a financial impact in proceeding with the financing. A preliminary estimate of debt service applicable to the financing would be \$1,752,650. The tax rate equivalent for the annual debt service payment is approximately 1.07 cents of the current property tax rate.

**RECOMMENDATION(S):** The Manager recommends the Board approve moving forward with the financing of the stated capital project and equipment financing and provide feedback to staff.



**ORANGE COUNTY**  
NORTH CAROLINA  
Orange County, North Carolina  
Description of Projects to be Financed

**Cedar Grove Community Center:** Financing for the Cedar Grove Community Center in the Northern Portion of the County approved in FY2011.

**Southern Orange Campus:** Financing for the beginning phases and planning for the Southern Orange Campus and master plan.

**HVAC (FY2012-13 and 2014-15):** Financing of various geothermal projects for County buildings and facilities.

**Roofing Projects:** Financing for various roofing projects of County Owned buildings and facilities such as Asset Management Services Warehouse and the Blackwood Farm House.

**Information Technologies:** Financing for the annual upgrades for server replacements and upgrades, desktop and laptop replacements, PC software upgrades, GIS software and hardware upgrades

**Emergency Services Improvements:** Financing for the projects and initiatives as outlined in the Emergency Services Strategic Plan. FY2014-15 financing will go to purchase additional towers.

**Communication Systems Improvements:** Financing to fund the purchase additional communication radios and systems for Emergency Services and Sherriff Department.

**Soccer.com Soccer Center:** Financing for the investment in the current facility including restroom improvements, purchase of adjoining land, construction of new artificial turf fields and other improvements.

**Lands Legacy:** Continued financing for the award winning Lands Legacy Program to conserve and protect the County's most critical natural and cultural resources.

#### **Sportsplex Projects**

**Pool Mezzanine:** Financing and funding for the construction of a swimming pool mezzanine at the Orange County Sportsplex.

#### **Solid Waste Projects:**

**Eubanks Road Solid Waste Convenience Center:** Financing for the improvements for the Eubanks Road Solid Waste Convenience Center upgrades.

#### **Equipment/Vehicle Purchases**

**Vehicle Replacement Fund:** Financing for the annual purchases and replacement of County vehicles.

**In-Car Cameras Replacements – Sheriff:** Financing for the upgrading of the in-car cameras for the Sherriff Department.

**Orange County Installment Financing – Schedule**

County Board provides informal approval of projects and general financing plan	BOCC meeting of Nov. 6
County staff makes initial, informal contact with LGC	As soon as convenient
County sends out bank loan RFP	Week of Nov. 10
Publish notice of County public hearing	By Nov. 29 (must be at least ten days' prior to hearing date)
Bank proposals due back to the County	Dec. 1
County Board holds public hearing; adopts preliminary resolution in support of application to LGC	BOCC of Dec. 9
County makes filing with legislative joint committee	By Dec. 20 for LGC approval in February
County's preliminary application due to LGC	By Jan. 6 for LGC approval in February
County Board adopts resolution formally approving substantially final financing terms and documents	BOCC meeting of Jan. 22
LGC approval	Feb. 3
Loan closing	Feb. 10 or thereafter

## ATTACHMENT 2

### **Orange County, North Carolina -- Notice of Public Hearing Financing for Various Public Improvements and Acquisitions**

The Board of Commissioners of Orange County, North Carolina, will hold a public hearing on Tuesday, April 7, 2015, at 7:00pm (or as soon thereafter as the matter may be heard). The purpose of the hearing is to take public comment concerning a proposed financing contract, under which the County would borrow approximately \$26,470,000 to pay for the public improvement projects described below as well as to refinance two of the County's prior installment purchase contracts to achieve savings to the County.

<b>Project description</b>	<b>Est. Amount Financed</b>
Vehicle replacements	\$ 760,000
In-car camera replacements for Sheriff's office	\$ 520,000
Board of Elections equipment	\$ 700,000
Improvements to Cedar Grove Community Center	\$ 2,800,000
Southern Orange Campus — planning and improvements	\$ 400,000
HVAC projects at various County facilities	\$ 360,000
Roofing projects at various County facilities	\$ 180,000
Information technology (including central permitting software)	\$ 1,250,000
Communications systems improvements, including Sheriff's department and EMS systems	\$ 125,000
Soccer.com soccer center improvements	\$ 125,000
Lands Legacy acquisitions	\$ 2,400,000

Sportsplex — pool mezzanine	\$	950,000
Improvements for Eubanks Road solid waste convenience center	\$	1,100,000
Efland water and sewer improvements	\$	4,600,000
<b>Estimated total for new projects</b>	<b>\$</b>	<b>16,270,000</b>
<b>Estimated total for refinancings</b>	<b>\$</b>	<b>10,200,000</b>
<b>Estimated grand total</b>	<b>\$</b>	<b>26,470,000</b>

The two financings that are to be refinanced are a) a 2006 installment financing contract secured by Carrboro High School and b) a 2006 Certificates of Participation installment financing secured by Gravelly Hill Middle School. The County may use additional financing proceeds to pay financing costs or to provide required reserves.

The hearing will be held in the Whitted Meeting Room at the Orange County Whitted Human Services Center Complex, 300 West Tryon Street, Hillsborough, NC 27278.

The proposed financing would be secured by a lien on some or all of the property purchased or improved through the financing (or subject to the refinancing), as well as the County's promise to repay the financing, but there would be no recourse against the County or its property (other than the pledged property) if there were a default on the financing. The County expects that the collateral for the financing will consist primarily of Gravelly Hill Middle School.

All interested persons will be heard. The County's plans are subject to change based on the comments received at the public hearing and the Board's subsequent discussion and consideration. The County's entering into the financing is subject to obtaining approval from the North Carolina Local Government Commission.

Persons wishing to make written comments in advance of the hearing or wishing more information concerning the subject of the hearing may contact Paul Laughton, Orange County Interim Finance Officer, Post Office Box 8181, Hillsborough, NC 27278 (telephone 919/245-2152, email [plaughton@orangecountync.gov](mailto:plaughton@orangecountync.gov)).

RES-2015-019

## Attachment 3

**Resolution supporting an application to the Local Government Commission for  
its approval of a financing agreement for the County*****WHEREAS --***

The Board of Commissioners has previously determined to carry out the acquisition and construction of various public improvements, as identified in the County's capital improvement plan, and County staff has determined and advised the Board that refinancing all or a portion of two prior installment financings may provide savings to the County.

The Board desires to finance the costs of these projects and to carry out the refinancing by the use of an installment financing, as authorized under Section 160A-20 of the North Carolina General Statutes.

Under the guidelines of the North Carolina Local Government Commission, the Board must make certain findings of fact to support the County's application for the LGC's approval of the County's proposed financing arrangements.

***THEREFORE, BE IT RESOLVED*** by the Board of Commissioners of Orange County, North Carolina, that the County makes a preliminary determination to finance approximately \$26,470,000 to pay capital costs of various public improvements and to carry out the refinancing. The proposed list of projects and improvements to be financed appears in Exhibit A. The two financings that are to be refinanced are a) a 2006 installment financing contract secured by Carrboro High School and b) a 2006 Certificates of Participation installment financing secured by Gravelly Hill Middle School.

The Board will determine the final amount to be financed by a later resolution. The final amount financed may be slightly lower or slightly higher than \$26,470,000. Some of the financing proceeds may provide reimbursement to the County for prior expenditures on project costs, some proceeds may be used to pay financing expenses, and some proceeds may be used to provide any appropriate reserves.

***BE IT FURTHER RESOLVED*** that the Board of Commissioners makes the following findings of fact:

(a) The proposed projects are necessary and appropriate for the County under all the circumstances. The proposed refinancings are necessary and appropriate for the County under all the circumstances because the refinancings will produce substantial debt service savings.

(b) The proposed installment financing is preferable to a bond issue for the same purposes.

The County has no meaningful ability to issue non-voted general obligation bonds for these projects. These projects will not produce sufficient revenues to support a self-liquidating financing. The County has in the past issued substantial amounts of voter-approved bonds, and it is appropriate for the County to balance its capital finance program between bonds and installment financings.

The County expects that in the current interest rate environment for municipal securities there would be no material difference in interest rates between general obligation bonds and installment financings for these projects.

(c) The estimated sums to fall due under the proposed financing contract are adequate and not excessive for the proposed purposes. The County will closely review proposed financing rates against market rates with guidance from the LGC and its financial adviser. All amounts financed will reflect either approved contracts, previous actual expenditures or professional estimates.

(d) As confirmed by the County's Interim Finance Officer, (i) the County's debt management procedures and policies are sound and in compliance with law, and (ii) the County is not in default under any of its debt service obligations.

(e) The County estimates that the maximum tax rate impact of paying General Fund related debt service on the financing will be the equivalent of up to approximately 0.67 cents per \$100 of valuation. Based on current resources and the retirement of some existing debt, no actual tax rate increase related to this financing will be necessary.

(f) The County Attorney is of the opinion that the proposed projects are authorized by law and are for purposes for which public funds of the County may be expended pursuant to the Constitution and laws of North Carolina.

***BE IT FURTHER RESOLVED as follows:***

(a) The Interim Finance Officer is directed to take all appropriate steps toward the completion of the financing, including (i) completing an application to the LGC for its approval of the proposed financing, and (ii) soliciting one or more proposals from financial institutions to provide the financing. All prior actions of County representatives in this regard are ratified.

(b) This resolution takes effect immediately.

\*\*\*\*\*

I certify as follows: that the foregoing resolution was properly adopted at a meeting of the Board of Commissioners of Orange County, North Carolina; that this meeting was properly called and held on April 7, 2015; that a quorum was present and acting throughout this meeting; and that this resolution has not been modified or amended, and remains in full effect as of today.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2015.

[SEAL]

\_\_\_\_\_  
Donna S. Baker  
Clerk, Board of Commissioners

**Exhibit A – proposed projects**

<b>Project description</b>	<b>Est. Amount Financed</b>
Vehicle replacements	\$ 760,000
In-car camera replacements for Sheriff's office	\$ 520,000
Board of Elections equipment	\$ 700,000
Improvements to Cedar Grove Community Center	\$ 2,800,000
Southern Orange Campus — planning and improvements	\$ 400,000
HVAC projects at various County facilities	\$ 360,000
Roofing projects at various County facilities	\$ 180,000
Information technology (including central permitting software)	\$ 1,250,000
Communications systems improvements, including Sheriff's department and EMS systems	\$ 125,000
Soccer.com soccer center improvements	\$ 125,000
Lands Legacy acquisitions	\$ 2,400,000
Sportsplex — pool mezzanine	\$ 950,000
Improvements for Eubanks Road solid waste convenience center	\$ 1,100,000
Efland water and sewer improvements	\$ 4,600,000
<b>Estimated total for new projects</b>	<b>\$ 16,270,000</b>
<b>Estimated total for refinancings</b>	<b>\$ 10,200,000</b>
<b>Estimated grand total</b>	<b>\$ 26,470,000</b>

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 6-a

**SUBJECT:** MINUTES

---

**DEPARTMENT:**

**PUBLIC HEARING: (Y/N)**

---

**ATTACHMENT(S):**

**INFORMATION CONTACT:**

Draft Minutes

Donna Baker, 245-2130

---

**PURPOSE:** To correct and/or approve the minutes as submitted by the Clerk to the Board as listed below:

February 11, 2014  
March 3, 2015  
March 23, 2015

BOCC Work Session  
BOCC Regular Meeting  
Legislative Breakfast Meeting

**BACKGROUND:** In accordance with 153A-42 of the General Statutes, the Governing Board has the legal duty to approve all minutes that are entered into the official journal of the Board's proceedings.

**FINANCIAL IMPACT: NONE**

**RECOMMENDATION(S):** The Manager recommends the Board approve minutes as presented or as amended.

## Attachment 1

DRAFT

**MINUTES  
BOARD OF COMMISSIONEERS  
WORK SESSION  
February 11, 2014  
7:00 p.m.**

The Orange County Board of Commissioners met for a Budget Work Session on Tuesday, February 11, 2014 at 7:00 p.m. at the Southern Human Services Center in Chapel Hill, N.C.

**COUNTY COMMISSIONERS PRESENT:** Chair Jacobs and Commissioners Mark Dorosin, Alice M. Gordon, Earl McKee, Bernadette Pelissier, Renee Price and Penny Rich.

**COUNTY COMMISSIONERS ABSENT:**

**COUNTY ATTORNEYS PRESENT:** John Roberts

**COUNTY STAFF PRESENT:** Assistant County Manager Clarence Grier and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below)

**NOTE: ALL DOCUMENTS REFERRED TO IN THESE MINUTES ARE ON FILE IN THE PERMANENT AGENDA FILE IN THE CLERK TO THE BOARD'S OFFICE.**

Chair Jacobs called the meeting to order.

Chair Jacobs stated that there was one addition to the agenda, which is the Interim County Manager's recommendation that the work session on Thursday be postponed due to potentially inclement weather. This will be discussed later.

**1. Potential Bond Issuance Schedule and Timeline for a November 2014 or November 2015 Bond Referendum**

Clarence Grier stated that during the retreat the issue regarding a bond referendum for November 2014 or November 2015 was discussed. He introduced Bob Jessup, bond council, who provided two schedules for consideration – one for November 2014 and one for November 2015.

Bob Jessup reviewed the schedules, going through the required steps of the procedure. He said essentially there are three formal actions and a public hearing, and the process must be wrapped up in time for the Board of Elections to do their work to get ready for a referendum.

He said the formal process can be accomplished in 60 or 75 days, but it is the part that will be put into the bond package that often takes the longest time. He said the provided schedule works on the formal process and it shows that the Board will need to take some of the formal actions before the summer break. He said Clarence Grier has discussed the timeline with the Board of Elections, and they will need the final information on the bond question by the middle of August to make their timeline for preparing the ballots. He said this means getting all the way through the public hearing before the summer break and then coming back with a mid-August meeting (which is not currently scheduled) to take any final action if the Board wants to proceed this November. This is essentially the same issue the Board will face both in November 2015.

Clarence Grier said the ballot will need to be approved by August 18 and will have to go out by September 5, 2014 in order to be in compliance with the Federal regulations and meet the deadline for inclusion on the November ballot.

Chair Jacobs reminded everyone that the Board does not meet between June 17 and September 4<sup>th</sup>.

1  
2 Commissioner Rich asked about the absentee ballots.

3  
4 Bob Jessup replied that there is a state law standard for absentee ballots, and the Board  
5 of Elections needs to have the ballots out by September 5<sup>th</sup>.

6 Clarence Grier said that with the budget and the capital needs work force not yet being  
7 assigned, they do not have the components to make up the bond referendum. He said, weather  
8 permitting, there is a meeting scheduled with both school boards tomorrow to look at their  
9 capital needs assessment. He said the components of the bond have not really been  
10 discussed, and there will hopefully be a new manager soon. This manager will need to deal  
11 with a bond referendum within four months of being hired and this will require his/her full  
12 attention.

13 James Barrett, CHCCS Board Member, said he thought a spring meeting would be the  
14 best time to bring the approved version of their capital needs plan back to the Commissioners.

15 Commissioner Dorosin raised the question of how much specificity the Board needs  
16 from the schools for a bond referendum.

17 Clarence Grier said the Local Government Commission (LGC) requires specification of  
18 what the bonds will be issued for. He said completion of the application will include details,  
19 including what projects the County plans to spend the money on.

20 Commissioner Dorosin asked if the specificity would be more than "we plan to renovate  
21 dilapidated schools."

22 Bob Jessup said the LGC wants to see that the County has a plan that uses up all the  
23 money. He said, if it was for renovation projects and the plan was to issue \$1 million dollars in  
24 bonds for school renovations, then the plan would need to indicate that there is \$10 million  
25 dollars in need.

26 Commissioner Pelissier asked how they decide how much money would go on a bond.

27 Clarence Grier said about \$100 million would go on the bond, and that is the upper limit  
28 of what the County can do. He said there is over \$125 million in the CIP over the next 5 years.  
29 He said it would be hard to go beyond \$100 million with the LGC.

30 Commissioner Pelissier said this would be determined by what the County could afford  
31 versus the needs.

32 Clarence Grier said the needs amount would probably exceed the amount the County  
33 could issue debt for. He said it would exceed the operating budget on an annual basis, and that  
34 is a concern. He said \$100 million dollars is easily affordable within the current debt policy and  
35 capital plan. He said if it goes beyond that, there would be some concerns from the LGC.

36 Commissioner McKee said his concern is not whether we need to do a bond, but the  
37 timeframe in which to do it. He said with a \$100 million dollar limit (and the school needs are  
38 more than that), the County needs, and the current search for a manager, he is concerned that  
39 things would not be done right if done for 2014.

40 Bob Jessup said that once you start the formal process, one of the first things that is  
41 done is to publish a notice that you are intending to apply to the LGC for approval. He said this  
42 is where you are setting maximum amounts, and you can refine those amounts down, but you  
43 have to set those parameters.

44 Commissioner Price asked what this would mean for taxes.

45 Clarence Grier said if the County had to increase taxes, it would be 3.78 cents in FY  
46 2024, and the budget would have to grow to almost \$224 million dollars in order to stay within  
47 the debt policy limit of 15%.

48 Commissioner Dorosin said he had raised this idea at the retreat of trying to do this in  
49 2014 instead of 2015 because of the huge difference in voter turnout. He questioned if 2014 is  
50 too soon, what the significance would be of waiting until May 2016. He said if one of the goals  
51 is to try to maximize participation, then what are the ramifications of going back six months.

1  
2 Bob Jessup said there are no ramifications from his perspective. He said they can  
3 choose the dates that suit the Board. He said there is a law now that a random referendum  
4 date can no longer be chosen. He said this now has to be done on an otherwise scheduled  
5 date.

6 Clarence Grier said that the only fiscal impact he can see is what the interest rate  
7 climate is at that time. He said if you go out six months you have the potential interest rate  
8 going up six months later on. He said, outside of that, you are just pushing back the debt  
9 service and pushing the receipts of the proceeds back six months.

10 Commissioner McKee asked, if this is pushed back to the primary of 2016 and a need  
11 arises, whether some CIP money could be moved forward or backward.

12 Clarence Grier said this could be done. He said the Board could address this need by  
13 issuing installment financing, like what was done for Elementary #12. He said there are  
14 different options available. He suggested that the Board would want to get voter approval for  
15 these major projects.

16 Commissioner McKee said he agrees regarding the need for voter approval. He said in  
17 his perspective, 2014 is a bit rushed, and 2015 has a problem of what else may be on the ballot  
18 in District 2 in the rural part of the county. He said 2015 only has municipal elections; and the  
19 May 2016 time frame is the time frame he would be most favorable to go with in order to have  
20 the most participation.

21 Commissioner Gordon said she thought they were talking about is 2014 versus 2015.  
22 She thought the Board was going to try to get on the ballot as soon as they could come up with  
23 a reasonable plan. She said she would not want to delay it past November 2015, since some of  
24 these needs are important, such as schools, and affordable housing.

25 Chair Jacobs suggested that since they are not deciding on anything tonight and since  
26 there is not a great sentiment to do it in November 2014, a task force could be convened with a  
27 plan to move forward as if it this might be on a ballot in November 2015.

28 He suggested having this group meet and formulate recommendations, and then the  
29 Board can decide whether they want to have it on the ballot on November 2015 or 2016. He  
30 said this does not have to be decided right now. He said part of being transparent is letting that  
31 group discuss it to decide how pressing needs are. He said the school systems, the affordable  
32 housing community, and others can make their case to that group, and then the Board will make  
33 a determination as to what is the highest priority.

34 Commissioner Price asked how soon a referendum could be put back on the ballot if it  
35 failed in 2015.

36 Bob Jessup said there is not a strict rule outside of having a discussion with the LGC for  
37 the Board to explain why they want to put it back on the ballot so quickly. He said if the Board  
38 had a compelling reason, then it might be able to be put back in May 2015 or 2016. He said this  
39 may involve doing some scaling back and revising the project.

40 Commissioner Price said she is skeptical about the November 2015 date because the  
41 turnout is abysmal, but May 2016 sounds good to her.

42 Commissioner Gordon suggested that they appoint a Capital Needs Advisory Task  
43 Force to get started with trying to craft the bond referendum. She said she would like to see  
44 them agree to appoint a Capital Needs Advisory Task Force and then decide another meeting  
45 time in which to discuss this further.

46 Clarence Grier said if the Board is not going with the November 2014 date, the meeting  
47 can be at any of the upcoming future BOCC meetings; but if they are going for November 2014,  
48 the meeting would have to be take place around the first part of April.

49 Commissioner Gordon suggested that the Board tentatively agree to appoint a Capital  
50 Needs Task Force and that they bring this question about the bond referendum and how to  
51 proceed to a meeting in April so that they can make some forward progress on this.

1  
2 Commissioner Pelissier agreed with Commissioner Gordon.  
3 Commissioner McKee said the April time frame is fine with him if they are looking for  
4 consensus.

5 Commissioner Rich said she thought Commissioner Gordon and Commissioner Pelissier  
6 were trying to get to the next step. She said that is something they discussed at the retreat -  
7 always leave a work session with the next step set.

8 Chair Jacobs suggested that this item come back one of their regular agendas. He said  
9 the first step will be to agree on the bond amount. He said the Board needs to get some  
10 information from staff on how the bond task forces worked in the past.

11 He summarized the following 5 issues in reference to a possible bond referendum:  
12 1) amount, 2) topic areas, 3) time frames, 4) information on how it worked before, and 5) what  
13 groups are interested. He said it would also be good to get input from staff on other issues they  
14 find important.

15 Commissioner Gordon asked that it be worded “any other parameters that staff deems  
16 important,” and that it include information about forming a Capital Needs Advisory Task Force.

17 Chair Jacobs added those two additional items to his listing, as well as a request to staff  
18 from the following information on the past task force: who was on it, how it worked, how long it  
19 took, and how often it met.  
20  
21

## 22 **2. Orange County Parks and Recreation Draft Master Plan 2030**

23 Clarence Grier said that David Stancil, Director of the Department of Environment,  
24 Agriculture, Parks and Recreation (DEAPR) would present this item. He said the last  
25 Parks/Recreation Master Plan was in 1998, and several of the parks that they have now were  
26 purchased with the 1997 – 2001 bond referendum.

27 David Stancil said tonight would be a sneak preview of the work that has been  
28 happening for the last 18 months. He said a number of different groups had been involved –  
29 two different sets of staff, the Parks and Recreation council and 832 citizens who responded to  
30 their different surveys.

31 Dave Stancil presented the following PowerPoint:  
32

- 33 **■ Why a New Master Plan?**
  - 34 **■ Existing Plan Has Served Well, But Dates to 1988**
  - 35 **■ 50% Increase in Population Since 1988**
  - 36 **■ Changes in Community Needs and Interests**
  - 37 **■ Changed Conditions, New Parks, Enhanced Plans**
  - 38 **■ Funding (grant) Agencies Require Newer Plan**
  - 39 **■ Still a Draft Plan**
- 40 **■ Updating of Maps**
  - 41 **■ Renumbering pages, clean up links**
  - 42 **■ Executive Summary**
  - 43 **■ Appendices**
  - 44 **■ To be Done by PH**
- 45 **■ Layout of the Draft Master Plan**
  - 46 **■ Review of existing and past plans**
  - 47 **■ Inventory/assessment of facilities (existing/future)**
  - 48 **■ Overview of recreation programs**
  - 49 **■ Driving factors – Demographics, Other**
  - 50 **■ Community Needs Assessment (surveys) – 832**
  - 51 **■ Relationship and ties to 2030 Comprehensive Plan**

- 1           ▪ Economic, health, environmental impacts
- 2           ▪ Standards, Classifications and Service Areas
- 3           ▪ 20 “Findings”
- 4           ▪ Goals, Objectives and Recommendations
- 5
- 6           ▪ Summary of Survey Results
- 7           ▪ 832 surveys received
- 8           ▪ Multiple methods
- 9           ▪ Random-sample scientific survey
- 10          ▪ Online survey
- 11          ▪ Supplemental Targeted
- 12          ▪ Who Was Surveyed?
- 13          ▪ 31% unincorporated OC
- 14          ▪ 29% Hillsborough
- 15          ▪ 27% Chapel Hill
- 16          ▪ 7% - Carrboro
- 17          ▪ 6% - Mebane
- 18
- 19          ▪ Summary of Survey Results
- 20            Most Used Facilities?
- 21          ▪ Sportsplex – 46%
- 22          ▪ Central Rec Center – 28%
- 23          ▪ Little River Park – 19%
- 24          ▪ Eurosport Soccer Center - 19%
- 25          ▪ P&R Opportunities, Status
- 26          ▪ 94% said quality opportunities provided
- 27          ▪ Facilities are safe – 94%
- 28          ▪ Well-maintained and operated – 90%
- 29          ▪ Easy to Get to – 86%
- 30          ▪ Helpful/professional staff - 94%
- 31          ▪ P&R – Benefits to Community
- 32          ▪ Parks and Rec programs enhance **economic** health – 93%
- 33          ▪ Parks and Rec programs enhance physical and mental **well-being** – 96%
- 34          ▪ Parks and Rec programs help **reduce crime** – 81%
- 35
- 36          ▪ Future Needs
- 37          ▪ Expand Outdoor Active Recreation – 82%
- 38          ▪ Expand Outdoor Low-Impact Recreation – 79%
- 39          ▪ Provide Indoor Athletic Complex – 64%
- 40          Expand Trail System – 89%
- 41
- 42          ▪ Most Popular Programs
- 43          ▪ Youth Soccer
- 44          ▪ Youth Basketball
- 45          ▪ Open Gym
- 46          ▪ Little River Trail Run
- 47          ▪ Volleyball
- 48          ▪ Egg Hunt
- 49          ▪ Halloween Event
- 50          ▪ Fishing Rodeo
- 51          ▪ Most-Desired Future Programs

- 1           ▪       Hiking
- 2           ▪       Swimming
- 3           ▪       Walking
- 4           ▪       Yoga
- 5           ▪       Biking
- 6           ▪       Summer Camps
- 7           ▪       Gardening
- 8           ▪       Tennis
- 9           ▪       Dog Obedience Classes
- 10          ▪       Afterschool
- 11          ▪       Desired Future Facilities
- 12          ▪       Walking/Hiking Trails
- 13          ▪       Nature Trails
- 14          ▪       Swimming Pool
- 15          ▪       Greenways
- 16          ▪       Water Parks
- 17          ▪       Amphitheatre
- 18          ▪       Indoor Athletic Center
- 19          ▪       Nature Center
- 20          ▪       Playgrounds
- 21          ▪       Tennis Courts
- 22
- 23            ▪       Methods of Financing
- 24
- 25          ▪       Private/Corporate Donations – 95%
- 26          ▪       State and Federal Grants – 94%
- 27          ▪       Existing Local Taxes (non-property) – 73%
- 28          ▪       Voter-Approved Bonds – 70%
- 29          ▪       Existing Local Property Tax – 70%
- 30          ▪       User fees – 68%
- 31          ▪       Increasing Local Taxes (non-property) – 34%
- 32
- 33            ▪       Focus Groups
- 34
- 35          ▪       Discuss in More Detail Specific Topics with Stakeholders
- 36          ▪       Held February – July 2013
- 37          ▪       Facilitated Discussion of Key Issues, Interests
- 38            ▪       *Soccer Facilities*
- 39            ▪       *Trails and Connectivity*
- 40            ▪       *Public Health and P&R*
- 41            ▪       *Park Facility Needs*
- 42            ▪       *Recreation Programs*
- 43            ▪       *Nature & Environmental Programs*
- 44            ▪       *County/Town Coordination*
- 45            ▪       *Sportsplex*
- 46          ▪       The Standards Dilemma
- 47            ▪       Use of National Standards Waning
- 48            ▪       Focus Now on “Community Based Standards”
- 49            ▪       However, Population Standards Still Good “Benchmark”
- 50            ▪       Types of Park Needs in Counties is Different

1 Surveys and Other Documents Provide Basis for Standards – But Use  
2 Population-Based for Double-Check

- 3  
4 ■ Summary of Findings  
5 Drawn from  
6 ■ Survey Responses and Interests  
7 ■ Focus Groups  
8 ■ Actions of the Last 15 Years  
9 ■ Goals and Objectives  
10  
11 ■ Draft RECOMMENDATIONS

12  
13 *In Keeping with the Adopted 2030 Goals and Objectives*

- 14  
15 1. Protect/Enhance Investment in Current Parks  
16 2. Build Planned Future Parks  
17 3. Complete Nature Preserves / Trails  
18 4. Structure for Multi-Partner Facility Investments  
19 5. Create Plan for MST & Work Toward Completion  
20 6. Build More Trails, Connect Open Spaces  
21 7. Improve Park Access, Healthy Lifestyles Design  
22 8. Address Programs in Areas of Identified Need, Look for Partnerships  
23 9. Examine the Role of Community Centers

24  
25 Issues for Further Study

- 26  
27 ■ Desired Level of Service?  
28 ■ Payment-in-Lieu System  
29 ■ Sportsplex and County Programs  
30 ■ Need for Public Pool?  
31 ■ Role of Community Centers  
32 ■ 5-Year / 10-Year Updates  
33 ■ Artificial Turf Playing Fields

34  
35 Planned Next Steps

- 36  
37 ■ Receive Board Feedback and Comment  
38 ■ Hold Final Open House for Public Q&A  
39 ■ Public Hearing  
40 ■ Advisory Board Review (additional surveys?)  
41 ■ P&R Council Recommendation  
42 ■ BOCC Consideration

43  
44  
45 David Stancil said staff is interested in the Board's thoughts regarding the study. He  
46 said they would like to get that information back as soon as possible; revise the plan; hold an  
47 open house; and invite the people who participated to come in and engage with staff about the  
48 master plan. He said the process would then be to hold a public hearing, take it out to the  
49 advisory boards for additional review and comments, possibly get some additional surveys  
50 completed, receive their Parks and Recreation Council recommendations and then bring it back  
51 to the Board.

1 Commissioner Price asked about socio-economic data on programs.

2 David Stancil said that information is available, but he does not have it with him tonight.  
3 He said they do provide a lot of subsidies in their programs.

4 Commissioner Pelissier asked what the next steps would be. She said that on the one  
5 hand, the Sportsplex and the Central Recreation Center are highly used, and then there is the  
6 whole thread of people wanting hiking and nature trails. She said she is not sure what the  
7 public really wants. She questioned whether the public is looking to the County for these  
8 provisions because there are other trails like Duke Forest, Eno River, and Occoneechee, in  
9 addition to county and town parks. She said it is hard to interpret some of the results.

10 David Stancil said there are a number of survey results that raise more questions than  
11 answers. He said he does not see the county proposing to ad hoc build something that is  
12 proposed in this. He said all of this information will need more analysis. He said as they finalize  
13 some of the nature preserves, there may be opportunities to build a couple of miles of trails.

14 Commissioner Price asked about the information regarding the percentage of population  
15 that makes up to the towns.

16 David Stancil said his recollection is that it is more than 39%, and the number listed is a  
17 clerical error that will be fixed.

18 Commissioner Dorosin said he is skeptical of the high numbers of support for passive  
19 recreation. He said he thought the survey generally skews towards adults. He wanted to know if  
20 there had been any contact with the school systems and the programs that they offer. He asked  
21 if staff has looked at the County's own recreational programs, with regard to the number of  
22 people that are turned away or over capacity. He said he felt like that inconsistency is a real  
23 one, and he thought that part of it is built into who takes part in these surveys.

24 Chair Jacobs said he has a different take on that issue, and he would not call it passive  
25 recreation but low impact. He said one thing that is missing is how to determine the priorities.

26 Commissioner Rich said she wanted to add something to Commissioner Dorosin's  
27 comment. She said they have an Intergovernmental Parks Work Group with elected officials  
28 from the schools, towns, and members from OWASA. She said they often talk about different  
29 programs, specifically sharing of facilities. She said she is not sure if some of the outreach is  
30 coming from that committee as well.

31 David Stancil said that staff did make a presentation at one of the IP work group  
32 meetings.

33 Commissioner Rich said she appreciated the report, but that there is a lot of information  
34 to digest, and she would like more time to review it.

35

36 Commissioner Gordon agreed it is a great report, and she would like more time to review  
37 it as well. She would like to have a time frame to comment and submit changes.

38 Commissioner Gordon said she did like the way the report was presented. She does not  
39 think it is inconsistent for the public to like the Sportsplex, the Central Recreation Center and  
40 also to say that they like hiking trails. She said she does not know how that translates into  
41 priorities, but it seems to her that both are valid.

42 Commissioner Rich said she would like the proposed parks tour to be re-scheduled.

43 David Stancil said that they would do this.

44 Commissioner Jacobs said he missed the executive summary. He said one of the things  
45 that Dave Stancil said was that some things are ready to move forward, but there are no plans.  
46 He said there are plans for the Northeast Park and the Blackwood Park, but there is no direction  
47 right now.

48 Chair Jacobs said he thought staff should hire the payment in lieu consultants as quickly  
49 as possible. He said the whole issue is that this was mostly put into abeyance until the County  
50 had an adopted park plan. He said this has been in abeyance almost as long as he has been a  
51 Commissioner, so the direction he is proposing is to move forward with the Bingham Township

1 Park, which was a campaign promise of then-Commissioner Foushee when she ran for office in  
2 2004.

3 He said the County owns a portion of the Greene Tract that was set aside as a natural  
4 area, and he never saw it mentioned in any of their plans. He thought this should fit into their  
5 plans somewhere.

6 Commissioner Jacobs said the issue of schools is also a complicated issue, partially  
7 because of issues regarding sharing facilities. He said this is a debate that has been on-going  
8 since he has been a Commissioner. He said the person making the decision is usually the  
9 Athletic Director at the school. He said a better mechanism is needed to make facilities more  
10 accessible, even if this means the County puts in extra money to help administer the use. He  
11 said it is also important to be sensitive to the needs of the schools.

12 Commissioner Dorosin said he thought they needed to coordinate with the schools in  
13 trying to provide for recreation. He said he thinks it is great to get input from the school systems  
14 to incorporate in the plan.

15 Commissioner Dorosin said he thought the priorities should be developing the parks the  
16 County already has, rather than acquiring new ones. He said the priority should be in turning  
17 gifts (public resources which belong to the people) into something the public can access and  
18 utilize. He said the first priority should be updating the plans that are in place for these parks, or  
19 finalizing them and then implementing them.

20 David Stancil said that in a way there is a default priority system, and that is the timing  
21 and sequencing in the CIP. He said these are projects in the CIP, and they are scheduled and  
22 staggered in different ways.

23 Commissioner Gordon said that she is not sure that this report meshes with the CIP and  
24 she questioned whether the Board should be looking at their CIP regarding phasing in the  
25 existing land that the County owns. She said it is important to reassess based on some of the  
26 feedback.

27 David Stancil said the report does mesh and should mesh with the adopted CIP pretty  
28 well. He said there is not a sequence in the plan, although there is a sequence to the way it is  
29 laid out in the CIP. He said one of staff's expectations is that this document will give the Board  
30 a framework as they look at the CIP later this spring to make some of those decisions.

31  
32 Chair Jacobs said what he has heard that the Commissioners need more information on  
33 the following:

- 34 • Socio-economic data on usage
- 35 • subsidies
- 36 • Deadline for comments about priorities
- 37 • Coordinating and soliciting comments from the school system as to what they  
38 regard as priorities
- 39 • information about how the plan meshes with the CIP
- 40 • payment in lieu of consultant.

41  
42 He suggested that staff let the Board review a draft of at least the executive summary  
43 and the responses to the Commissioners' concerns, even if it is an informational item, before it  
44 goes to public hearing so that they have a sense of what direction they are going.

45 David Stancil suggested submitting Board comments back to him no later than March  
46 3<sup>rd</sup>.

### 47 48 **3. Tower Study**

49 Clarence Grier said there have been coverage issues in the past. He noted that there is  
50 \$2.5 million in the CIP through 2019 for these towers.

1 Jim Groves said the tower study incorporated the VIPER radio system coverage, as well  
 2 as the County volunteer fire department VHF paging system. He gave a briefing on study and  
 3 reviewed the following PowerPoint slides:

4  
 5 **Radio Communication tower and system infrastructure upgrade**  
 6 **February 11, 2014**

7 Please refer to the maps in your packets for better location and coverage detail

8  
 9 **Background**

10 -Project kicked off January, 2013

11 -Development Steps:

12 Needs assessment with stakeholders

13 Research

14 Infrastructure upgrade recommendations

15 Maps and graphics

16 Draft report

17 Final report

18 -Project completed September, 2013

19  
 20 **What is VIPER?**

21 -Voice Interoperability Plan for Emergency Responders (VIPER)

22 -Trunked 800 MHz Radio System

23 -State owned and operated

24 Originally developed for the Highway Patrol

25 Centerline of road

26 Building penetration not really considered

27  
 28 **What is VIPER? (cont.)**

29 -Orange County system is an unbalanced system

30 5 channel (frequency pair) on some towers

31 8 channel (frequency pair) on others

32 -This can create busy "bonks" where users cannot communicate

33 - VIPER towers located at:

34 Eno Mountain – Hillsborough

35 Water tower - UNC Chapel Hill

36 Laws – Northern border of Orange/Caswell

37 Chatham Mountain – Southern border of Orange

38 Mebane (new) – City of Mebane

39  
 40 **Map Legend**

41 GREEN = GOOD

42 YELLOW = FAIR

43 RED = MARGINAL

44 GRAY = NO COVERAGE

45 *The maps presented in the report are software models that are representative of actual real*  
 46 *world coverage*

47  
 48 **Current viper "talk-in" MAP**

49  
 50 **Proposed New Tower Sites**

51 -Five (5) additional sites were selected to improve VIPER coverage within Orange County

- 1 -Three (3) sites are existing, two (2) would require new construction  
 2 -Number of towers was based on less than <200 ft. tower height  
 3       Increasing tower height would require less tower sites  
 4

#### 5 **Proposed New Tower Sites (cont.)**

- 6 -Existing Towers  
 7       -Northeast – Caldwell – existing guyed tower  
 8               7444 Bill Poole Road – AT&T Wireless  
 9       -South-central – Chapel Hill – existing monopole  
 10               1403 New Hope Trace – GTE Wireless  
 11       Southwest – Chapel Hill – existing monopole  
 12               4900 NC 54 West – SBA  
 13

#### 14 **Proposed New Tower Sites (cont.)**

- 15 -New Construction  
 16       -Central – Hillsborough – New  
 17               Walnut Grove Church Rd. – ATC site  
 18       -Southeast – Chapel Hill – New  
 19               Near University Mall  
 20               Potential to move existing site from Cole Mill Rd. in Durham  
 21

#### 22 **New “talk-in” – Portable Radio map**

#### 24 **Tower Site Considerations**

- 25 -Orange County Planning & Inspections advises that four (4) cell providers have made  
 26       application to build towers...these new sites must also be considered before a decision is  
 27       made  
 28 -Modifications to the Chatham Mountain site may also help  
 29       Reduce antenna from 962 ft. down to 600 ft.  
 30       Less signal loss, may be able to turn up power  
 31

#### 32 **VHF**

- 33 -Very High Frequency (VHF) is used to alert Fire Department and EMS pagers  
 34       800MHz technology does not support pagers without incurring significant costs  
 35 -VHF and Ultra High Frequency (UHF) are used as radio back-up if VIPER fails  
 36       We used these back up frequencies for a real world event several weeks ago  
 37

#### 38 **Existing VHF Tower Sites**

- 39 Utilize the same towers as VIPER  
 40       Eno Mountain  
 41       Chatham Mountain  
 42

#### 43 **Proposed VHF paging sites**

- 44 -Two (2) additional VHF paging sites were selected to improve coverage within the County  
 45       Northern – Cedar Grove Fire Station  
 46               720 Hawkins Road – Existing Tower  
 47       Southwest – Orange Grove Fire Station  
 48               6800 Orange Grove Road – Requires new tower  
 49

#### 50 **Proposed VHF Sites MAP**

#### 51 **Proposed VHF Sites MAP**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

## Recap

Five (5) tower sites recommended for VIPER coverage

4 existing towers

1 new tower

Two (2) tower sites recommended for VHF paging coverage

One (1) new tower site

One (1) existing tower site

## Cost Example

Co-location cost example (GTE Wireless)

\$1,000 credit application fee

\$2,000 structural analysis

\$2,000 inspection fee (if construction installation fee is waived)

\$1,500 Closeout documentation fee

Total set up - \$6,500 one time cost

\$2,500 rental fee, per month with 5 year term

Four (4) automatic renewal 5 year terms at 3% escalation

Total rent \$30,000 / yr. per tower site

Orange County should negotiate these costs

## Outcome

- BOCC comments / feedback

- Tower funding in March, 2014 CIP

- Radio Tower/Infrastructure Report approval by BOCC

Jim Groves reviewed the maps and said a lot of the issues with coverage are due to terrain and the original design of the system. He referred to the map titled *New "talk-in" – Portable Radio*, and he noted the concentric circles, which mark the site of the Chatham tower site. He said this indicates a shadow effect, and it indicates bad coverage. He said there is discussion and study regarding moving the tower antennae down to a lower height to fix this issue.

Chair Jacobs asked if there is a number assigned to the percentage of expected improvement in coverage associated with the recommended changes.

Jim Groves said he does not have that information.

Chair Jacobs asked that this be provided to Board of County Commissioners if it becomes available in the future.

Commissioner McKee asked for clarification about the tower height for the VHF sites.

Jim Groves said if you raise the tower height here the coverage will improve.

Commissioner McKee asked if the Cedar Grove and Orange Grove towers would be appropriate for increasing height.

Jim Groves said these two sites were set up at less than 200 feet.

Chair Jacobs said, at the time that tower height regulations were set, there was concern about bird kills with taller towers.

Commissioner Rich asked about the decreased antennae height referenced earlier.

Jim Groves said the Chatham Mountain antenna is almost at 1,000 feet, and it will be moved down to about 600 feet. He said these two towers are 200 feet or less.

Commissioner Rich asked if this height is sufficient.

Jim Groves said it can work. He said if there could be a 400 foot tower site, it might bring the need down to 2 or 3 towers instead of 5.

1 Commissioner McKee said there had also been discussion about co-locating for better  
2 internet connectivity.

3 Jim Groves said it may not be worth the money to add the towers.

4 Jim Groves reviewed the costs for renting a tower, and he said another option would be  
5 for the County to build a tower and rent it.

6 Commissioner Rich asked how much it costs to build a tower.

7 Jim Groves said it depends on the type of tower, but the amount would be between  
8 \$350,000 and \$750,000. He said the VIPER equipment would put it close to \$1 million.

9 Commissioner McKee there had been a mention of looking into the 700 mhz service.

10 Jim Groves said there have been some good conversations with Durham and other  
11 partners about this, and the concern was to make sure there would be good interoperability. He  
12 said there has been agreement to allow this. He said the FCC has to provide frequencies for  
13 these tower sites. He said there are about 40 different frequencies, and it would be possible to  
14 build a simulcast system. He said this means that all of the towers could transmit at the same  
15 time, which would help improve coverage. He said only 20 of the 40 frequencies would be  
16 needed to make this work, which would mean 15 frequencies could potentially be dedicated to  
17 emergency services. He said 5 could be designated for non-public safety uses, such as  
18 schools and public transit, and these could be borrowed by emergency services if a need arises.  
19 He said, in theory, it seems like this would be a good system, and the County has a decision to  
20 make about what direction to go. He said this system could be built for about one-third of the  
21 cost.

22 Chair Jacobs asked if staff will come back with a recommended proposal.

23 Jim Groves said he will be happy to put this together.

24 Chair Jacobs said it sounds like that the 700 mhz system would be preferred by most of  
25 the people working in emergency services. He said it would be nice to know what this would  
26 cost and to see it flushed out for further consideration.

27 Jim Groves said this current study is just to show how coverage can be improved, but it  
28 has nothing to do with building a County system or a simulcast system. He said the point is that  
29 there is an existing coverage problem, and this plan will need to be implemented in some shape  
30 or form to improve that.

31 Commissioner Price asked about the timeline.

32 Chair Jacobs said this was supposed to come back in March for the 800 mhz. He said it  
33 would be up to staff to determine the timing.

34 Jim Groves said it would take a couple of months for him to put a decent proposal  
35 together.

36 Commissioner Pelissier referred to a previous discussion of the First Net system. She  
37 asked how this will fit in.

38 Jim Groves said N.C. probably will not see this until 2016-17, and he said First Net is  
39 just a public safety broadband that is built in partnership with private communities. He said this  
40 is a little more of a robust system, but there will be a subscriber fee to use it. He said it will give  
41 private companies incentive to build a tower. He said the VIPER system is a good play on  
42 getting ahead of this curve by helping provide more control of the system.

43 Commissioner Gordon asked for an explanation of what will come back in March.

44 Jim Groves said the current CIP has staggered amounts of half a million dollars each.  
45 He said any changes, such as building our own towers, would require modification.

46 Commissioner Gordon asked if the future proposal that will be flushed out will mean  
47 additions to the CIP.

48 Jim Groves said yes.

49 Commissioner Gordon asked if this is the only item that will be brought back.

50 Jim Groves said the proposal will provide two different options, along with the associated  
51 costs and timing, and it will be the Board's decision.

1 Commissioner Gordon said it would be great to have the pros and cons of each  
2 proposal.

3 Chair Jacobs said the Board will see the 800 mhz option in their CIP discussion in  
4 March, and then there will be a presentation in two months regarding the various permutations  
5 and the possibility of the 700mhz systems.

6 Jim Groves said this is correct.

7 Chair Jacobs asked if there is any possibility of using the phone fee for the 700 mhz or  
8 to have the municipalities attributed to the system.

9 Jim Groves said Chapel Hill and Carrboro are interested in partnerships.

10 Chair Jacobs asked if this information regarding partnerships could be included in the  
11 future discussions.

#### 12 13 **4. Draft Emergency Services Strategic Plan**

14 Clarence Grier said this is more of an operational strategic plan than a capital strategic  
15 plan.

16 Jim Groves said this plan was developed to provide some stability in the organization  
17 and to set a professional path for where things need to be.

18 Jim Groves said this was developed with leadership, employees, and subject matter  
19 experts from other organizations, the university, and state emergency management.

20 He said two of the big issues that were identified were: lack of communication between  
21 and among divisions, and poor work/life balance (too much overtime).

22 Jim Groves said a big focus was to concentrate on the goals included in the Board of  
23 County Commissioners' plan and to lend good customer support and community support to  
24 Orange County.

25 He said the vision statement is "A Prepared, Coordinated, and Integrated Emergency  
26 Services System." He said each division developed a mission statement in support of that  
27 vision. He noted that the graphics on page 7 include the words heard in the study, and the big  
28 words are the big concerns.

29 He said, within the plan there are strategic goals and objectives, as well as the  
30 approach. He said this has also been taken down the task level, although that has not been  
31 included in the plan.

32 Jim Groves said there is a lot of community support included, as well as employee  
33 support and stability to make the organization more resilient.

34 He said within the organization, there are a lot of single points of failure, and those  
35 points can be technology, or people who have no backup. He said there is a goal of building  
36 institutional knowledge within the organization, so that if someone leaves, things can continue to  
37 move forward.

38 Jim Groves said the last part the plan is the ETHOS, which is what drives the strategic  
39 plan and the organization. He said this shows the core values and principles. He said the new  
40 culture is to build, coach, and mentor employees.

41 Jim Groves said the implementation will be tracked with charts that show milestones and  
42 timelines. He said this will allow progress to be clearly seen. He said this will be reviewed  
43 annually and modified every 5 years to keep it from being stagnant. He said if the Board of  
44 County Commissioners has any feedback on this draft plan, he is happy to incorporate it.

45 Chair Jacobs expressed appreciation for the work that was put into the creation of this  
46 plan.

47 Commissioner Price said she was really impressed with this plan.

48 Commissioner McKee said this is the mission critical component of Orange County  
49 government. He appreciates the work has been done, and the feedback he has heard has been  
50 very positive.

1 Commissioner Dorosin said some of these critical issues highlighted on page 4 are likely  
2 challenges for emergency organizations everywhere, and maybe there are models out there  
3 that can be used as best practice examples. He said it would be good to know practices that  
4 are already in place.

5 Commissioner Dorosin said there are 5 divisions in the organization, and it seems that  
6 the issues identified may be different in some divisions than in others. He said it would be  
7 interesting to hear where the priorities lie.

8 Commissioner Dorosin said this is an incredible effort, but this is very much an internally  
9 focused document. He said he is curious to know how challenges, like staffing, impact the  
10 ability to provide external services or how those services are received.

11 Commissioner Pelissier said she liked the section on the ETHOS, and she feels this  
12 should pertain to all County employees. She said it is great to see that the plan is being  
13 developed by all staff members and not just the leadership team.

14 Commissioner Pelissier said there is a tendency to complain about communication in  
15 most bureaucracies, and she wonders if the communication issues have actually been clearly  
16 identified.

17 Jim Groves said mid line supervision and operations managers sometimes do not have  
18 clear direction. He said policies are sometimes implemented 4 different ways. He said the goal  
19 now is to provide more direction on intent and procedure.

20 Jim Groves said there are two different floors in their facility and there is a perception of  
21 the top floor as a "palace." He said one step being taken to address this is to have a Monday  
22 morning meeting to discuss what is happening in all of the divisions.

23 Chair Jacobs referred to Commissioner Dorosin's question and said there is a  
24 comprehensive assessment of the EMS and 911 recommendations.

25 Commissioner McKee said the same "palace" perception was present with the fire  
26 department, and he encouraged staff to discuss how this was addressed.

27 Commissioner Gordon asked about page 16 and the issue of hazardous materials  
28 traveling though the County. She asked about the use of the term "commodities."

29 Jim Groves said the Department of Transportation (DOT) marks trucks with one of nine  
30 different hazardous material classes. He said the flow study is critical in helping the County  
31 prepare for a potential response.

32 Commissioner Gordon asked if these trucks travel only on interstates or also on  
33 highways.

34 Jim Groves said these vehicles travel mostly on the interstate. He said most are caught  
35 when they are coming or going. He said gathering this information is helpful.

36 Commissioner Gordon referred to the Fire Marshal division goals and objectives. She  
37 asked what is being done toward the goal of sustaining strong partnerships.

38 Jim Groves said the fire marshal's staff is up to three people now. He said these staff  
39 members are out at the fires working with the fire marshals, and this allows them to know the  
40 origins of the fires. He said staff will also meet with community groups and schools. He said  
41 schools are given safety inspections before they open for the year.

42 He said there are also community emergency response teams who are being taught and  
43 trained to help within their communities until first responders arrive.

44 Commissioner Gordon asked how staff interfaces with the big fire agencies in North  
45 Chatham County.

46 Jim Groves said the best way to interface is by phone or occasional face to face visits.

47 Commissioner Gordon asked if the fire consultations and reviews mentioned earlier are  
48 done with North Chatham too.

49 Jim Groves said North Chatham has their own fire marshal to handle fires in Chatham  
50 County.

1 Commissioner McKee referred to the comments regarding commodities going through  
 2 Orange County. He noted that all the fire departments are trained in hazardous materials  
 3 response.

4 Commissioner Rich asked if nuclear materials go through Orange County.

5 Jim Groves said he does not know, but he would not be surprised if it did.

6 Commissioner Rich said this is an internal plan. She asked how many employees are  
 7 under Jim Groves' purview.

8 Jim Groves said there are about 120 employees.

9 Commissioner Rich asked how often the work plan template is done with this many  
 10 employees.

11 Jim Groves said with this plan, some employees do not want to be engaged in the plan,  
 12 and that is fine. He said the goal is to find people who are not actively training or on call and  
 13 can be engaged to help implement this. He said operations manager will be tasked with  
 14 gathering updates on the goals and objectives. He said monthly updates will be given to see  
 15 how this is working.

16 Chair Jacobs said he is surprised that the weigh station does not keep track of the  
 17 hazardous material.

18 Jim Groves said the weigh stations are more concerned with enforcement of safety  
 19 issues such as tires, breaks, and drivers' schedules. He said consultants and staff could work  
 20 on this, and the weigh station is a great place to do it.

21 Chair Jacobs referred to page 14, regarding the training for external customers. He  
 22 asked if there is a better way to say this, and he asked if these are the other partner entities.

23 Jim Groves said this includes the volunteer and town fire departments. He said one of  
 24 the goals is to partner with stakeholders to have a County training calendar that incorporates all  
 25 of the towns.

26 Chair Jacobs suggested using the term stakeholder instead of external customer.

27 Chair Jacobs noted that Commissioner Dorosin has requested more information on the  
 28 following three items: 1) work/life balance and how other organizations are having success  
 29 addressing this issue; 2) where the priorities lie in the document; and 3) how internal challenges  
 30 are reflected in service delivery.

31 He also noted that the Board would like more information on the issue of hazardous  
 32 materials.

33  
 34 **5. County Commissioners – Boards and Commissions Assignments**

35 The following charts reflect the final selections for **2014** for boards and commissions:  
 36

BOARD NAME	BOCC SELECTION
STATUTORY	
ABC Board	Commissioner Dorosin
Board of Health	Commissioner Pelissier - Member
Board of Social Services	Commissioner McKee– Member  Citizen-Already appointed

Community Oversight Board (part of OPC Community Operations Center)	Commissioner McKee
<b>INTERGOVERNMENT-AL and OTHER GROUPS WITH BOCC MEMBERS</b>	
Burlington/Graham MPO Transportation Advisory Committee	Chair Jacobs-Member  Commissioner McKee - Alternate
Communities in Schools	Commissioner Dorosin
Community Home Trust BOD	Penny Rich-Member
Durham-Chapel Hill-Carrboro-Metropolitan Planning Organization (MPO)- Transportation Advisory Committee	Commissioner Gordon -Member  Commissioner Pelissier -Alternate
Durham/Chapel Hill/Orange Work Group	Commissioner Rich  Commissioner Gordon
Durham Tech Board of Trustees	Commissioner Price – Member  Citizen already appointed
Fire Chief's Association of Orange County	Commissioner McKee
Healthy Carolinians	Commissioner Dorosin
HOME Program Review Committee	Commissioner Price
Intergovernmental Parks Work Group	Commissioner Gordon-member Chair Jacobs - alternate
Legislative Issues Work	Commissioner Price and

Group	Commissioner McKee (2014)
Orange County Partnership for Young Children	Commissioner Dorosin - Member
Research Triangle Regional Partnership (RTRP)	Commissioner Price - Member
Ten Year Plan to End Homelessness Executive Team	Commissioner Pelissier
Triangle J Council of Governments	Chair Jacobs- Member  Commissioner Rich- Alternate
Triangle Area Rural Planning Organization (TARPO) Transportation Advisory Committee	Commissioner Price –Member (Vice Chair) Commissioner Pelissier -Alternate
Triangle Transit Board of Trustees	Commissioner Pelissier - Treasurer
Triangle Transit Special Tax Board	Commissioner Gordon – <b>Treasurer</b> and Commissioner Pelissier- <b>Chair</b>
Workforce Development Board – Regional Partnership	Nancy Coston – DSS Director
Visitor's Bureau	Commissioner Rich – Member- Finance Officer
<b>BOARDS TO WHICH BOCC HAS ALREADY MADE APPOINTMENTS</b>	
<b>NACo Voting Delegate</b>	Commissioner Rich
<b>NCACC Voting Delegate</b>	Commissioner Pelissier

--	--

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

**SHORT TERM TASK FORCES/WORKGROUPS**

<b>Alternatives to Jail Assessment Work Group</b>		2 Commissioners	Chair Jacobs and Commissioner Pelissier
<b>Cedar Grove Advisory Board Meeting</b>	Meets as needed	2 Commissioners	Chair Jacobs and Commissioner Price

**EX-OFFICIO**

<b>Hillsborough/Orange County Chamber of Commerce- does not require a Commissioner</b>	Chair Serves
<b>NC DOT Quarterly Meetings</b>	Chair/Vice Chair
<b>School Collaboration Meetings</b>	Chair/Vice Chair

**OFFICERS**

<b>NCACC Board of Directors</b>	Commissioner Price
<b>Triangle Transit Special Tax Board</b>	Commissioner Pelissier Chair and Commissioner Gordon – Treasurer
<b>Triangle Transit Board of Trustees</b>	Commissioner Pelissier – Treasurer
<b>Visitor’s Bureau</b>	Commissioner Rich – Finance Officer

**Boards to be decided on/chosen at future work session**

JOCCA- need to decide whether to continue participation	Meets Quarterly in Pittsboro at 5:30pm -	1 Commissioner Or Citizen	Commissioner Price
Small Business Loan Program	Meets as needed when a thoroughly vetted application has been received.	1 Commissioner	Commissioner McKee (appointed 2/2013)
JCPC (Orange County Juvenile Crime Prevention Council)		1 Commissioner	Commissioner Pelissier (appointed June 2013)
UNRBA(Upper Neuse River Basin Association)		By-Laws state that “The number of Directors constituting the Board of Directors shall be one (1) per full voting entity, with one (1) alternate per full voting entity in case of the Director’s absence	Pam Hemminger – Chair was appointed as a citizen in November 2012  Alternate- Staff member Tom Davis

**Boards – Not Meeting at this time**

Efland Mebane Small Area Plan Implementation Focus Group	Not meeting at this time. Has not been disbanded	1 Commissioner	
Historic Rogers Road Task Force	INACTIVE AT THIS TIME	2 Commissioners	
Hollow Rock Park Planning Committee	<b>Not meeting at this time- Per conversation with Dave Stancil on 2/12—He said</b> waiting on Pickett Road resolution but no idea when that will come. But grant received so activity will pick up in late 2014. That might trigger reconvening group - not sure. If we pull our reps, not sure what Durham would do. Maybe answer will be in new inter local to be developed later this spring. I'd suggest leaving on listing until then.	2 Commissioners	Commissioner Gordon (2/11/14)
Housing Bond Program-Project Review & Selection Committee	<b>Status: this is now defunct and can be removed per Tara Fikes</b>		
Library Services Task Force	<b>Not meeting at this time Has not been disbanded</b>	2 Commissioners	Chair Jacobs – Member (2/11/14)  Commissioner Rich – Member (2/11/14)
Solid Waste Management Plan Work Group	Meets as needed	1 Commissioner	<b>Suspended Until further direction</b>

<b>Solid Waste Interlocal Agreement – Elected Leaders Work Group</b>			<b>To be re-constituted at a later date</b>
--	--	--	---

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

Future selection policy issues to be decided:

1. Do officer positions get pre-empted from being part of annual selection process for boards and commissions?
2. Are member positions/terms, set by other intergovernmental boards/commissions, pre-empted from our selection process?

A motion was made by Commissioner Rich, seconded by Commissioner Dorosin to adjourn the meeting at 10:11pm.

VOTE: UNANIMOUS

Barry Jacobs, Chair

Donna Baker, Clerk to the Board

## Attachment 2

DRAFT

**MINUTES  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
March 3, 2015  
7:00 p.m.**

The Orange County Board of Commissioners met in regular session on Tuesday, March 3, 2015 at 7:00 p.m. at the Whitted Building in Hillsborough, N.C.

**COUNTY COMMISSIONERS PRESENT:** Chair McKee and Commissioners Mia Burroughs, Mark Dorosin, Barry Jacobs, Bernadette Pelissier, Renee Price and Penny Rich

**COUNTY COMMISSIONERS ABSENT:**

**COUNTY ATTORNEYS PRESENT:** John Roberts

**COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Assistant County Manager Cheryl Young and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below)

**1. Additions or Changes to the Agenda**

Chair McKee called the meeting to order at 7:04 p.m. He reviewed the following list of items at the Commissioners' places:

- White PowerPoint Sheet for item 4a – Orange County School Community's Vision for Public Education Presentation
- Yellow memo from Orange County Schools regarding item 5d - Orange County's Proposed 2015 Legislative Agenda
- White sheet for item 5d - Orange County's Proposed 2015 Legislative Agenda
- Monthly packet from the Planning Department

**PUBLIC CHARGE**

*Chair McKee dispensed with the reading of the Public Charge.*

**2. Public Comments**

**a. Matters not on the Printed Agenda**

Christopher Vaughn read from the following printed comments:

Good evening. I am Christopher Vaughn and I live in the Orange County section of Mill Creek within the City of Mebane. I came here as a response to the letter sent by the Mebane City Council regarding the annexation of Mill Creek into Alamance County. The stated reason for the proposed annexation centers on fire protection and emergency service. This leaves me somewhat confused, in that as City of Mebane tax payers we receive all city services: public works, police, and fire protection, regardless of our county. This leaves only the issue of emergency services, which are currently provided by Orange County.

The Mill Creek section of Orange County has been in existence for over 15 years. It is my understanding that the 911 system is computerized, and that the 911 dispatch centers have a cooperative agreement and the ability to intercommunicate. This issue was brought up and settled during the last county line negotiation.

It is commendable that Mebane wants to resolve this issue, but I would think the first step would be to resolve the EMS protocols before going to the extreme step of challenging the county line

1 and the disruption that such a change would bring to the lives of its residents. This issue  
2 should be of concern for all Orange County residents.  
3

4 During the last county line negotiation, Session Law 2010-61, the law that opened the review of  
5 the county line between Alamance and Orange counties, the stated reason for opening the  
6 county line for discussion was to define the line and settle disputes over the location of the line.  
7 Later, Session laws 2011-88 and 2012-108 settled the 91% and 9% of the line, respectively. In  
8 all these cases, the idea was to find the true line as it was defined in the original 1849 law and  
9 allow residents to move to the county that they believed they lived in prior to the USGS line  
10 definition. This was a good faith effort to keep people in their existing communities and their  
11 county.  
12

13 The proposal to move the county line solely around Mill Creek doesn't fit with the earlier charter  
14 to find the line and solve disputes. In this case, there is no dispute as to the actual location of  
15 the land; it's all within Orange County. Hunter's Run, Collington Farms, and Ashbury  
16 neighborhoods all lie in the City of Mebane and in Orange County. However, they are not  
17 included in this proposal.  
18

19 My question becomes one of two choices. Is this someone's pet project, or is this a test case?  
20 If it is a pet project, it is my opinion that we should not be changing the county line based on the  
21 desire of a few well connected individuals. Alternately, if it is a test case, all of the parts of the  
22 City of Mebane that lie within Orange County could be up for grabs if this goes through. In  
23 either case, I would ask the Board of Orange County Commissioners to deny any further  
24 changes to the county line, seeing as how it is now settled law that has passed the legislature  
25 and stood for several years.  
26

27 Thank you for your time.  
28

29 Carter Vaughn read from the following printed comments:

30 Good evening. I am Carter Vaughn. I am a sophomore at Orange High, and I'm here to talk  
31 about Mebane's wanting to change the Orange/Alamance County line by moving my  
32 neighborhood from Orange to Alamance County.  
33

34 I took civics class this year. In that class, we learned how a government functions and how  
35 laws are made. The primary purpose of laws is to promote the common good and protect the  
36 rights of minority groups and individuals within the community. A couple of years ago, the  
37 county line was up for debate, but the legislature worked out this dispute by passing a law  
38 solidifying the location of the county line.  
39

40 This is the third time someone has tried to move the county line around us and put us in  
41 Alamance County, even though the USGS survey proved we were in Orange County. We are  
42 now and always have been in Orange County. I should be considered as much a part of  
43 Orange County as my classmates that come from Efland, Hillsborough or Rougemont. If there  
44 are emergency service problems, please work them out. This is not a reason to allow the state  
45 law to be changed.  
46

47 I like my county and my school and all the things I get to do here that are not available in  
48 Alamance County. Please do not let Mebane take our county from us or me from my school.  
49  
50

1 Commissioner Rich said that these residents had received letters from the City of  
 2 Mebane about this issue, and the Board of County Commissioners was referenced. She noted  
 3 that the Board of County Commissioners was never contacted about this issue, and she would  
 4 like for this to be addressed in the next meeting with Mebane. She said this is not the way to  
 5 open up conversations with your neighboring County.

6 Larry Newsom said he is also a neighbor in the Mill Creek neighborhood. He said his  
 7 concern with the change in counties is the school system change. He has a son at Orange  
 8 County High School, and his son has gone through the Orange County school system his entire  
 9 life. He said it is important that if this change in counties does happen, each family should be  
 10 given a choice as to which school system they wish to attend. He said no one should be forced  
 11 to change schools.

12  
 13 **b. Matters on the Printed Agenda**

14 (These matters will be considered when the Board addresses that item on the agenda  
 15 below.)

16  
 17 **3. Petitions by Board Members**

18 Commissioner Pelissier asked the County Manager if there was a telecommuting policy  
 19 for the County, and if not, she asked that they consider developing such a policy.

20 Commissioner Jacobs said the Pauli Murray Awards were presented on Sunday for the  
 21 25<sup>th</sup> year. He said it would be nice to have a plaque placed in this room or in this building to list  
 22 the 25 years of winners and to commemorate this event.

23 Commissioner Jacobs asked Bonnie Hammersley to find out the policy for the water and  
 24 sewer providers in Orange County, regarding what happens when a system fails and overflows  
 25 and damages residents' properties. He asked if these providers consider themselves exempt,  
 26 or if there is compensation given to the affected parties.

27  
 28 **4. Proclamations/ Resolutions/ Special Presentations**

29 **a. Orange County Schools Community's Vision for Public Education Presentation**

30 The Board received a presentation on the Community's Vision for Public Education in  
 31 Orange County Schools, and provided feedback or questions.

32 Orange County Schools (OCS) Superintendent Del Burns said this community vision  
 33 process is unique because neither the Board of Education nor the staff participated in the  
 34 development of this vision. He said this vision was developed by Community stakeholders, and  
 35 has been adopted by the Board of Education.

36 Del Burns introduced Scottie Seawell and Pam Jones, Interim Deputy Superintendent.

37 Scottie Seawell reviewed the following PowerPoint slides:

38  
 39 **The Community's Vision for Public Education**

- 40 • We envision a public school system that prepares all students to be creative,  
 41 constructive thinkers who become healthy, productive and responsible members of our  
 42 community and the world.

43  
 44 **The Stakeholders**

- 45 • Identified by the Board of Education
- 46 • Recruited and Guided by a Steering Committee
- 47 • Goal of "Broadly Representative"
  - 48 ➤ Walks of Life
  - 49 ➤ Geography
  - 50 ➤ Age and Stage

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

## The Process

- **Starting with Questions**
- Building Community
- Building Support and Understanding
- Soliciting Input – More Questions
- Analyzing Input
- Crafting the Vision Statement and Document
- Reaching Consensus
- “Ever-green” → Sustainability

## Public Values

- Common Framework and Language
- Core Public Values of:
  - ❖ Liberty = Value of the “I”
  - ❖ Equality = Value of “Groups”
  - ❖ Community = Value of the “We”
  - ❖ Prosperity = Value of the “Market”
  - ❖ A Matter of Balance

## The Community’s Vision for Public Education

*We envision a public school system that prepares all students to be creative, constructive thinkers who become healthy, productive and responsible members of our community and the world.*

## Uniquely Orange County Schools...

- We believe...
- We expect...
- Learning from our History
- Building on our Heritage and Traditions
- Always becoming more representative and inclusive

## Going Forward

- Aligning the Community’s Vision with the OCS Strategic Plan – Work to date...
- Embracing the Vision
- Ever-Green Quality
- Implications of the Vision for the BOCC
  - ✓ Working together democratically
  - ✓ Using the vision to develop policies
  - ✓ High expectations for all students

Scottie Seawell referred to the *Calls for Action* on page 5 of the vision statement. She read the following paragraph:

We expect the Board of Education and the Board of County Commissioners, our elected representative, to use this vision to develop policies that create healthy, safe and nurturing environments; support all students in reaching their full potential; and result in the development of productive and responsible citizens as well as lifelong learners with critical thinking and problem solving skills who will lead us in the future.

1 Scottie Seawell said there is also recognition from the community of all of the work that  
2 has already been done to support public education.

3 Commissioner Jacobs referred to appendix B, regarding choices in addition to college  
4 and the need for more people to work with their hands. He recently talked to an appliance  
5 repairman who said it is difficult to find young people interested in apprenticeship programs in  
6 the field of appliance repair and related areas. He asked if there are any active apprenticeship  
7 programs or a contact person for that.

8 Scottie said the idea of apprenticeships and alternatives was a broadly agreed upon  
9 issue with the stakeholders. She referenced the woodworking program at Cedar Ridge and the  
10 amazing work that is being done there. She referred the question about apprenticeship  
11 programs to Del Burns.

12 Del Burns said there are limited opportunities for apprenticeships through the career and  
13 technical education programs at this time. He said the hands-on work ethic is a tradition in  
14 Orange County, and there was a discussion of the need for alternatives for students. He said  
15 the schools are not taking full advantage of apprenticeships, and this is on the radar.  
16

17 **b. Resolution Acknowledging February 24, 2015 as Spay Neuter Day in Orange**  
18 **County, North Carolina**

19 The Board considered adopting the proposed resolution acknowledging February 24,  
20 2015 as Spay Neuter Day in Orange County, North Carolina and authorizing the Chair to sign  
21 the resolution.

22 Bob Marotto expressed appreciation to the Board for putting this item on the agenda  
23 retroactively, due to inclement weather. He said spay/neutering is a community issue, and he  
24 thanked the Board of County Commissioners for their support over their years. The  
25 Commissioners were presented with spay/neuter support t-shirts.

26 He noted some of Animal Service's 2014 accomplishments. He said the program  
27 sterilized 433 cats and dogs that belong to low income residents, and 289 of these animals  
28 belonged to clients of the Department of Social Services (DSS.) He said the outcomes of this  
29 effort are measured in the decline of admissions to their facility and the fact that the number of  
30 animals being euthanized is at a historically low level.  
31

32 Michelle Walker read the following resolution:  
33

34 **ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
35 **SPAY NEUTER DAY RESOLUTION**

36  
37 WHEREAS, cats and dogs provide companionship to and share the homes of thousands of  
38 individuals in Orange County; and  
39

40 WHEREAS, the problem of pet overpopulation costs the taxpayers of Orange County hundreds  
41 of thousands of dollars annually through animal control and sheltering programs aimed at  
42 coping with unwanted and homeless cats and dogs; and  
43

44 WHEREAS, humane societies and shelters throughout the country have to euthanize  
45 approximately four million cats and dogs each year, although many of them are healthy and  
46 adoptable, due to the lack of critical resources such as money, space, and good adoptive  
47 homes; and  
48

49 WHEREAS, the Animal Services Advisory Board and the Animal Services Department have  
50 made correcting pet overpopulation a priority, and prepared ***Managing Pet Overpopulation: A***

1 **Strategic Plan for Orange County and Managing Free-Roaming Cats in Orange County,**  
 2 **North Carolina; and**

3  
 4 WHEREAS, spaying and neutering cats and dogs, among other animal companions, has been  
 5 shown to drastically reduce overpopulation; and

6  
 7 WHEREAS, Animal Services has partnered with AnimalKind and the Department of Social  
 8 Services to offer “low cost” and “no cost” spay and neuter to households who are economically  
 9 disadvantaged or who receive public assistance; and

10  
 11 WHEREAS, veterinarians, animal care and control organizations, national and local animal  
 12 welfare organizations, and private citizens have joined together again this year to advocate and  
 13 support the spaying and neutering of companion animals on “Spay Day USA 2015”;

14  
 15 NOW THEREFORE BE IT RESOLVED by the Orange County Board of Commissioners that  
 16 February 24, 2015 is declared “Spay Neuter Day” and the Board calls upon the people of the  
 17 County to observe the day by having their own cats or dogs spayed or neutered or by  
 18 sponsoring the spaying or neutering of another person’s cat or dog.

19  
 20 THIS, THE 3rd DAY OF MARCH, 2015.

21  
 22 A motion was made by Commissioner Jacobs, seconded by Commissioner Price to  
 23 adopt a resolution recognizing February 24, 2015 as “Spay Neuter Day” in Orange County and  
 24 authorize the Chair to sign.

25  
 26 VOTE: UNANIMOUS

27  
 28 Commissioner Jacobs congratulated the Animal Services Advisory Board (ASAB) and  
 29 staff, and he said it is good to see that they are making a difference in Orange County.

30  
 31 **5. Public Hearings**

32  
 33 **a. Joint Public Hearing with the Historic Preservation Commission Regarding the**  
 34 **Proposed Designation of the White Cross School as an Orange County Local**  
 35 **Historic Landmark**

36 The Board considered 1) conducting a joint public hearing with the Historic Preservation  
 37 Commission to receive public comment on the draft designation ordinance for the White Cross  
 38 School, 2) closing the public hearing; and 3) referring the draft designation ordinance back to  
 39 the Historic Preservation Commission for its final review and recommendation.

40  
 41 The following Historic Preservation Members were in attendance:

42 Todd Dickinson, Chair  
 43 Bob Ireland, Vice Chair  
 44 Susan Ballard  
 45 Rob Golan  
 46 Jaime Grant  
 47 Grace White

48  
 49 Peter Sandbeck discussed PowerPoint photos of the White Cross building, and the  
 50 landmark process. He said this hearing is a routine step in the landmark process, as required

1 by the County ordinance for historic preservation and by state law. He said it is important to  
2 note that the landmark designation program is voluntary in Orange County. He said neighbors  
3 are notified when a landmark is being proposed, and these nearby residents are generally very  
4 supportive. He reviewed the background of the creation of the program in the 1970's. He said  
5 the goal was to encourage and promote the preservation and maintenance of historic properties  
6 for public benefit. He said properties must possess special historical, archeological,  
7 architectural or cultural significance for Orange County. He said this determination is then  
8 reviewed and approved by the State Historic Preservation Office, and landmark status can only  
9 be conferred through an ordinance passed by elected officials of a local government entity. He  
10 said landmark owners are entitled to receive a 50 percent deferral on their property, but these  
11 residents must maintain the historic character of the property.

12 He reviewed the following background information from the abstract:

13  
14 **Background:** One of the HPC's duties is to recommend properties to the BOCC for local  
15 landmark designation. Properties must meet a high standard of historic and/or architectural  
16 significance to be designated as an individual landmark. The higher standard is appropriate  
17 since landmark property owners are eligible for a 50 percent property tax deferral as provided  
18 by state law, as long as the property is preserved and retains its historic character. The historic  
19 landmark designation process, outlined in Article 3 of the County's Historic Preservation  
20 Ordinance, involves several steps culminating with the adoption of an ordinance by the BOCC  
21 for each individual landmark. At its October 22, 2014 meeting, the HPC accepted a Part 2  
22 application from Ms. Danielle Sunde to consider her property, the White Cross School, for  
23 designation as an Orange County Local Historic Landmark, thus initiating the application  
24 process. Ms. Sunde's application materials were submitted to the State Historic Preservation  
25 Office (SHPO) for review and comment as required by state law. The HPC received a favorable  
26 response from the SHPO staff. The HPC concurred with the SHPO's evaluation that the White  
27 Cross School was worthy of consideration for local landmark designation. The HPC voted  
28 unanimously to request a joint public hearing with the BOCC, as required by Section 3.7 of the  
29 Historic Preservation Ordinance. Built in 1933, the White Cross School is one of only three brick  
30 consolidated schools to survive in rural Orange County. The property consists of the 1933 brick  
31 school, built in the Colonial Revival style, along with the cafeteria wing added in 1948. Both  
32 portions retain a high degree of architectural integrity, with most of its original historic exterior  
33 and interior features still preserved. The White Cross School played a pivotal role in the social  
34 and cultural life of lower Bingham Township until it closed in 1961. It now serves as the home  
35 for a privately-operated preschool.

36  
37 This is a routine joint public hearing required by state enabling legislation and the county's  
38 Historic Preservation Ordinance. Following this joint public hearing, the BOCC and the HPC will  
39 take into consideration any public comments in preparing the final ordinance. The HPC will then  
40 return the final version of the proposed ordinance back to the BOCC for the Board's  
41 consideration and adoption this spring.

#### 42 43 **PUBLIC COMMENT:**

44 Stan Lewis said he has lived in this area since 1993, and he knew people that actually  
45 went to this school. He said he expressed a few concerns at a previous meeting. He said he  
46 does not want to hold this process up, and he is in favor of the landmark. However, he said Mr.  
47 Sunde needed water for his business, and so he (Stan Lewis) agreed to have a well installed  
48 for this purpose. He said there were some issues related to this that were supposed to be  
49 addressed by Mr. Sunde; however, it has been two years, and these issues have not been  
50 addressed. He said there is a lease agreement for this, and Mr. Sunde is two months behind

1 on these payments. He said the well issues need to be addressed by the steward of the  
2 property.

3 Commissioner Price asked for clarification on the well.

4 Stan Lewis said the well that was built on his property is a separate line that services  
5 only the schoolhouse. He said this is on his property. He said the older well services all of the  
6 other units, including his house.

7 Commissioner Price asked John Roberts if this has any bearing on the landmark  
8 designation.

9 John Roberts said he does not know if it has any bearing on the actual designation of  
10 the landmark. He said this is just public comment for the Board to consider, and this will come  
11 back for further consideration.

12 Chair Jacobs said he can personally testify to the rigorous review of properties by the  
13 Historic Preservation Commission.

14 Discussion ensued between Commissioner Burroughs and Peter Sandbeck regarding  
15 the history of White Cross and Carrboro Schools.

16  
17 A motion was made by Commissioner Rich, seconded by Commissioner Price to:  
18 1) open a joint public hearing with the Historic Preservation Commission to receive public  
19 comment on the draft designation ordinance for the White Cross School;  
20 2) close the public hearing; and  
21 3) refer the draft designation ordinance back to the Historic Preservation Commission for its  
22 final review and recommendation.

23  
24 **VOTE: UNANIMOUS**

25  
26 **b. Comprehensive Plan and Unified Development Ordinance Text Amendments for**  
27 **Agricultural Support Enterprises Within the Rural Buffer Land Use Classification –**  
28 **Defer Public Hearing Process to May 5, 2015 (No Additional Oral Comments**  
29 **Accepted)**

30 The Board considered deferring the public hearing process on the Comprehensive Plan  
31 and Unified Development Ordinance (UDO) zoning text amendments pertaining to Agricultural  
32 Support Enterprises within the Rural Buffer land use classification to May 5, 2015 in order to  
33 allow time for the necessary Joint Planning Amendment (JPA) land use amendments to be  
34 further considered and adopted.

35 Perdita Holtz said the JPAs are still in the review process. She said Carrboro has  
36 adopted a revised resolution without the sunset clause, and Chapel Hill is scheduled to address  
37 the JPA amendments next week. She said the JPA materials will need to come back to the  
38 Board of County Commissioners for re-adoption, and staff plans to bring this to the Board of  
39 County Commissioners on April 7<sup>th</sup>. She said the UDO amendments will be taken back to the  
40 County planning board on April 1st.

41 Commissioner Rich asked what will happen if there are two very different resolutions  
42 from Carrboro and Chapel Hill.

43 Perdita Holtz said staff is not expecting differing resolutions, but if there are differences,  
44 the local governments will need to come together to address this.

45  
46 A motion was made by Commissioner Jacobs, seconded by Commissioner Rich to:  
47 1. Open the public hearing, and  
48 2. Defer the hearing by adjourning it to **May 5, 2015** in order to allow time for the necessary  
49 JPA land use amendments to be further considered and adopted.  
50

1 VOTE: UNANIMOUS  
2

3 **c. 2015 - 2019 Consolidated Plan/HOME Program**

4 The Board considered opening the public hearing to receive comments from the public  
5 regarding the housing and non-housing needs to be included in the 2015-2019 Consolidated  
6 Plan for Housing and Community Development Programs in Orange County and proposed uses  
7 of the 2015-2016 HOME funds, and closing the public hearing.

8 Audrey Spencer-Horsley said the purpose tonight is to receive public comments, which  
9 initiates a community input process for the five year consolidated plan that is required by the  
10 U.S. Department of Housing and Urban Development (HUD) for funds received by the Orange  
11 County Consortium and Chapel Hill CDBG funds. She said the plan covers housing and non-  
12 housing needs to be included in the 2015-2019 Consolidated Plan for Housing and Community  
13 Development Programs in Orange County and proposed uses of the 2015-2016 HOME funds.  
14 She said there will be other opportunities for community input, and prior to submission of the  
15 plan to HUD, there will be on-line surveys and stakeholder meetings.

16 She said staff has received a final number for the amount of funding that will be  
17 received this year. She said this amount is \$311,832, which is \$40,000 less than 2014. She  
18 said applications for funding were due by February 20<sup>th</sup>, and these applications have been  
19 forwarded to the consortium for review.

20 Commissioner Dorosin asked why the public hearing is being held now when the  
21 application deadline has already passed. He said the purpose is to find out how the community  
22 feels the home program money should be spent, but the applications have already been  
23 submitted to receive the money. He does not understand the timeline.

24 Audrey Spencer-Horsley said the timeline is not ideal. She said the goal would usually  
25 be to complete this process prior to receiving applications. She said these HOME funds will  
26 represent the annual action plan, which is required for each of the five years. She said this is  
27 the first year in the five year process, and there are four more years of opportunity. She said  
28 the consolidated plan also looks for other funding resources for addressing affordable housing.

29 Commissioner Dorosin said if the deadline for applications is set outside of our control  
30 then next year, he would suggest that the public hearing be held two months prior.

31 Audrey Spencer-Horsley said this should be possible next year. She said this year's  
32 process will give them a guide for next year.

33 Commissioner Price questioned whether this timeline is due to the Board of County  
34 Commissioners schedule or HUD.

35 Audrey Spencer-Horsley said next year's schedule will be more in alignment with the  
36 Board's expectations, and it will allow more time to get ahead of the curve.

37 Chair McKee asked if a reason was given for the \$40,000 reduction of funds.

38 Audrey Spencer-Horsley said the funding was reduced at the federal level, and the  
39 County's cut was proportional to this.

40  
41 **PUBLIC COMMENT**

42 Brian Curran is the secretary of the board of directors for Habitat for Humanity of  
43 Orange County. He said HOME funding continues to be a critical factor in Habitat's building  
44 efforts. He said these funds have been used to leverage millions of dollars in private funding  
45 for the majority of the 250 homes that Habitat has built in Orange County. He said HOME  
46 funding is part of the reason that 50 people now call Phoenix Place home. He said the addition  
47 of Habitat homes has resulted in crime rate reductions and a rise in the rates of home  
48 ownership. He said Habitat is requesting \$270,000 in funding for 11 new homes for  
49 homebuyers who earn between 30 and 65 percent of area median income. He said these  
50 funds will be used as second mortgages for Habitat home buyers and will have long term

1 positive impact for residents. He said Habitat also assists residents with revitalization and repair  
2 of older homes through its Brush with Kindness program. He thanked the Board for  
3 consideration of this request, and he provided a copy of Habitat for Humanity's annual report.  
4

5 Angel Davalos lives in a Habitat home located in the Fairview community in  
6 Hillsborough. He said, by providing these funds to Habitat, the Board is keeping the  
7 organization functional so that wonderful things can happen. He said, for families purchasing  
8 homes, this program makes the single family home dream a reality. He said he had previously  
9 lived in public housing, and his wife grew up in one bedroom trailer with her family of five. He  
10 said he and his wife feel incredibly blessed to provide a better home for their children. He said  
11 the Board is also giving the gift of giving to all of the volunteers involved in this program, and is  
12 fostering partnerships between Habitat and organizations within the Community. He highlighted  
13 the Hands for Habitat partnership between Habitat and Orange County schools, with a focus on  
14 educating students on the issue of affordable housing. He said this program has been in  
15 existence for 7 years, and 12 schools and 68 classrooms have participated. He said his home  
16 was built by Orange High students, while students in younger grades participated in fund raising  
17 activities. He said this program is having an incredible impact on students. He thanked the  
18 Board for their support and asked for their continued help.  
19

20 Michael Kelly works for Housing for New Hope. He said he has nothing bad to say  
21 about Habitat, but you do have to make a certain amount of money to qualify for a Habitat  
22 home. He said Housing for New Hope's homeless outreach and support program targets  
23 homeless residents and those who make less than 30 percent of area median income. He said  
24 these are people who would probably not qualify for a Habitat home, and some form of  
25 assistance is needed for them. He said these currently homeless residents are provided with  
26 temporary assistance to obtain and retain affordable rental housing. He said HOME funds are  
27 requested to support this direct assistance. He said the team searches the streets of Orange  
28 County, Chapel Hill, and Carrboro, and works in cooperation with other organizations in the  
29 area. He said funds are used to help provide these homeless residents with rental and utility  
30 deposits, first month's rent, and sometimes with monthly rental assistance. He said the  
31 program is considered a success when an individual or family becomes securely housed. He  
32 said the goal is to assist with the provision of decent, safe, affordable housing, and to assist  
33 participants with obtaining income to live as independently as possible.  
34

35 Jamie Rohe is the Homeless Programs Coordinator for Orange County. She hears over  
36 and over again from the homeless service providers that there is no affordable rental housing in  
37 Orange County. She said Housing for New Hope is an essential program that fills a great need  
38 in this area for residents who earn little and are chronically homeless. She said there are very  
39 few landlords who will rent to residents with criminal histories or poor credit. She said the  
40 Department of Social Services (DSS) and Inter-faith Council (IFC) staff cannot find affordable  
41 rental units in Orange County for their clients. She said to bridge these two topics, Orange  
42 County and Chapel Hill are required to create a consolidated plan, and this plan is a tool to  
43 identify unmet needs and best strategies for filling that need for affordable housing. She  
44 encouraged the Board to use this tool to inform funding and policy decisions.  
45

46 Maggie West affirmed the previous comments. She requested that the plan include  
47 efforts to address the severe lack of properties accepting Section 8 federal vouchers. She said  
48 the community is in a crisis of finding landlords who are willing to accept these vouchers and  
49 house the families receiving subsidies. She said she is working for two women who are  
50 wheelchair bound and have no poor credit or criminal history, but they are having trouble only

1 because of the vouchers. She said efforts need to be made to recruit and maintain  
 2 relationships with landlords who are willing to accept these vouchers. She said, the GFC issue  
 3 affected one fifth of the voucher holders in Orange County, and the relocation of these families  
 4 caused problems for other voucher holders who were looking for homes.

5  
 6 Chiraayu Gosrani is a student at UNC, and he works with the Community Empowerment  
 7 Fund. He said the consolidated plan needs to involve stakeholders and people who are actually  
 8 facing homelessness and extreme poverty. He said a concerted effort needs to be made to  
 9 reach out to those communities to understand their needs and whether they are being met. He  
 10 said communication with landlords is also very important. He said there is a lack of information  
 11 with the landlords regarding what housing vouchers entail. He said many of the voucher  
 12 holders are turned down because of a criminal record or lack of ability to meet other  
 13 specifications. He said another issue is access to affordable housing. He said there is no  
 14 central location to find information about options for affordable housing. He suggested the  
 15 creation of a database to make this information accessible to caseworkers and organizations  
 16 working to place members into housing.

17  
 18 Allan Rosen read from the following written comments:  
 19 Hello, I am Allan Rosen, project manager at the Inter-Faith Council for Social Service (IFC). I'm  
 20 here tonight for the housing and community development public hearing. I'd like to share some  
 21 information about IFC's work that we believe will be helpful in preparing Orange County's  
 22 Consolidated Plan.

23  
 24 As most of you likely know, IFC is one of the principal agencies that address homelessness and  
 25 hunger in Orange County. Throughout our history, IFC has relied on partnerships with  
 26 community volunteers, congregations, businesses, civic associations, and peer social service  
 27 agencies. For housing and community development issues, we actively participate in the  
 28 Partnership to End Homelessness, the Orange County Affordable Housing Coalition, and the  
 29 Family Success Alliance.

30  
 31 For the past thirty years IFC has focused its effort on basic safety-net programs including  
 32 emergency shelter and transitional housing, free medical and mental health care for the  
 33 residents of our housing programs, a community kitchen, food pantry and crisis intervention  
 34 services for vulnerable individuals and families who are at-risk of becoming homeless.  
 35 IFC has 20 full-time and 8 part-time employees. Our annual cash budget is \$1.75 million, which  
 36 is surpassed by \$2.5 million in donated goods and services (including more than 40,000  
 37 volunteer hours).

38  
 39 IFC is very appreciative of the support it receives each and every year from Orange County and  
 40 the Towns of Carrboro and Chapel Hill. This support is critical to keeping our programs  
 41 operating.

42  
 43 In the interest of time, I'll submit detailed service deliver totals from the most recent fiscal year  
 44 in writing. However, with respect to our housing programs, in the last fiscal year:

- 45 • Community House provided 17,200 nights of safe shelter for 370 men
- 46 • HomeStart provided 13,400 nights of safe shelter to 200 women and 80 children
- 47 • Our Robert Nixon Free Clinic
  - 48 ▪ Provided free health care to 350 residents
  - 49 ▪ Provided free mental health care to 160 residents
  - 50 ▪ Dispensed 500 prescriptions

1  
2 IFC has been operating the Community House and HomeStart at this scale since 1998 when  
3 our HomeStart facility opened on land generously made available by the Commissioners.  
4 Currently nearly 57%, or \$994,000, of our \$1.75 million cash budget, supports Community  
5 House, HomeStart and the free clinic. Included in this funding is approximately \$40,000 in local  
6 government dollars and \$59,000 from the federal Emergency Solutions Grant.  
7

8 **From our vantage point, we believe the FY 2015-20 Consolidated Plan should consider**  
9 **the following factors:**

10  
11 1. The new Inter-Faith Council @SECU Community House is scheduled to open in September  
12 2015 and will provide 52 beds for a men's transitional housing program. At HomeStart, IFC  
13 also has ten bedrooms available for women—and women with children—enrolled in a  
14 transitional housing program. Last fiscal year 87 men, women, and children successfully found  
15 permanent housing after completing the program at IFC. This year the numbers are down  
16 because of a noticeable reduction in affordable housing opportunities.  
17

18 Those who successfully complete their transitional housing program typically seek permanent  
19 affordable housing in the Chapel Hill-Carrboro community to be near their place of employment  
20 and their support networks. Often those who are ready to leave IFC's housing programs delay  
21 their departure until suitable affordable housing can be found.  
22

23 It is our experience that without more affordable rental housing, IFC program residents will  
24 either stay enrolled longer than necessary, move further away from their place of employment  
25 and support networks for the sake of affordable housing, or move into substandard housing in  
26 closer proximity to employment and support.  
27

28 Hence, we believe all agencies in Orange County that offer transitional housing programs (IFC,  
29 Horizons, etc.) would be more successful if the supply of affordable housing in our community  
30 increases by at least twenty-five net units each year available for transitional housing program  
31 graduates for the duration of the Consolidated Plan's planning horizon.  
32

33 2. With respect to Emergency Shelter, currently neither Community House nor HomeStart have  
34 limits on how many persons can be accommodated on bad weather nights. At HomeStart we  
35 rarely have more emergency shelter guests than emergency shelter beds, which are sixteen.  
36

37 However, at the IFC @SECU Community House, IFC will be limited to seventeen (17)  
38 emergency shelter beds for homeless men. This year, beginning in November, on most bad  
39 weather nights, we've had at least 20 men staying overnight on a weather-emergency basis.  
40 The maximum-to-date has been 29 men. Hence, we believe the community will need an  
41 additional 12-15 emergency shelter beds in southern Orange County on cold weather nights for  
42 homeless men in addition to those that will be available at the new Community House.  
43

44 Hudson Vaughn works with the Jackson Center, and he supports the previous  
45 comments. He feels it is important that the consolidated plan supports critical home repairs for  
46 long term elderly residents in Orange County. He gave examples of homes he has seen that  
47 have significant repair needs. He said these critical repairs need a quick response, and efforts  
48 have been made to connect these residents with agencies such as Habitat for Humanity and  
49 the IFC to address their needs in a multifaceted way. He said Orange County's Housing

1 Department has programs to address some of these, but the process is often too slow to  
2 accommodate the needs. He gave examples of situations to support the existence of this issue.

3  
4 Robert Reda is the President of Habitat for Humanity of Orange County. He said the  
5 demand for Habitat homes will continue to rise, and one way Habitat is preparing to meet those  
6 needs is by acquiring land. He noted the future agenda item regarding a lot donation from the  
7 County. He hopes the County will be open to future donations of other properties that are  
8 suitable for affordable housing. He said Habitat for Humanity's site committee has identified a  
9 number of possible building lots, and Habitat will continue to raise funds for purchase of these  
10 lots, but local government funding will also be needed. He said Habitat is a member of the  
11 Affordable Housing Coalition, which is chaired by Habitat's Executive Director, Susan Levy. He  
12 said the coalition has successfully advocated for the Town of Chapel Hill to have an ongoing  
13 source of local funding for affordable housing. He said the County will also be asked to develop  
14 a sustainable source for funding. He said Habitat also has an exterior repair program, which is  
15 supported by the County through its outside agency grant. He said there is still a significant  
16 unmet need among low income residents, especially the elderly, and he hopes the consolidated  
17 plan will address this. He thanked the Board for their support.

18  
19 The following written statement was submitted via email:

20 FROM: Mary Jean Seyda, COO of CASA,  
21 Chair of the Orange County Partnership to End Homelessness  
22 DATE: February 20, 2015  
23 RE: Public Comment on the FY 2015-2019 Orange County Consolidated Housing  
24 Plan & 2015-2016 HOME Investment Partnership funds  
25

26 Research shows that Extremely Low Income Households (ELI) have the greatest need for  
27 rental housing. These are individuals and families whose income is at or below 30% of the  
28 median. In Orange County these community members have incomes that range from \$0-  
29 \$13,800 for a single individual, \$19,700 for a family of 4. Federal housing assistance including  
30 Public Housing Authority units and Housing Choice Vouchers, is aimed at this group. "But  
31 unlike most other safety net programs, federal low income housing assistance is not an  
32 entitlement. Everyone who is eligible for it does not receive it. These programs only reach  
33 about 23% of income eligible households, because they are not funded at a high enough level  
34 to serve all eligible households." (National Low Income Housing Coalition, The Alignment  
35 Project, <http://nlihc.org/library/research/alignment, 2014>)  
36

37 According to the Urban Institute (<http://urban.org/housingaffordability>) in Orange County

- 38 • For every 100 ELI renter households, there are only 25 affordable and available rental  
39 units.
- 40 • There are 6,270 ELI renter households
- 41 • There are 1,564 affordable and available rental units
- 42 • We need 4,706 affordable units to close this gap.

43 We advocate that funding be prioritized for community members who are ELI, may be  
44 homeless, and/or have a disability. These are not three disparate groups; these three  
45 characteristics are intrinsically linked. According to the Technical Assistance Collaborative  
46 *Priced Out 2012*, persons with disabilities remain the poorest households in our communities:  
47 "The average annual income of a single individual receiving SSI payments was \$8,714 – equal  
48 to only 19.2% of the national median income for a one-person household and almost 22%  
49 below the 2012 federal poverty level." According to Orange County's 2014 Point-in-Time Count,  
50 nearly half of the persons who are homeless in our county reported having a disability. As we

1 have seen in the Come Learn with Us sessions at the Town of Chapel Hill, an average of 75%  
 2 of persons of low wealth, persons with a disability and single parent families spend more than  
 3 30% of their income on housing costs. They disproportionately carry a high housing cost  
 4 burden.

5  
 6 By prioritizing funding for ELI households, therefore, we are preventing or ending the cycle of  
 7 homelessness for the most vulnerable members of our community.

8  
 9 CASA's second priority is for households earning less than 60% of the median. This group of  
 10 renters **is not served** by the market. Not only is this group cost-burdened themselves, but  
 11 because this group is competing for the limited number of available and affordable units, they  
 12 are further constricting the availability of units for ELI households at the very bottom.

13  
 14 **Priority 1 Affordable Rental: New Construction and Acquisition and Rehab**

- 15 • Extremely Low Income Households 0-30% of Area Median Income
- 16 • Persons who are homeless
- 17 • Persons with a disability

18 **Priority 2 Affordable Rental: New Construction and Acquisition and Rehab**

- 19 • 30-60% AMI
- 20 • Persons who are homeless
- 21 • Persons with a disability

22 **Priority 3 Rental Subsidies**

- 23 • As part of the development negotiations request that all new multi-family developments  
 24 accept rental subsidies (Housing Choice Vouchers, VASH Vouchers, Shelter Plus Care  
 25 Rental Subsidies) in a percentage of their units. Given that insufficient federal supports  
 26 such as vouchers are available, the least our community can do is not reject those  
 27 supports that do exist.

28  
 29 Commissioner Price said that the Community Home Trust Executive Director Robert  
 30 Dowling was unable to attend this evening, but he has sent a request by email for \$12,000 from  
 31 the HOME program funds.

32 Commissioner Dorosin said he has heard a lot of good things are happening, but he has  
 33 also heard that there are a lot of challenges still out there. He said there is a need to think  
 34 more creatively with this plan. He said new and creative solutions need to be added to address  
 35 these continuing problems. He said a lot of the model has a heavy dependence on the private  
 36 sector, but this community may have reached the ceiling with the private market. He  
 37 questioned whether the County should look at owning their own properties that will accept the  
 38 section 8 vouchers. He said this can be done in partnership with non-profits. He said he has  
 39 talked with people having issues with manufactured housing too. He suggested the idea of  
 40 cooperatively owned parks or publicly owned facilities to serve the people with the most need.  
 41 He hopes the Board can work with everyone present tonight to begin innovating with new and  
 42 creative strategies to address the gaps.

43 Commissioner Rich said it is important to work with their local government partners too.  
 44 She would like to know more about the previously mentioned long wait times for urgent repair  
 45 issues. She agreed with Commissioner Dorosin that it is time to begin thinking outside of the  
 46 box, especially in the face of reduced federal funding. She said it may be time to look at some  
 47 best practices from other states.

48 Commissioner Pelissier echoed Commissioner Rich's comments about working with  
 49 their government partners. She said she has asked at past joint meetings about the 80 acres  
 50 of the green tract, which is jointly owned by Carrboro, Chapel Hill, and Orange County. She is

1 interested in looking at ways to do something different with at least some portions of that land.

2 Commissioner Jacobs said he agrees with most of what has been said. He particularly  
3 supports Commissioner Dorosin's thoughts regarding manufactured housing. He said the  
4 Board has talked about land banking for awhile, to create community opportunities and  
5 alternative options for people at the mercy of mobile home park operators.

6 Commissioner Jacobs said the plan also talks about continued dialogue with the  
7 university regarding issues that affect affordable rental opportunities in the area. He suggests  
8 taking this a step further, and he would like an update from the manager at a future meeting  
9 regarding this partnership.

10 Chair McKee said manufactured housing, and particularly modular homes, do provide  
11 opportunities for affordable housing, especially if you own the land.

12 Chair McKee asked Hudson Vaughn to contact the manager's office with the name of  
13 the person he mentioned in his earlier comments.

14  
15 A motion was made by Commissioner Price, seconded by Commissioner Pelissier to  
16 close the public hearing.

17  
18 VOTE: UNANIMOUS

19  
20 **d. Orange County's Proposed 2015 Legislative Agenda**

21 The Board considered 1) conducting a public hearing on Orange County's potential  
22 legislative items for the 2015 North Carolina General Assembly Session; 2) closing the public  
23 hearing and reviewing and discussing the Legislative Issues Work Group's (LIWG) proposed  
24 2015 legislative package and any other potential items for inclusion in Orange County's  
25 legislative agenda package for the 2015 North Carolina General Assembly Session; 3)  
26 approving the proposed legislative matters resolution on Statewide Issues; and 4) identifying  
27 three to five specific items from the entire package to highlight for priority discussion at the  
28 March 23, 2015 meeting with Orange County's legislative delegation.

29 Greg Wilder gave some background information. He noted that Commissioner Rich and  
30 Commissioner Pelissier were the two Commissioners who served on the Legislative Issues  
31 Work Group. He said the proposals from the work group are listed on attachment 2 of the  
32 abstract.

33 Commissioner Pelissier highlighted Items 18 and 19 on page 11 of attachment 2, which  
34 were added after suggestions and petitions from Board members and the public. These items  
35 read as follows:

36  
37 **18) Sales Tax Distribution Formula** – Support legislation directing that all sales tax be  
38 distributed on a per capita basis; and

39 **19) Classification of Flavored Alcoholic Beverages (Alcopops)** – Support legislation to  
40 properly classify flavored alcoholic beverages (Alcopops) as distilled spirits rather than malt  
41 beverages.

42  
43 **PUBLIC COMMENT:**

44 Terry Snow resides in Hillsborough and is a registered engineer. He said a safe and  
45 efficient transportation system is vital to a vibrant economy in N.C. He said Orange County has  
46 taken a proactive position to change general statute 153A-331, which will allow the flexibility to  
47 transfer funds to NCDOT and the municipalities for transportation projects. He said this  
48 flexibility will aid in timely planning, design, and construction of roadways. He said this change  
49 is good for Orange County and N.C.

50 Del Burns referred to a letter the Board received from Orange County School Board

1 Chair Stephen Halkiotis. He said this memo was regarding three issues, including: calendar  
2 flexibility; full funding for state allotments, including ADM growth; and full funding for driver  
3 education. He said two of these are financial in nature and could have impacts on both  
4 districts. He referred to the second item regarding full funding for state allotments, and he said  
5 this addresses changes in the last session of the general assembly, whereby growth in school  
6 districts has moved from continuation budgets to expansion budgets. He said this means that  
7 growth competes with every other item when the general assembly puts together a budget. He  
8 said this means absorbing growth, especially rapid growth, may be a challenge. He said this  
9 may result in requests for additional county funding to make up that difference.

10 Del Burns said there has been a declining amount of support for driver education as  
11 well, and school systems will now be required to provide driver education while having no  
12 guarantee of funding to do so.

13 He said the calendar flexibility issue has been brought forth in the face of the recent  
14 inclement weather. He said there are August and June cutoff dates that must be adhered to,  
15 and the makeup of the lost time ranges from options that are inconvenient, educationally  
16 difficult, or negatively impact worship. He said the Orange County Schools would like to offer  
17 options that would be family friendly and educationally sound. He said the calendar legislation  
18 limits these options.

19 Del Burns said the Board of Education asks for the Board's consideration of these three  
20 issues.

21  
22 Commissioner Jacobs referred to the following: item #17 \* **Participation in Solid**  
23 **Waste Programs for Recycling** –Authorize counties to require county residents to impose a  
24 fee for the solid waste collection services in a manner similar to the authority granted to  
25 municipalities. The fee may not exceed the costs of collection. He asked John Roberts how this  
26 is different from his interpretation of how the law was changed last August.

27 John Roberts said #17 simply asks that the counties be granted the same authority as  
28 the towns.

29 Commissioner Rich asked about Item #3, which is related to broadband service. She  
30 asked how the new FCC ruling would affect the wording of this item.

31 John Roberts said he does not know that it would change anything. He said the FCC  
32 ruling is tentative, and he expects some legal challenges ahead. He said this item is asking for  
33 extra authority, as the County's current authority is limited to providing grants to public internet  
34 providers. He said counties, unlike cities, do not have legislative authority to operation  
35 communications facilities, so the FCC guidelines are directed toward cities.

36  
37 A motion was made by Commissioner Rich, seconded by Commissioner Pelissier to  
38 close the public hearing and review and discuss the Legislative Issues Work Group's (LIWG)  
39 proposed 2015 legislative package and any other potential items for inclusion in Orange  
40 County's legislative agenda package for the 2015 North Carolina General Assembly Session.

41  
42 VOTE: UNANIMOUS

43  
44 *Additional item:*

45 Commissioner Jacobs said the state legislature is considering a constitutional  
46 amendment regarding eminent domain, and one of the drafts was very vague about extending  
47 eminent domain to those who provide telecommunication. He suggested the following  
48 additional wording: "Oppose adding language to a constitutional amendment on eminent  
49 domain that extends any further preemption of county authority to regulate the placement of  
50 telecommunication towers."

1  
2 Commissioner Dorosin said he had the following suggestions to add:

- 3 • Add an item requesting a raise in the age for juvenile jurisdiction from 16 to 18 years of
- 4 age.
- 5 • Add an item requesting a raise in the state minimum wage to 10 dollars an hour.
- 6 • Request restoration of the state earned income tax credit.
- 7 • Request state expansion of the Medicaid program.
- 8 • Add a goal to restore same day voter registration, early voting periods, Sunday voting,
- 9 and pre-registration of 16 and 17 year olds.
- 10 • Add a goal that the state should abolish the death penalty.
- 11 • Support Orange County Schools' request for the addition of three items.
- 12 • Add the planning request regarding transportation funds.

13  
14 Commissioner Dorosin said these legislative goals are a statement of the County's  
15 values, and it is important to add these things.

16 Chair McKee requested that a separate vote be taken for item #1 so that he can vote  
17 against this. He noted that a transfer tax was defeated in Orange County, and it has been  
18 passed in several other counties. He would like the option to vote against this one item.

19 There was clarifying discussion noting that the total number of items is now 27, with the  
20 three recommendations by OCS being counted as one item.

21  
22 A motion was made by Commissioner Jacobs, seconded by Commissioner Pelissier to  
23 approve Item #1 Revenue Options for Local Government.

24  
25 VOTE: Ayes, 6; Nay, 1 (Chair McKee)

26  
27 A motion was made by Commissioner Rich, seconded by Commissioner Price to  
28 approve the proposed legislative matters resolution on Statewide Issues and additional items.

29  
30 VOTE: UNANIMOUS

31  
32 The Board considered identifying three to five (or more) specific items from the entire  
33 package to highlight for priority discussion at the March 23, 2015 meeting with Orange County's  
34 legislative delegation.

35  
36 Chair McKee reviewed the items added by Commissioner Jacobs and Commissioner  
37 Dorosin.

38 Commissioner Pelissier suggested prioritization of item #4 regarding Smart Start and  
39 NC Pre-K should be one of the priority items.

40 Commissioner Price suggested prioritization of item #3 regarding Broadband, and said  
41 this is important for this community.

42 Commissioner Dorosin suggested prioritization of item #21 to raise the age of juvenile  
43 jurisdiction.

44 Commissioner Burroughs suggested prioritization of item #27, which includes the three  
45 issues identified by OCS items. She also suggested prioritization of item #10 regarding  
46 childcare.

47 Commissioner Rich suggested prioritization of item # 24 regarding the expansion of  
48 Medicaid. She said this does not have to be a long discussion, but it is worth mentioning.

49 Commissioner Jacobs supports the prioritization of item #11 regarding land, water and  
50 agricultural preservation funding.

1 Commissioner Price suggested prioritization of item #8, regarding E-911 funds and #9  
2 regarding Mental Health.

3 Chair McKee noted that nine items have been suggested.

4 Commissioner Dorosin suggested, if nine priorities are going to be kept, it would be  
5 good to group them into categories or themes.

6 Discussion ensued regarding this proposal, and it was suggested that Greg Wilder could  
7 help with grouping these items.

8  
9 A motion was made by Commissioner Dorosin, seconded by Commissioner Pelissier to  
10 highlight these items for priority discussion at the March 23, 2015 meeting with Orange  
11 County's legislative delegation.

12  
13 VOTE: UNANIMOUS

14  
15 **6. Consent Agenda**

16  
17 • **Removal of Any Items from Consent Agenda**

18 Chair McKee noted that a speaker was present for item 6n - Draft Interlocal Agreement  
19 for the Hollow Rock Park and Natural Area – and he asked that this item be pulled.

20 Commissioner Price pulled item 6i for discussion.

21  
22 • **Approval of Remaining Consent Agenda**

23 A motion was made by Commissioner Pelissier, seconded by Commissioner Rich to  
24 approve the remaining items on the consent agenda.

25  
26 VOTE: UNANIMOUS

27  
28 **a. Minutes**

29 The Board approved the minutes as presented or as amended for May 29, 2014; June 5, 2014;  
30 June 12, 2014; January 22, 2015; January 27, 2015; and January 30, 2015 as submitted by the  
31 Clerk to the Board.

32 **b. Motor Vehicle Property Tax Releases/Refunds**

33 The Board accepted the report reflecting the motor vehicle property tax releases/refunds  
34 requested in accordance with the NCGS for fourteen (14) taxpayers with a total of sixteen (16)  
35 bills that will result in a reduction of revenue, and approving the attached release/refund  
36 resolution.

37 **c. Property Tax Releases/Refunds**

38 The Board adopted a resolution, which is incorporated by reference, to release property tax  
39 values for eight (8) taxpayers with a total of (11) eleven bills that will result in a reduction of  
40 revenue in accordance with North Carolina General Statute 105-381.

41 **d. Applications for Property Tax Exemption/Exclusion**

42 The Board approved the attached resolution for two (2) untimely applications for  
43 exemption/exclusion from ad valorem taxation for two (2) bills for the 2014 tax year.

44 **e. Contract Renewal – Removal of Scrap Tires**

45 The Board approved a contract renewal with Central Carolina Holdings, LLC of Cameron, North  
46 Carolina for the removal of scrap tires and authorized the Chair to sign the agreement.

47 **f. Approval to Extend the Cane Creek Fire Insurance District Boundary**

48 The Board approved the Cane Creek Fire Insurance District Boundary map which has been  
49 expanded to include properties from the White Cross Fire District that are not currently in the  
50 rated insurance district for insurance purposes only.

1 **g. Approval of Expanded East Alamance Fire Insurance District Boundary**

2 The Board approved the East Alamance Fire Insurance District Map which has been expanded  
3 to include properties within six road miles of Mebane Fire Department Station 3 located at 1469  
4 Mebane Oaks Road in Alamance County for insurance purposes only.

5 **h. Fiscal Year 2014-15 Budget Amendment #6**

6 The Board approved the budget ordinance amendments for fiscal year 2014-15 for Cooperative  
7 Extension; Animal Services/Spay and Neuter Fund; Department on Aging; Library Services;  
8 New Hope Volunteer Fire Department; White Cross Fire Department; Sheriff's Department;  
9 Department of Social Services; Human Services Non-Departmental; and Other Post  
10 Employment Benefits (OPEB) Trust Fund.

11 **j. Orange Unified Transportation Board (OUTBoard) Policies and Procedures**

12 The Board approved a resolution amending OUTBoard Policies and Procedures to include  
13 Public Health as an additional area of expertise or interest for representation within its  
14 membership composition and authorized the Chair to sign.

15 **k. An Amendment to the Orange County Board of Commissioners Advisory Board Policy**

16 The Board amended the membership requirements of the Orange County Board of  
17 Commissioners Advisory Board Policy to set aside board-specific policy requirements dealing  
18 with town nominees or geographic requirements if the vacancies affected by those  
19 requirements remain unfilled for six (6) consecutive months.

20 **l. BOCC Rules of Procedure Revisions**

21 The Board approved the changes to the "Rules of Procedure for the Board of Commissioners"  
22 regarding Announcements and Petitions by Board Members and the Spokesperson for the  
23 Board and update the Rules of Procedure booklet.

24 **m. Reimbursement Resolution for FY 2014-15 Capital Projects and Equipment**

25 The Board approved a resolution providing for reimbursement of FY-2014-15 Capital Project  
26 costs.

27  
28  
29 • **Discussion and Approval of the Items Removed from the Consent Agenda**

30 **i. Revised Applications, Guidelines & Scoring Sheets for Orange County's Business  
31 Investment Grant & Agriculture Economic Development Grant**

32 The Board considered approving revised draft Applications, Guidelines & Scoring Sheets for  
33 each of two grant programs – Business Investment Grant & Agriculture Economic Development  
34 Grant – which are funded by Article 46 one quarter cent sales tax proceeds to support  
35 economic development.

36 Commissioner Price asked if the applications will specify that the amount has to be  
37 rounded to whole numbers.

38 Steve Brantley said the wording states that the smaller grant is up to \$1,000 for  
39 agriculture and up to \$1,500 for businesses.

40 Commissioner Price said the small grants are listed as up to \$1,000, and large grants as  
41 between \$1,001 and \$10,000. She said people could use the 99 cents gap to work around the  
42 system.

43 Steve Brantley said their advisory board can be more specific in order to address this.  
44 He said he will bring this to their attention.

45 Chair McKee suggested the wording of "small grants of amounts below \$1,000, and  
46 large grants from \$1,000 to \$10,000."

47 Commissioner Price referred to item #9 and the request for grant recipients to provide  
48 an accounting of how all funds are used within 180 days of receipt. She asked if this is saying  
49 that the recipient must have spent all of the money in that time frame, or if this just means an  
50 accounting needs to be provided for what has been used up to that point.

1 Steve Brantley said the language could be changed to say, "how the funds were, or will  
2 be, used."  
3

4 A motion was made by Commissioner Price, seconded by Commissioner Rich to approve the  
5 revised draft Applications, Guidelines & Scoring Sheets for each of two grant programs –  
6 Business Investment Grant & Agriculture Economic Development Grant – which are funded by  
7 Article 46 one quarter cent sales tax proceeds to support economic development.  
8 with the two proposed changes: 1) to designate small grants as amounts below \$1,000 and  
9 large grants as amounts from \$1,000 to \$10,000; and 2) item #9 language will be changed to  
10 say "how the funds were, or will be, used."  
11

12 VOTE: UNANIMOUS  
13

14 Steve Brantley gave an update of the website improvements and the digitization of the  
15 application. He said the grants and the small business loan programs will be incorporated into  
16 the business retention program.  
17  
18

19 **n. Draft Interlocal Agreement for the Hollow Rock Park and Natural Area**

20 The Board considered receiving a draft interlocal agreement for the construction and  
21 operation of the planned Hollow Rock Park and Natural Area – a planned multi-jurisdictional  
22 public park located along New Hope Creek and referring the draft interlocal agreement to the  
23 Durham-Chapel Hill-Orange County Work Group for consideration at its March 11 meeting  
24 before the agreement comes back to the Board at a future meeting for further discussion and  
25 action.  
26

27 PUBLIC COMMENT:

28 Bill Hall said is a resident of Durham County and he lives in an area very close to this  
29 park. He said approximately 200 homes rely on Randolph Road for access. He said there is  
30 opposition to closing Pickett Road, since this will shift significant traffic to Randolph Road. He  
31 said a light is warranted at the intersection at Randolph and Erwin Road, but there are limited  
32 options for improving the intersection at Randolph and Pickett Road. He said keeping Pickett  
33 Road open and developing a safe park environment is not an either or proposition. He said it is  
34 possible to design a safe environment for vehicular and pedestrian traffic. He said the  
35 residents first heard about this from the Orange County Board of Commissioners, and he  
36 appreciates their consideration. He asked the Board to remember that many residents do not  
37 want to close Pickett Road, and he asked that plans be made to keep the road open.  
38

39 Debra Barnes said she is also here to represent the residents of Randolph and the  
40 adjoining roads who do not want to close Pickett Road. She said calling the Hollow Rock area  
41 a park and making improvements to it does not change the fact that closing a portion of Pickett  
42 Road will divert traffic into a residential neighborhood, decrease roadway connectivity, and  
43 negatively impact the safety of residents of Randolph and adjoining roads because of increased  
44 traffic. She noted the history of this proposal, which included a petition signed by 61 residents  
45 in 2011. She said there have been several suggestions that the road closure is not necessary.  
46 She noted the increases in traffic on Randolph Road since the 2010 traffic study, and she said  
47 a stoplight at Randolph Road and Erwin Road will not be enough to alleviate the increased  
48 traffic issues. She discussed a recent accident to illustrate this assertion, and she asked that  
49 the idea of closing part of Pickett Road be dropped from the planning process for the Hollow

1 Rock portion of the New Hope Preserve. She said this closure is not necessary, and it will  
2 negatively impact the residents of Randolph Road.

3  
4 Commissioner Jacobs asked David Stancil to explain the status of this proposal.

5 David Stancil said this issue has been around since the master plan was created. He  
6 said the item before the Board tonight is just an interlocal agreement, and it is actually just a  
7 pass through. He said the staff has been discussing what to do next in terms of activities and  
8 trails for the park, and it was suggested that the Durham Chapel Hill Orange Work group might  
9 be the group to work on this. He said this was placed on the agenda for the sole purpose of  
10 referring it to the work group, after which it will come back to the Board. He said the master  
11 plan does not take a position on the closure of Pickett Road, and in fact it shows both options.  
12 He said tonight's action has no bearing on this, but the Board could possibly take action on this  
13 when it comes back from the work group.

14 Commissioner Burroughs said when this comes back to the Board she would like to see  
15 updated traffic study information.

16 Commissioner Pelissier said she hopes the work group would do this quickly, as it has  
17 been around for a long time, and she would like to have it resolved for the sake of the residents.

18 Commissioner Rich asked when this will be referred to the work group.

19 David Stancil said the group meets next week.

20 Commissioner Price said she would like to ask Durham and Orange County Fire chiefs  
21 and Emergency Services directors to review this issue and weigh in with their thoughts.

22 Chair McKee said he does not see anything incompatible with a road and a park. He  
23 would like to see these comments passed on to the work group for consideration.

24  
25 A motion was made by Commissioner Price, seconded by Commissioner Burroughs to  
26 receive the draft interlocal agreement for the construction and operation of the planned Hollow  
27 Rock Park and Natural Area – a planned multi-jurisdictional public park located along New  
28 Hope Creek and referring the draft interlocal agreement to the Durham-Chapel Hill-Orange  
29 County Work Group for consideration at its March 11 meeting before the agreement comes  
30 back to the Board at a future meeting for further discussion and action.

31  
32 VOTE: UNANIMOUS

33  
34  
35 **7. Regular Agenda**

36  
37 **a. Approval of Broker of Record for Employee Benefits**

38 The Board considered approving the recommendation of Arthur J. Gallagher & Co. as  
39 the County's Broker of Record for Employee Benefit programs, and authorizing the Manager,  
40 pending final review by the Human Resources Director and the County Attorney, to sign the  
41 contract with Arthur J. Gallagher & Co. and to further authorize the Manager to sign any  
42 amendments or renewals thereto.

43  
44 Brenda Bartholomew read the following background information:

45  
46 **BACKGROUND:** Orange County issued a Request for Proposals to obtain the services of a  
47 Broker of Record to consult with the County in the management of its employee benefit  
48 programs. The purpose of the Request for Proposal (RFP) was to solicit offers from qualified  
49 brokers to assist the County with strategically planning, designing and negotiating the best  
50 coverage and cost for selective employee benefit programs, which may include but are not

1 necessarily limited to health, dental, vision, and other voluntary programs for employees and  
2 retirees.

3  
4 Under the direction of County Purchasing Agent David Cannell, Employee Benefits Broker RFP  
5 5208 was issued on November 12, 2014. Responses were due by prospective vendors by  
6 December 9, 2014 and were extended one week thereafter.

7  
8 Four vendors responded with written proposals to the RFP, as follows:  
9 Mark III Employee Benefits (the County's current Broker of Record)  
10 Willis Group  
11 Arthur J. Gallagher & Co.  
12 SennDunn Insurance / Marsh & McLennan

13  
14 The four written proposals were initially reviewed on January 9, 2015 by the County's internal  
15 Health Advisory Committee, a six-member employee Committee appointed by the Manager.  
16 Following this initial review, David Cannell further facilitated Committee interviews with all four  
17 vendors on January 29, 2015. Following reviews of the written proposals and the vendor  
18 interviews, the Committee recommended to County Manager Bonnie Hammersley that Arthur J.  
19 Gallagher & Co. be selected as the Broker of Record for Orange County.

20  
21 Human Resources Director Brenda Bartholomew and the Manager have conducted follow-up  
22 discussions and made contact with other governmental units who are current Arthur J.  
23 Gallagher & Co. clients. Based on these discussions and reference checks, the Manager  
24 concurs with the Health Advisory Committee's recommendation.

25  
26 Wesley Grigston from Arthur J. Gallagher & Co. said he works out of the Charlotte office  
27 of Gallagher Benefit Services, and his team will be assigned to Orange County. He said this  
28 includes two benefit consultants, an underwriting consultant, a health management consultant,  
29 a compliance director, and an account manager. He invited questions from the Board.

30 Commissioner Price asked if the broker is alternated as a means of establishing a  
31 system of checks and balances.

32 Bonnie Hammersley said this is the first RFP the County has done for a Broker of  
33 Record.

34  
35 A motion was made by Commissioner Price, seconded by Commissioner Jacobs for the  
36 Board to approve the recommendation of Arthur J. Gallagher & Co. as the County's Broker of  
37 Record for Employee Benefit programs, and authorize the Manager, pending final review by the  
38 Human Resources Director and the County Attorney, to sign the contract with Arthur J.  
39 Gallagher & Co. and to further authorize the Manager to sign any amendments or renewals  
40 thereto.

41  
42 VOTE: UNANIMOUS

43  
44 **b. Family Success Alliance Request for Social Justice Funding and Approval of**  
45 **Budget Amendment #6-A**

46 The Board considered approving Budget Amendment #6-A transferring \$10,000 from  
47 the Social Justice fund to the Health Department for the Family Success Alliance (FSA) in order  
48 for 12 members to attend the Harlem Children's Zone Practitioner's Institute.

49 Colleen Bridger said she was here to represent the Family Success Alliance. She said  
50 the Alliance's first request is for the allocation of \$10,000 from the social justice fund to cover

1 half of the cost for 12 members to attend the Harlem Children's Zone Practitioner's Institute.  
 2 She said participants will spend three days observing this program in order to help implement it  
 3 in Orange County.

4 Commissioner Rich asked if the Board will see a full budget for the Family Success  
 5 Alliance to show what will be spent for the 2015-16 calendar.

6 Colleen Bridger said the alliance is in the middle of a gap analysis. She said once these  
 7 gaps are known, there will be a process to work with the two zones to prioritize how best to  
 8 address them. She said this plan will then come to the Board, along with a definition of the  
 9 budget.

10 Commissioner Rich asked if this will become a line item in the regular budget, or if it will  
 11 always be a request from the social justice fund.

12 Bonnie Hammersley said this has not been decided yet. She said this may have been  
 13 addressed already in a budget amendment. She said this has already been allocated, so staff  
 14 will look at how to address it moving forward.

15 Commissioner Rich said a certain amount will be put into the Social Justice fund, but it  
 16 might be a good idea to move this funding to be a regular line item.

17 Commissioner Burroughs said she was pleased to see that there is a workshop on the  
 18 evaluation. She thinks it is good to have an evaluation tool in place from the beginning.

19 Commissioner Pelissier said there has been some discussion of possible opportunities  
 20 for additional funds from United Way. She said this might provide additional money for the  
 21 implementation of services and programs.

22 Colleen Bridger said that process is under way.

23  
 24 A motion was made by Commissioner Dorosin, seconded by Commissioner Pelissier for  
 25 the Board to approve Budget Amendment #6-A transferring \$10,000 from the Social Justice  
 26 Fund to the Health Department to pay for Family Success Alliance attendance at the Harlem  
 27 Children's Zone Practitioners Institute.

28  
 29 VOTE: UNANIMOUS  
 30

31 **c. Land "Swap" Transaction – 416 Faucette Mill Road, Hillsborough**

32 The Board considered: 1) approving a land recombination ("land swap") transaction with  
 33 AlterVue, LLC involving adjacent parcels to mutually benefit the County and AlterVue, LLC with  
 34 regard to the integrity of a single family residential property located at 416 Faucette Mill Road  
 35 and adjacent County owned property that may be used for future affordable housing  
 36 development; 2) donating the resulting County parcel to Habitat for Humanity of Orange County  
 37 for the purpose of developing an affordable single family housing unit; 3) authorizing the Chair  
 38 to sign the necessary paperwork upon final review of the County Attorney; and 4) supporting  
 39 the Manager's efforts in pursuing similar efforts to analyze under-utilized or vacant parcels  
 40 owned by the County that may be suitable for future affordable housing development.

41  
 42 Jeff Thompson introduced Nick Nickerson, an Orange County resident and the owner of  
 43 this property.

44 Jeff Thompson referred to a map and said Nick Nickerson has purchased the property  
 45 on Faucette Mill Road as an investment, with plans to put it back on the market as a residential  
 46 unit. He referred to another map showing that the property line straddles a County property  
 47 that was acquired in a tax foreclosure. He said staff has been able to work out a land swap of  
 48 the Alterview property plus non-monetary compensation in exchange for County property. He  
 49 said the non-monetary compensation is the engineering work and due diligence and survey  
 50 work to generate the swap. He said this allows the AlterVue/Nickerson property to be

1 conforming to the UDO, and it also allows a County property, that has not been worthy of  
2 anything prior to today, to potentially be used as a single family home lot for affordable housing.  
3 He said the donation of this lot has been accepted by Habitat for Humanity, pending final  
4 attorney review of this transaction. He said staff will continue supporting the Manager's efforts  
5 to analyze vacant County properties for possible generation of lots for affordable housing.

6 Commissioner Price asked how the County decided to give the lot to Habitat for  
7 Humanity versus other affordable housing entities.

8 Jeff Thompson said this was a result of the County's relationship with Habitat and their  
9 acceptance of that lot as part of the due diligence.

10 Commissioner Price asked if there is an agreement with only Habitat to take these kinds  
11 of County properties.

12 Jeff Thompson said no. He said this could be available to other organizations as well.

13 Commissioner Price asked what her answer would be if someone asked why Habitat got  
14 this.

15 John Roberts said this is just a proposal to dispose of a residential property that the  
16 County can only use to build affordable housing. He said the prior relationship with Habitat led  
17 staff to suggest this to the Board. He said if the Board decides to do something else, that is  
18 their choice.

19 Commissioner Price said there are several affordable housing organizations in the  
20 County, and she wonders how one is chosen over another.

21 Chair McKee said he would suggest taking the first and second recommendations as  
22 separate motions.

23  
24 A motion was made by Commissioner Jacobs, seconded by Commissioner Price to  
25 approve a land recombination ("land swap") transaction with AlterVue, LLC involving adjacent  
26 parcels to mutually benefit the County and AlterVue, LLC with regard to the integrity of a single  
27 family residential property located at 416 Faucette Mill Road.

28  
29 Commissioner Dorosin said he echoes Commissioner Price's comments regarding the  
30 selection of the organizations they work with moving forward. He praises this effort, and he  
31 thinks it is a good way to maximize resources. He said he wishes that two homes could be built  
32 on the lot. He said this is the kind of opportunity where the County could approach Hillsborough  
33 to ask for flexibility in these efforts to work on affordable housing.

34  
35 VOTE: UNANIMOUS

36  
37 Chair McKee opened the floor for a discussion on the issue of donating to the various  
38 affordable housing entities. He asked if anyone else is following Habitat's scattered site model.

39 Jeff Thompson said not directly. He said Habitat was approached by AlterVue as part of  
40 the due diligence process to see if this lot was attractive to them. He said other organizations  
41 can certainly be approached.

42 Nick Nickerson said it was his initiative to contact Habitat, and it was not a conscious  
43 decision to not go with someone else.

44 Commissioner Rich questioned whether this is a lot where only one home can be built.

45 Jeff Thompson said, per the Unified Development Ordinance (UDO) for Hillsborough, it  
46 is available for only for one home. He said it is possible to go back and ask for a special  
47 exception, but as it stands now, it is an administrative adjustment to the UDO.

48 Bonnie Hammersley said this can be done in a way that will allow proposals from other  
49 organizations. This can be for this one parcel or for other properties going forward. She said

1 the County could give specifications to the affordable housing entities requesting that they  
2 provide proposals.

3 Commissioner Rich said it is also important to get the towns involved.

4 Bonnie Hammersley agreed and said it is important to maximize the potential and work  
5 with the partners as much as possible.

6 Commissioner Pelissier said if the County is going to talk to different organizations,  
7 there needs to be some sort of criteria in place to determine which is chosen.

8 Bonnie Hammersley said this would be determined at a staff level.

9 Commissioner Jacobs said that the point about working with different organizations is a  
10 good one. He said Nick Nickerson partially got excited about this transaction because Habitat  
11 worked so well with him. He said he would not want to pull the rug out from Habitat on this  
12 particular transaction, but he thinks it is a good idea not to default to one organization moving  
13 forward.

14 Commissioner Jacobs said he feels that the acreage on this should be enough for more  
15 than one unit, so he thinks staff should have some discussion with both Hillsborough and  
16 Habitat about the possibility of a duplex.

17 Commissioner Dorosin said he agrees that the rug should not be pulled out from  
18 Habitat, but it would not be unreasonable to see if this can become a duplex to maximize the  
19 space.

20 Chair McKee said he agrees with not taking this from Habitat, but he would like to revisit  
21 Hillsborough regarding the idea of two units on the lot.

22 Commissioner Dorosin questioned the best order of events in light of the need for a  
23 discussion with Hillsborough.

24 Bonnie Hammersley said staff will talk to Hillsborough first and then bring it back to the  
25 Board before the donation. She said this can be done quickly.

26  
27 A motion was made by Commissioner Dorosin, seconded by Commissioner Burroughs  
28 to table items 3 through 5 until the Board hears back from staff on the questions that have been  
29 raised.

30  
31 VOTE: UNANIMOUS

32  
33 A motion was made by Commissioner Price, seconded by Commissioner Pelissier to  
34 authorize the Chair to sign the necessary paperwork upon final review of the County Attorney  
35 for the land swap on Faucette Mill Road.

36  
37 VOTE: UNANIMOUS

38  
39  
40 **d. Potential Notice of Board's Intent to Schedule a November 2016 Bond**  
41 **Referendum and Discussion on Proposed Creation of a Capital Needs Advisory**  
42 **Task Force**

43 The Board considered: 1) Formally expressing its intent to schedule a November 2016  
44 Bond Referendum to address County and School capital needs; 2) Discussing the proposed  
45 creation of, structure, and charge for a proposed Capital Needs Advisory Task Force that would  
46 provide recommendations to the Board regarding the elements to be included in the  
47 referendum and consider approval; and 3) Directing the County Manager to arrange for the  
48 services of a qualified facilitator for the Task Force.

49 Bonnie Hammersley referenced the proposal before the Commissioners. She said this  
50 abstract was composed to mirror the 2001 bond referendum abstract. She said the

1 attachments provide information from the previous bond referendum, and this item is for the  
2 Board's discussion.

3 Commissioner McKee said this is starting much earlier than the timeframe allowed for  
4 the 2001 referendum. He said this allows time to get this right.

5 Commissioner Price said if a facilitator is hired, it would be good to get someone with  
6 experience in dealing with government, and perhaps some familiarity in dealing with bonds.

7 Commissioner Pelissier referred to the last item on page 4, and she asked if the  
8 language regarding the Capital Investment Plan implied that anything and everything is on the  
9 table for a bond referendum. She said there needs to be a specific focus. She questioned  
10 whether there would be a need to look at the entire CIP if only certain things were wanted on  
11 the bond referendum.

12 Bonnie Hammersley said if the Board identifies a certain need, in affordable housing for  
13 example, and that information is in the CIP, then it will be pretty succinct as to the issue. She  
14 said this is how she reads that, and it mirrors the last bond referendum.

15 Commissioner Dorosin questioned why a facilitator is needed. He asked if this could be  
16 handled by someone on staff who is familiar with the Board's goals and needs.

17 Bonnie Hammersley said the facilitation of types of projects is always a very important  
18 part of the project, and internal facilitation can sometimes be less effective because they know  
19 too much about the issue. She said some of the best facilitators do not know the issue well.  
20 She said it is a good idea to hire someone who has experience in bond referendums, but not  
21 necessarily Orange County bond referendums. She said an objective view is good. She will  
22 take the Commissioners comments into consideration moving forward.

23 Commissioner Dorosin referred to the proposed composition of the task force. He said  
24 if the school boards appoint members of the school board to sit on the task force, then it will not  
25 necessarily just be a group of citizens, as there will be elected people as well. He would  
26 suggest that the appointed people should not be elected officials. He thinks that there will be  
27 some critique of this process, and the more organic it can be the better.

28 Commissioner Rich asked about the schedule. She questioned when the information  
29 will be requested from the schools. She said this is necessary before any discussion can start.

30 Bonnie Hammersley said the information gathering is happening now, and the CIP will  
31 include all of this. She said staff has received lists from both school districts. She said these  
32 lists are not comparing apples to apples. She said Chapel Hill Carrboro Schools (CHCCS) has  
33 included the needs of all schools built prior to 1990, and the list from Orange County Schools  
34 (OCS) lists all schools' needs. She said CHCCS has prioritized their list, and OCS is working on  
35 this now. She said this information will be in the appendices to the CIP.

36 Commissioner Rich asked where information regarding affordable housing will come  
37 from. She asked if this will just include Orange County's information or if it will include the  
38 needs of their partners as well. She is just wondering about the information flow.

39 Bonnie Hammersley said the entities were invited to speak at the Capital Needs Task  
40 Force for the referendum in 2001, and that is how the information came forward then.

41 Chair McKee said the schedule is just conceptual at this point, and nothing is set in  
42 stone.

43 Commissioner Jacobs said in 2001 there were co-chairs who facilitated. He said people  
44 with leadership skills can be appointed, or there may just be advisory board members appointed  
45 who are noted for facilitating conversations. He said it is more organic to have the group settle  
46 out into who is going to facilitate, and then the Board can intervene if there is a problem.

47 Commissioner Jacobs said it is a mistake to take the towns out of the composition. He  
48 said it is important to have either an elected official or an appointed person from the towns. He  
49 said this will help the process and it will create buy-in.

1 Commissioner Jacobs said if there are going to be any elected officials there should be  
2 Commissioners on this task force. He said he has no problem with having elected officials from  
3 the schools. He feels it would be a mistake to have a group of citizens with other elected  
4 officials and no representation from the Board of Commissioners.

5 Commissioner Jacobs said if it is a genuine process then the Board does not tell the  
6 task force what the Commissioners hope the outcome will be. He said this is an opportunity for  
7 the task force to talk about what is of interest and they can look at the CIP for guidance. He  
8 said it is better to let them work it out and bring it forth to be voted up or down. He said if there  
9 are Commissioners present, they would not be there to drive things in any direction.

10 Bonnie Hammersley noted that there is a reference on page 2 stating that there is an  
11 appointment for each town.

12 Commissioner Burroughs said she understands the value of buy-in and the desire for an  
13 organic process; however, she said there are already such clearly illustrated needs, including  
14 school needs, and affordable housing needs, and there is a limited pot of money. She said the  
15 sooner that the broader topics have been settled, the better the work of the committee will be,  
16 because there will be a focus. She said she comes from a background of thinking it is better to  
17 be more directed, at least on the two issues that are already clearly identified.

18 Commissioner Price said she had the same question about the need for a facilitator.  
19 She said if there are clear reasons to hire a facilitator, it will be necessary to thoroughly vet the  
20 person.

21 Commissioner Pelissier feels the Board does need to narrow down what they want in  
22 the bond referendum. She said public buy-in is important, but her concern is that the proposed  
23 task force composition may be setting up false expectations. She said the schools already  
24 want a level of money that is nowhere near what will be put on a bond referendum, but it is  
25 clear that the schools will be part of this.

26 Commissioner Pelissier said she had a discussion with a Chapel Hill town council  
27 member about affordable housing, and it may be a good idea to see what Chapel Hill puts on  
28 their bond as relates to affordable housing. She suggested that staff be asked to work behind  
29 the scenes with Chapel Hill to work this out.

30 Commissioner Rich said Chapel Hill voted last night on the topics that would be moved  
31 forward in the bond discussion. She said this has narrowed the list down.

32 Commissioner Rich said the purpose of a bond is to involve citizens. She said citizens  
33 are voting on a tax for themselves, and it does not seem organic to set limits. She questioned  
34 why you would not want to get opinions from residents.

35 Commissioner Jacobs said it is important to set some limits. He said as soon as the  
36 school needs came up, he suggested a bond issue discussion. He said it is reasonable to tell  
37 the group that a preponderance of the funding will go to the schools, and the group will need to  
38 hash this out. He said 68 percent went to the schools last time. He said he does not want to  
39 say up front that seniors are to be discounted or that the parks system should not be  
40 developed. He said it is not fair to go in and say that the bond will only support two things, as it  
41 is a disservice to people who care about the other things and would like to make their case. He  
42 said it is good to set parameters, money, and preponderance, and then allow people to work  
43 the rest of it out.

44 Commissioner Burroughs said there is always the opportunity for the residents to make  
45 their concerns known through the regular budget process and the CIP discussion. She said  
46 she does not see it as cutting people out, but there are well known needs that are a priority.  
47 She said ultimately the Board is elected to think about these issues and make decisions. She  
48 said her representation side is weighing more heavily after years of hearing about these two  
49 particular issues. She said that tone can be set without discounting what others have  
50 advocated for.

1 Chair McKee said the County has built schools and purchased land without going  
2 through a bond process. He is not sure that everything that everyone wants should be financed  
3 by a bond. He said parks could be done with regular financing, if all of the borrowing power is  
4 not used up. He said there is also a jail that needs to be built. He wants to hold back on some  
5 amount of borrowing ability to take care of the needs between 2017 and 2020.

6 Chair McKee said he is uncomfortable with the fact that there is no clear identification of  
7 school priorities. He said if these needs are so great, then the bond may need to be only for  
8 the schools. He has a very unclear idea of what the school needs will be before 2020. He said  
9 if a bond is passed in November of 2016, the funds will probably be accessed in mid 2017, and  
10 even if plans are in place, it will be 2019 until a school is built. He would like a clear picture of  
11 the school needs prior to 2019, so that this money can be taken out of a bond and be put in the  
12 CIP under regular funding to address those projects.

13 Chair McKee said it is disingenuous to ask a task force to expect other project funding  
14 when there are really one or two priorities that the Board of County Commissioners may be  
15 interested in. He said it is important to be very honest with this task force. He sees his position  
16 as an elected official to be responsible to make that decision regardless of the comfort level or  
17 the re-election potential. He feels the concentration should be on the schools, and he thinks a  
18 decision on whether to place this on the 2016 ballot should wait until they get information from  
19 the schools.

20 Commissioner Dorosin said the schools will take as much as they can get. He agrees  
21 that if there are 4 votes to create a bond only for schools then that vote should be taken and the  
22 committee should be told. He said if the will of this Board is to only do a bond for schools and  
23 affordable housing then there is no need for a task force.

24 Commissioner Dorosin said even with a citizens' committee the Board will not  
25 necessarily hear from the whole County. He said it is an insider's game, and the task force will  
26 be made up of people who are interested. He said the point of a bond is to get the public to  
27 make decisions as to what they want the Board of County Commissioners to support. He said  
28 some general categories can be set, and then the Board can see what other ideas bloom. He  
29 said this is a good way to take the temperature of the community.

30 Commissioner Jacobs said his comments were along similar lines. He said if people  
31 have already made up their minds, then there is no point to impanel a group of citizens. He  
32 thinks the Board should listen to the community. He said the Board can certainly tell the public  
33 upfront what percentage of the money will go to schools, but he wants to hear what the  
34 community thinks. He suggested an invitation for public comment on the bond topics.

35 Commissioner Burroughs said the schools will take as much money as they are given,  
36 because the needs are so great. She said the schools know how to stretch a dime to make the  
37 buildings better for the children and the staff.

38 Commissioner Burroughs said she has expressed a real interest in affordable housing,  
39 and she is interested in a task force to determine the optimal way to spend this money. She  
40 said you can think about a task force as a way of defining goals within a specific subject area.

41 Commissioner Rich said a task force has more than one job. She said part of this is to  
42 help identify what goes on the bond, and the other part is helping educate the public about the  
43 bond. She said if the bond is only going to be for schools then that vote should be taken now.

44 Commissioner Pelissier said she does not agree that if you limit the topics there is no  
45 need for a task force. She said even if it were just schools, there are still decisions about  
46 priorities and the allocation of the resources. She said affordable housing encompasses a lot of  
47 different needs, and there are a lot of things here that could be discussed and prioritized.

48 Chair McKee said with this bond issuance, he is supportive of schools and affordable  
49 housing. He said that does not mean that other items cannot be funded through regular  
50 financing. He noted that this is what Chapel Hill is proposing. He said there is no need to limit

1 items just because they are not on a bond. He said just because a bond is passed, it does not  
2 mean that the public is supportive of the item. He is not expecting full buy-in, and he is  
3 prepared for this.

4 Commissioner Jacobs said he would be perfectly comfortable doing what Chapel Hill did  
5 with the use of bond and private financing. He said a statement can be made to reflect these  
6 intentions, and the public can still be asked to speak into it. He would like to see all of these  
7 options on the table at the same time. He said the schools could probably tell you how that  
8 money could be spent, but for some of the other issues, people could provide discussion. He  
9 said the suggestion based on Chapel Hill's approach may be the best approach.

10 Chair McKee said the absolute priorities can be determined and included in the bond,  
11 and then the other priorities can be done in staged intervals.

12 Commissioner Pelissier said when she said she would like to limit the topics for the bond  
13 referendum, she also presumed all along that the Board has their CIP and would fund topics  
14 accordingly. She said this discussion points to the need to find a different way to engage the  
15 public in the CIP. She said the Board does not start out informing the public of the debt  
16 capacity before taxes would need to be raised.

17 Commissioner Dorosin said it may be good at some point to vote on the bond priorities,  
18 and then he would like some more information on the other idea of funding. He does not like  
19 the idea of just saying that items will go on the CIP, and he would like to see items spelled out  
20 in an independent resolution. He is interested in a different type of strategic funding, but it  
21 needs to be clear. He suggested that this be put on the agenda for a vote and information be  
22 provided on the Chapel Hill funding model. He said, following this, there could be a public  
23 hearing to gather the desired input.

24 Commissioner Burroughs said if they pursue this concept, she is interested in hearing  
25 from Bonnie Hammersley regarding the strategic thinking about the CIP.

26 Bonnie Hammersley said she has some school information and the recommended CIP,  
27 which includes items that would not be considered part of the referendum. She said staff could  
28 take a look at this more closely as to how items fit into the CIP. She said the renovations being  
29 done by Carrboro are creating more seats and putting off building a school. She said this  
30 creates some more room. She said it is possible to look at different options to determine the  
31 maximum ability on the CIP and the bond referendum or a hybrid model.

32 Chair McKee said he would like to get the priorities from OCS as quickly as possible so  
33 that the finance department can compare these numbers with the total borrowing capacity. He  
34 said this could help with an informal discussion at a work session.

35  
36 **Public Comment:**

37 Submitted by Bonnie Hauser via email

38 Dear Commissioners:

39  
40 As you know, many of us will be in Efland or Carrboro tonight discussing affordability and  
41 cannot appear at the county commissioner meeting to offer our view on the possible bond  
42 referendum. Please accept this as public comment and enter it into the public record. There is  
43 growing sentiment throughout the community that it is too premature to county to ask its  
44 citizens to approve a bond for schools or other initiatives.

45  
46 Affordability is a major issue in Orange County, and a 5% tax increase will make things worse.  
47 We'd prefer to see the county pursue better planning and priority setting. Based on your  
48 budgets, it appears that county plans to continue to spend lavishly on parks, offices and waste  
49 facilities while schools sit in embarrassing disrepair waiting for voters to approve a bond and a

1 tax increase. The bond followed by a property tax revaluation could have disastrous effects on  
2 already struggling real estate markets and economic development initiatives.

3  
4 You have already heard our concerns about the county's outdated park plans - yet these parks  
5 continue to show in the county's capital plan. Plus, there's nearly \$20 million planned for  
6 expanded offices on Revere Road, Southern Human Services, and at the new Blackwood Farm  
7 Park. While none of these projects are bad in themselves, given the needs at many of our  
8 aging schools, the timing couldn't be worse.

9  
10 We also remain concerned that the county and school boards have not fully vetted the school  
11 capital requests or attempted to place them on a timeline. For example, OCS doesn't need  
12 \$30 million for HVAC systems this year. Over time, these expenses will be quite manageable.

13 Similarly, spending millions on new offices for both school districts shouldn't be a priority -  
14 especially given the surplus of lower priced office space throughout the county. Reliable  
15 heating, roofs and mold-free schools are a priority and should be funded now.

16  
17 There's growing concern about CHCCS new plan for a centralized pre-K. Many believe it will  
18 exacerbate challenges that low income families already face with transportation and getting  
19 their kids to school. We believe that a plan to increase pre-K at every elementary school would  
20 be better aligned to the community's priorities for poverty and the achievement gap. That will  
21 require more planning.

22  
23 Of course this is in addition to the uncertainty around the impact of development, aging and  
24 lack of affordable housing on school enrollment growth. As you know, enrollment at both  
25 school districts is relatively flat. If this continues, it will slow the need to expand schools.

26  
27 The county's conservative revenue accounting is also creating problems. County revenue  
28 projections do not factor in expected revenue increases from growth - even though town  
29 leaders are rapidly approving new commercial and residential projects. That, plus the county's  
30 repeated surpluses (\$7.5 million just last year), could fund essential school maintenance.

31  
32 Reshuffling of county and school projects - and assuring high priority projects are funded first,  
33 would go a long way to free up funds for essential repairs and maintenance. There are other  
34 options to contain or defer spending on non-essentials. If better planning is not enough,  
35 commissioners always have the option to increase debt and raise taxes without voter approval.

36  
37  
38 Please vote against pursuing a ballot referendum at this time, and instead commit to work with  
39 schools and county staff to develop better plans and funding polices that assure all county  
40 assets, including our schools, are kept in good repair.

41  
42 Thank you for considering this view.

43  
44 **Bonnie Hauser**  
45 **919 732-9316**  
46 **919 619-4354 (cell)**

47  
48 **8. Reports - NONE**

49  
50 **9. County Manager's Report**

1 Bonnie Hammersley noted two future work sessions and the following discussion items:  
 2 Projected March 5, 2015 Regular Work Session Items  
 3 Updates and Recommendations for Employee Benefits Effective July 1, 2015  
 4 Orange County Bus and Rail Investment Plan Annual Report  
 5 Capital Investment Plan (CIP) Presentation  
 6

7 **10. County Attorney's Report**

8 John Roberts said last week the FCC preempted state regulation of municipal  
 9 broadband services. He said he cannot comment on how far this decision goes. He said if this  
 10 only applies to municipalities that operate broadband and the FCC decision holds up, then the  
 11 County could look at getting into the broadband service at some point in the future. He said he  
 12 will keep the Board updated on this.  
 13

14 **11. Appointments**

15  
 16 **a. Animal Services Advisory Board**

17 The Board considered making an appointment to the Animal Services Advisory Board.  
 18

19 A motion was made by Commissioner Jacobs, seconded by Commissioner Price to  
 20 appoint:

- 21 • Appointment to a first full term (Position #11) Animal Welfare/Animal Advocacy for Ms.  
 22 Molly Mullin ending 06/30/2017.  
 23

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
11	Ms. Molly Mullin	Animal Welfare/Animal Advocacy	06/30/2017

24  
 25 VOTE: UNANIMOUS  
 26

27 **b. Board of Health – Appointment**

28 The Board considered making an appointment to the Board of Health.  
 29

30 A motion was made by Commissioner Pelissier, seconded by Commissioner Price to appoint:

- 31 • Appointment to a partial term (position #2) At-Large Pharmacist for Mr. Dan Dewitya  
 32 expiring 06/30/2016.  
 33

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
2	Mr. Dan Dewitya	At-Large Pharmacist	06/30/2016

34  
 35 VOTE: UNANIMOUS  
 36

37 **c. Nursing Home Community Advisory Committee – Appointments**

38 The Board considered making appointments to the Nursing Home Community Advisory  
 39 Committee.  
 40

41 A motion was made by Commissioner Pelissier, seconded by Commissioner Price to  
 42 appoint the following:

- 1 • Appointment to a first full term (Position #5) At-Large Nursing Home Administration for
- 2 Ms. Sandra Nash ending 06/30/17.
- 3 • Appointment to a one year training term (Position #7) At-Large Nursing Home
- 4 Administration for Mr. Bill Crittenden ending 02/03/2016.
- 5 • Appointment to a one year training term (Position #11) At-Large Nursing Home
- 6 Administration for Ms. Maria Hardin ending 02/03/2016.
- 7

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
5	Ms. Sandra Nash	At-Large Nursing Home Administration	06/30/2017
7	Mr. Bill Crittenden	At-Large one year training term	02/03/2016
11	Ms. Maria Hardin	At-Large one year training term	02/03/2016

8  
9  
10 VOTE: UNANIMOUS

11  
12 A motion was made by Commissioner Jacobs, seconded by Commissioner Price to  
13 appoint Nick Galvez to position #1 "At-Large".

14  
15 VOTE: UNANIMOUS

16  
17  
18 **d. Orange County Housing Authority – Appointments**

19 The Board considered making appointments to the Orange County Housing Authority.

20  
21 A motion was made by Commissioner Jacobs, seconded by Commissioner Dorosin to  
22 appoint the following:

- 23 • Appointment to a first full term (Position #3) At-Large for Ms. Tammy Jacobs expiring
- 24 06/30/2019.
- 25 • Appointment to a first full term (Position #5) At-Large for Mr. Daniel Bullock expiring
- 26 06/30/2017.
- 27

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
3	Ms. Tammy Jacobs	At-Large	06/30/2019
5	Mr. Daniel Bullock	At-Large	06/30/2017

28  
29  
30 VOTE: UNANIMOUS

31  
32 A motion was made by Commissioner Jacobs, seconded by Commissioner Dorosin to  
33 appoint Mark Marcoplos to position #6 – "At Large" position with an expiration date of June 30,  
34 2019.

35  
36 VOTE: UNANIMOUS

1  
2 **12. Board Comments**

3 Commissioner Jacobs handed out information from the Durham Chapel Hill Metropolitan  
4 Planning Organization regarding the economic impact of the pedestrian bridge that goes over  
5 Interstate 40.

6 Commissioner Price said she attended NACo legislative conference, and she did her  
7 best to represent Orange County. She thanked Steve Brantley for his help with the PowerPoint  
8 presentation.

9 Commissioner Rich said the Chapel Hill fencing team won the state championship  
10 again.

11 Commissioner Rich said she could not attend the Pauli Murray Awards because it was  
12 on the same day as the Dean Smith memorial. She discussed this with a Hillsborough  
13 commissioner who did not know about this information. She suggested that all elected officials  
14 should receive an invite to these events. She said it is important to pull these people in.

15 Commissioner Pelissier said all elected officials need to receive a special invite to  
16 events. She said that she did a tour of the Durham Orange Light Rail, and it was great. She  
17 highly recommends doing this. She noted that there will be a presentation of the results of the  
18 light rail environmental study on March 18<sup>th</sup> from 4 to 7 p.m. at the Friday Center.

19 Commissioner Burroughs said she toured the Animal Shelter today, and what struck her  
20 the most was the stark contrast to their jail, particularly as it relates to working conditions.

21 Chair McKee said he attended the Justice United Assembly on Sunday with several  
22 other Commissioners. He said the assembly is very concerned with the issue of affordable  
23 housing and homelessness. He said more will be heard from them as the bond discussion  
24 proceeds.

25 Chair McKee said Commissioner Jacobs had spoken at the Pauli Murray awards, and  
26 he did a great job.

27 Chair McKee said the Commissioners should all have received a lunch invitation from  
28 Congressman Mark Walker. He said regardless of whether you agree with his politics, it would  
29 be good to go in order to make sure he understands the needs of Orange County.

30 Clerk Donna Baker noted that she sent an invitation on January 30<sup>th</sup> to all of the clerks  
31 to forward to their elected officials regarding the Pauli Murray awards.

32 Commissioner Jacobs suggested that future invitations should be sent directly to each  
33 elected official.

34 Donna Baker said this can be done from here forward.  
35

36 **13. Information Items**

- 37
- 38 • Tax Collector's Report – Numerical Analysis
  - 39 • Tax Collector's Report – Measure of Enforced Collections
  - 40 • Tax Assessor's Report – Releases/Refunds under \$100
  - 41 • Memo Regarding Staff Response to Petition Impervious Surface Issues
  - 42 • Memo Regarding "The Edge" Proposed Development Project in the Town of Chapel  
43 Hill's Planning Jurisdiction
- 44

45 **14. Closed Session - NONE**

46  
47 **15. Adjournment**

48 A motion was made by Commissioner Price, seconded by Commissioner Rich to  
49 adjourn the meeting at 11:26 p.m.

1  
2 VOTE: UNANIMOUS

3

4

5

6

7 Donna S. Baker

8 Clerk to the Board

9

Earl McKee, Chair

## Attachment 3

1  
2  
3 DRAFT4 MINUTES  
5 BOARD OF COMMISSIONERS  
6 Legislative Breakfast  
7 March 23, 2015  
8 8:30am9 The Orange County Board of Commissioners met for a breakfast meeting with the Orange County  
10 Legislative Delegation on Monday, March 23, 2015 at 8:30am at the Solid Waste Administrative Offices in  
11 Chapel Hill, N.C.  
1213 **COUNTY COMMISSIONERS PRESENT:** Chair McKee and Commissioners Mia Burroughs, Mark Dorosin,  
14 Barry Jacobs, Bernadette Pelissier, and Renee Price15 **COUNTY COMMISSIONERS ABSENT:** Penny Rich16 **COUNTY ATTORNEYS PRESENT:** John Roberts17 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Assistant County Manager Cheryl  
18 Young, Clerk to the Board Donna Baker, Interim Finance Director Paul Laughton, Assistant to Manager for  
19 Legislative Affairs Greg Wilder (All other staff members will be identified appropriately below)20 **LEGISLATIVE DELEGATION PRESENT:** Senator Valerie Foushee, Representative Verla Insko,  
21 Representative Graig Meyer  
2223 Chair McKee called the meeting to order at 8:50 a.m. and said that Commissioner Rich would be unable to  
24 attend due to illness.  
2526 Chair McKee distributed a draft resolution that Commissioner Dorosin brought forth at the Board of  
27 Commissioners' meeting on March 17<sup>th</sup> meeting, and which the Board adopted, stating that the Orange  
28 County Board of Commissioners is opposed to, and urges the General Assembly to reject any legislation,  
29 that seeks to exempt any government employee or agent from fulfilling their constitutional duties, including  
30 but not limited to guaranteeing the right to marry for same-sex residents of North Carolina; and that if this  
31 discriminatory legislation should pass, the Orange County Board of Commissioners directs the County  
32 Manager and County Attorney to collaborate with other governmental entities and community partners to  
33 directly participate in any litigation seeking to challenge such legislation.  
3435 Senator Foushee said that the Clerk to the Board had forwarded this resolution to the Legislative  
36 Delegation.  
3738 Chair McKee asked on behalf of the Board for the Delegation to support this resolution going forward.  
3940 Commissioner Dorosin said he thought it was important that the Board get out in front of this issue since  
41 the Senate had already approved it; and if it comes to litigation then Orange County would support  
42 litigation.  
4344 Chair McKee said the Board had prioritized their legislative items and referred to their agenda package with  
45 their priorities listed and discussion ensued on the various issues.  
46  
4748 **PRIORITY DISCUSSION TOPICS**49 **EDUCATION**

- 50
- 
- 51 • Smart Start and NC Pre-K
- 
- 52

1 Representative Insko suggested that staff look at best practices and evidence based programs. She said if  
 2 they put more money in smart start then they would need to take money out of other programs and that all  
 3 of these types of funding are in danger of being cut. It is currently underfunded now  
 4

5 Chair McKee said Orange County continues to increase funding for this program and they are concerned  
 6 about keeping child care available in Orange County; same concerns for Medicaid expansion and health  
 7 care issues.  
 8

9 Commissioner Dorosin said is there any chance of progressive legislation being passed.  
 10

11 Representative Insko said “zero”.  
 12

13 Representative Insko said 95% of the bills they pass – pass unanimously. She said but in order to undo the  
 14 damage that has been done in the past they have to have more revenue.  
 15

16 Chair McKee said that the League of Municipalities and NCACC are both against the sales re-distribution  
 17 bill.  
 18

## 19 **HUMAN SERVICES-**

- 21 • **Child Care- discussed above**

- 23 • **Expansion of Medicaid Program**

24 Commissioner Price said NCACC is going to be lobbying the legislature but rather than say expansion they  
 25 are using the word “reform” to make it more accessible to all. The concept is the same though.  
 26  
 27

- 28 • **Mental Health**

29 Representative Insko said there is a bill to turn the money from the alcohol and drug treatment centers to  
 30 the MCOs (Managed Care Associations) to help fund those in the community who need help. But that they  
 31 need a year of planning at least.  
 32

33 Representative Insko said if they are going to move more toward evidenced based practices, then counties  
 34 need to show the legislators that these evidenced based programs save lives and money and use that to  
 35 challenge the legislators.  
 36

37 Senator Foushee said their talking points during the legislative session are that they need to show how to  
 38 pay for programs without raising taxes. If they are going to implement programs then they have to be paid  
 39 for somehow since the revenues are not coming in as they once did.  
 40

41 

---

 Commissioner Burroughs said she read that the state’s job data is poor related to other states.  
 42

43 Representative Insko said another issue is that they will need to find ways to fund road improvements.  
 44 Commissioner Jacobs North Carolina is one of the few states where the counties don’t have to pay for  
 45 secondary roads. He suggested that state study be done on DOT standards. An example is that they are  
 46 not requiring much from developers such as for traffic lights.  
 47

48 Senator Foushee asked for Commissioner Jacobs to send information about this issue to them by email.  
 49

50 Representative Insko said our roads are one of our best economic development tools.  
 51

52 Commissioner Jacobs asked about the issue of making people pay a rate per mile; many Orange County  
 53 employees would have to pay more because they cannot afford to live in Orange County  
 54

1 Representative Insko said that could be fixed that with a tax credit.

2  
3 Representative Meyer said it would probably be a flat fee.

## 4 5 6 **OTHER PRIORITIES**

### 7 8 • **Broadband**

9 Chair McKee said he and Representative Meyer had spoken about this prior at the community broadband  
10 meeting on March 6 and that this was an issue statewide.

11  
12 Chair McKee said other than grants, is there anything else the state can do related to the broad band issue  
13 to help expand coverage in Orange County.

14  
15 Representative Meyer said in the legislative branch - he has heard little or nothing about broad band for  
16 rural areas. There seems to be a lack of willingness to give municipalities the authority to oversee  
17 broadband. He said is not sure if they will see much of a legislative solution.

18  
19 Representative Meyer said this is where you need the governor for his leadership since he represents  
20 everyone.

21  
22 Representative Insko said it should be an issue for the Department on Public Instruction since it is also  
23 about education since children cannot get a signal at their homes in order to do their homework online or  
24 access resources on line.

25  
26 Representative Insko said what the Commissioners hear about the broadband issue from their NCACC  
27 meetings.

28  
29 Commissioner Price (NCACC representative) said they hear about the broad band issue all the time and  
30 NACo is also attentive and supportive of broad band for rural areas.

31  
32 Representative Insko said then they as Board and NCACC as a state organization should put pressure on  
33 at the state level.

34  
35 Representative Meyer said he has talked with representatives from AT&T and Time Warner to join them at  
36 the table for this discussion and they said they would. He said he had heard of a wireless provider in  
37 Chatham County that is interested in providing broad band in the southern part of the county as well as  
38 Piedmont Electric who is interested in becoming a player at the table. He is coordinating this issue with  
39 Bonnie Hammersley and IT Director Jim Northup.

40  
41 Representative Meyer said it is important to know that if the Board wants to solve this issue for Orange  
42 County that Orange County is going to have to come up with funding solutions and manpower.

## 43 44 45 **E-911 Funds**

### 46 47 **Land, Water and Agricultural Preservation Funding**

48  
49 Chair McKee asked the Delegation was there support for funding for agricultural preservation activities.

50  
51 Representative Insko said not that she has heard but they will not know until the Governor's budget comes  
52 out.

53  
54 Commissioner Jacobs said he has heard that the Governor is proposing more budget cuts for parks.

1  
2 Commissioner Burroughs asked when the Legislature anticipates seeing the Governor's budget.

3  
4 Representative Insko said the Governor's office usually waits until tax returns to see what revenues they  
5 will have before finalizing any budget decisions. She said last year they were below projected revenues.

6  
7  
8 Chair McKee said that the Board of Commissioners' added some additional issues to their standard  
9 Statewide Issues Resolution and a few are below:

10  
11 **Raise Age for Juvenile Jurisdiction in Criminal Court**

12 Senator Foushee said this issue would probably pass the Senate.

13 Representative Meyer said this bill has a good chance to be passed for misdemeanors.

14  
15 Commissioner Burroughs said what can they as a Board of Commissioners do to support their Legislative  
16 Delegation.

17  
18 Senator Foushee said Orange County needs to continue to lobby at the state level and to move out of their  
19 "comfort zones".

20  
21 Senator Foushee said they don't need to just send emails but to actually come out and talk to legislators –  
22 both their own and others. And if you are not in someone's district, then they are unlikely to read your  
23 emails.

24  
25 Senator Foushee said referencing them as their Orange County Legislators when talking to outside district  
26 legislators is appropriate.

27  
28 Representative Insko said they need to build coalitions within the legislature and to take the advocacy  
29 approach.

30  
31 Senator Foushee said there is a going to be established a County Commissioner Caucus.

32  
33 Commissioner Price said NCACC has talked about coalitions coming together across the state for shared  
34 interests.

35 Chair McKee asked the Delegation to please let the Commissioners know if there is anything that would  
36 adversely affect Orange County.

37  
38 Senator Foushee said currently there is a bill in the Senate about raising the living wage but she said she  
39 doubted it would pass

40  
41 Representative Insko said the suggested school calendar flexibility issue is getting a lot of attention.

42  
43 Chair McKee said another issue is eminent domain.

44  
45 Commissioner Jacobs said he was concerned and was opposed to adding language to a constitutional  
46 amendment on eminent domain that extends any further preemption of county authority to regulate the  
47 placement of telecommunication towers.

48  
49 **Classification of Flavored Alcoholic Beverages (Alcopops)**

50 Chair McKee said this states their support of legislation to properly classify flavored alcoholic beverages  
51 (alcopops) as distilled spirits rather than malt beverages

52

1 Representative Meyer said this is an issue of marketing to minors. He said that they have not seen much  
2 progress to limit the ability to market by private companies.  
3

4  
5 Commissioner Pelissier said it is a classification issue.  
6

7 Commissioner Pelissier said the brands start as a distilled spirit and they add the word Malt so that it  
8 doesn't get classified correctly.  
9

10 Chair McKee reviewed other items that the Board would like legislative support:

- 11 • **Abolish State Death Penalty**

12 Representative Meyer said he has talked to republicans but don't know if they are going to co-sponsor  
13 anything.

- 14 • **Priority School Issues** – Support legislation to address the following three issues related to  
15 schools:

- 16 a) \* Provide local school systems with calendar flexibility;
- 17 b) \* Provide full funding for State allotments including Average Daily Membership (ADM)  
18 growth;
- 19 c) Provide full funding for Driver Education.  
20

21 Representative Meyer said there has been some public discussion about cyclists and safety in Orange  
22 County and there is a bill in the house about cycling safety that may be of interest to Orange County.  
23

24 Chair McKee asked if the Manager had any comments.  
25

26 County Manager Bonnie Hammersley said the broad band issue is one issue that staff is working on and  
27 she has been talking with surrounding counties; childcare subsidy issues; temporary staff issues for  
28 NCFAST – that temporary staff should become permanent staff.  
29

30  
31 The meeting adjourned at 10:05 a.m.  
32  
33

34 Earl McKee, Chair  
35  
36

37 Donna Baker, Clerk to the Board  
38  
39

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 6-b

**SUBJECT:** Motor Vehicle Property Tax Releases/Refunds

---

**DEPARTMENT:** Tax Administration

**PUBLIC HEARING:** (Y/N)

No

**ATTACHMENT(S):**

Resolution  
Releases/Refunds Data Spreadsheet  
Reason for Adjustment Summary

**INFORMATION CONTACT:**

Dwane Brinson, Tax Administrator,  
919-245-2726

---

**PURPOSE:** To consider adoption of a resolution to release motor vehicle property tax values for seven (7) taxpayers with a total of seven (7) bills that will result in a reduction of revenue.

**BACKGROUND:** North Carolina General Statute (NCGS) 105-381(a)(1) allows a taxpayer to assert a valid defense to the enforcement of the collection of a tax assessed upon his/her property under three sets of circumstances:

- (a) "a tax imposed through clerical error", for example when there is an actual error in mathematical calculation;
- (b) "an illegal tax", such as when the vehicle should have been billed in another county, an incorrect name was used, or an incorrect rate code (the wrong combination of applicable county, municipal, fire district, etc. tax rates) was used;
- (c) "a tax levied for an illegal purpose", which would involve charging a tax which was later deemed to be impermissible under state law.

NCGS 105-381(b), "Action of Governing Body" provides that "Upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the taxing unit shall within 90 days after receipt of such a request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct liability or notify the taxpayer in writing that no release or refund will be made".

For classified motor vehicles, NCGS 105-330.2(b) allows for a full or partial refund when a tax has been paid and a pending appeal for valuation reduction due to excessive mileage, vehicle damage, etc. is decided in the owner's favor.

**FINANCIAL IMPACT:** Approval of these release/refund requests will result in a net reduction of \$1,860.26 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2014-2015 is \$34,337.74.

**RECOMMENDATION(S):** The Manager recommends that the Board:

- Accept the report reflecting the motor vehicle property tax releases/refunds requested in accordance with the NCGS; and
- Approve the attached release/refund resolution.

NORTH CAROLINA

RES-2015-020

ORANGE COUNTY

**REFUND/RELEASE RESOLUTION (Approval)**

**Whereas**, North Carolina General Statutes 105-381 and/or 330.2(b) allows for the refund and/or release of taxes when the Board of County Commissioners determines that a taxpayer applying for the release/refund has a valid defense to the tax imposed; and

**Whereas**, the properties listed in each of the attached "Request for Property Tax Refund/Release" has been taxed and the tax has not been collected: and

**Whereas**, as to each of the properties listed in the Request for Property Tax Refund/Release, the taxpayer has timely applied in writing for a refund or release of the tax imposed and has presented a valid defense to the tax imposed as indicated on the Request for Property Tax Refund/Release.

**NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT** the recommended property tax refund(s) and release(s) are approved.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners \_\_\_\_\_

\_\_\_\_\_

Noes: \_\_\_\_\_

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a regular meeting of said Board held on \_\_\_\_\_, said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Clerk to the Board of Commissioners

Clerical error G.S. 105-381(a)(1)(a)  
 Illegal tax G.S. 105-381(a)(1)(b)  
 Appraisal appeal G.S. 105-330.2(b)

## BOCC REPORT - REGISTERED MOTOR VEHICLES APRIL 7 2015

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Aherns, Glenn	19539490	2014	9,400	500	(105.59)	Antique plate (appraisal appeal)
Eberhardt, Rebecca	982087	2012	23,000	0	(252.18)	County changed to Durham (illegal tax)
Fitzgerald, Michael	22362541	2014	33,112	0	(563.24)	County changed to Durham (illegal tax)
McBroom, Stephanie	24657789	2014	18,867	18,867	(166.63)	Situs error (illegal tax)
Palombo, Paul	23808545	2014	15,600	500	(143.15)	Antique plate (appraisal appeal)
Taylor, Floyd Herbert	24656500	2014	29,400	500	(273.97)	Antique plate (appraisal appeal)
Ward, Jody	24522329	2014	38,000	500	(355.50)	Antique plate (appraisal appeal)
				Total	(1,860.26)	

February 12, 2015 thru March 18, 2015

**Military Leave and Earning Statement:** Is a copy of a serviceman's payroll stub covering a particular pay period. This does list his home of record, which is his permanent state of residence where he would pay any state income taxes.

## Vehicle Titles

**Salvaged and Salvage Rebuilt:** Any repairs that exceed 75% of the vehicle's market value using NADA, Kelly Blue Book and various other publications. When the insurance company has totaled the vehicle, and the customer has received the claim check, four things can happen:

- Insurance company can keep the vehicle.
- Customer can keep the vehicle. The customer is instructed to contact the local DMV inspector to have an initial inspection done, for vehicles 2001 to 2006 (these dates change yearly, example in 2007 the models will be 2002-2007).
- Affidavit of Rebuilder- The inspector lists each part that needs to be repaired.
- Final inspection- if all work is cleared and approved by the inspector then the rebuilt status is then removed (salvaged status remains).

**Note: Finance companies will not finance a salvaged vehicle.**

**Total Loss:** Repairs were more than the market value of the vehicle and the insurance company is unwilling to pay for the repairs.

**Total Loss/Rebuilt:** Whatever the repairs were to make the vehicle road worthy after a Total Loss status has been given. Vehicle must be 5 years old or older. Vehicle status then remains as salvaged or rebuilt.

**Certificate of Reconstruction:** When work has been done on (vehicles 2001-2006 in year 2006) this is issued when the inspector didn't see the original damaged and the vehicle has been repaired.

**Certificate of Destruction:** NC DMV will not register this type of vehicle. It is not fit for North Carolina roads.

**Custom Built:** When the customer has built this vehicle himself or herself. Ex. parts taken from various vehicles to build one vehicle. Three titles are required from the DMV in this case. 1) Frame 2) Transmission 3) Engine. Then an indemnity bond must be issued. An indemnity bond must also be issued when the vehicle does not have a title at all.

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 6-c

**SUBJECT:** Property Tax Releases/Refunds

---

**DEPARTMENT:** Tax Administration

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT(S):**

Resolution  
Spreadsheet

**INFORMATION CONTACT:**

Dwane Brinson, Tax Administrator,  
(919) 245-2726

---

**PURPOSE:** To consider adoption of a resolution to release property tax values for six (6) taxpayers with a total of (12) twelve bills that will result in a reduction of revenue.

**BACKGROUND:** The Tax Administration Office has received six taxpayer requests for release or refund of property taxes. North Carolina General Statute 105-381(b), "Action of Governing Body" provides that "upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the Taxing Unit shall within 90 days after receipt of such a request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct liability or notify the taxpayer in writing that no release or refund will be made". North Carolina law allows the Board to approve property tax refunds for the current and four previous fiscal years.

**FINANCIAL IMPACT:** Approval of this change will result in a net reduction in revenue of \$18,991.48 to the County, municipalities, and special districts. The Tax Assessor recognized that refunds could impact the budget and accounted for these in the annual budget projections.

**RECOMMENDATION(S):** The Manager recommends the Board approve the attached resolution approving these property tax release/refund requests in accordance with North Carolina General Statute 105-381.

NORTH CAROLINA

RES-2015-021

ORANGE COUNTY

**REFUND/RELEASE RESOLUTION (Approval)**

**Whereas**, North Carolina General Statutes 105-381 and/or 330.2(b) allows for the refund and/or release of taxes when the Board of County Commissioners determines that a taxpayer applying for the release/refund has a valid defense to the tax imposed; and

**Whereas**, the properties listed in each of the attached "Request for Property Tax Refund/Release" has been taxed and the tax has not been collected: and

**Whereas**, as to each of the properties listed in the Request for Property Tax Refund/Release, the taxpayer has timely applied in writing for a refund or release of the tax imposed and has presented a valid defense to the tax imposed as indicated on the Request for Property Tax Refund/Release.

**NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT** the recommended property tax refund(s) and release(s) are approved.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners \_\_\_\_\_

\_\_\_\_\_

Noes: \_\_\_\_\_

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a regular meeting of said Board held on \_\_\_\_\_, said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Clerk to the Board of Commissioners

Clerical error G.S. 105-381(a)(1)(a)  
 Illegal tax G.S. 105-381(a)(1)(b)  
 Appraisal appeal G.S. 105-330.2(b)

**BOCC REPORT - REAL/PERSONAL**  
**APRIL 7, 2015**

<b>NAME</b>	<b>ABSTRACT NUMBER</b>	<b>BILLING YEAR</b>	<b>ORIGINAL VALUE</b>	<b>ADJUSTED VALUE</b>	<b>FINANCIAL IMPACT</b>	<b>REASON FOR ADJUSTMENT</b>
Alessandra Ritter DDS MS PA	317851	2014	82,859	67,554	(278.58)	Assessed in error (illegal tax)
Alessandra Ritter DDS MS PA	317851	2013	96,041	77,735	(356.72)	Assessed in error (illegal tax)
Alessandra Ritter DDS MS PA	317851	2012	56,919	35,611	(438.43)	Assessed in error (illegal tax)
Church of God	988583	2014	149,500	0	(2,593.00)	Assessed in error (illegal tax)
Cox, Millard	267569	2014	35,874	0	(353.31)	Assessed in error (illegal tax)
Cox, Millard	267569	2013	35,874	0	(375.98)	Assessed in error (illegal tax)
Cox, Millard	267569	2012	35,874	0	(398.44)	Assessed in error (illegal tax)
Cox, Millard	267569	2011	35,874	0	(129.72)	Assessed in error (illegal tax)
DRE Investors, LLC	145165	2014	1,397,171	1,065,100	(5,583.44)	Assessed in error (illegal tax)
DRE Investors, LLC	145165	2013	1,397,171	1,065,100	(5,494.22)	Assessed in error (illegal tax)
Eubanks, Brenda & Acord Leonard W.	987758	2014	83,042	38,042	(625.35)	Assessed in error (illegal tax)
Knight, Kevin A.	199313	2014	141,849	0	(2,364.29)	Assessed in error (illegal tax)
				Total	(18,991.48)	

February 12, 2015 thru March 18, 2015

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 6-d

**SUBJECT:** Fiscal Year 2014-15 Budget Amendment #7

**DEPARTMENT:** Finance and Administrative  
Services

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT(S):**

Attachment 1. Budget as Amended  
Spreadsheet

Attachment 2. Year-To-Date Budget  
Summary

**INFORMATION CONTACT:**

Paul Laughton, (919) 245-2152

**PURPOSE:** To approve budget and capital project ordinance amendments for fiscal year 2014-15.

**BACKGROUND:**

**Department of Environment, Agriculture, Parks and Recreation**

- At the December 9, 2014 Board of Commissioners meeting, the Board approved the plan to open the Blackwood Farm Park on a limited basis with a target date of March 2015. The Department of Environment, Agriculture, Parks and Recreation (DEAPR) requests an appropriation of \$4,560 from the County Capital Fund to the General Fund for seasonal staff, for the purpose of the limited opening.

This budget amendment provides for the appropriation of \$4,560 from the Blackwood Farm Park project to DEAPR's General Fund operating budget (*See Attachment 1, column 1*), and amends the Capital Project Ordinance as follows:

***Blackwood Farm Park: (Project #20037)***

Revenues for this project:

	FY 2014-15 Current Budget	FY 2014-15 Amendment	FY 2014-15 Revised
General Government Revenue	\$197,400	(\$4,560)	\$192,840
<b>Total Project Funding</b>	<b>\$197,400</b>	<b>(\$4,560)</b>	<b>\$192,840</b>

Appropriated for this project:

	FY 2014-15 Current Budget	FY 2014-15 Amendment	FY 2014-15 Revised
Blackwood Farm Park Project	\$197,400	(\$4,560)	\$192,840
<b>Total Project Funding</b>	<b>\$197,400</b>	<b>(\$4,560)</b>	<b>\$192,840</b>

2. The Department of Environment, Agriculture, Parks and Recreation (DEAPR) received a \$3,500 donation from the Strawbridge Studio. DEAPR will use these funds for supplies at: Central Recreation Center, Efland Cheeks Community Center, and for Summer Camp. This budget amendment provides for the receipt of these donated funds. (See *Attachment 1, column 1*)

### Health Department

3. The Health Department has received the following additional revenues:
- **Breast and Cervical Cancer Control Program** – The Health Department has received additional revenues totaling \$5,100 for use in the Breast and Cervical Cancer Control Program. These funds will be used to provide additional mammograms.
  - **Community Care of North Carolina** – The Health Department has received additional revenues totaling \$4,778 for use in the Childcare Coordination 4 Children (CC4C) and Pregnancy Care Management (PCM) programs. These funds will be used for office and educational supplies and to support the programs after the upcoming 5% mid-year cut in funding.

This budget amendment provides for the receipt of these additional funds. (See *Attachment 1, column 2*)

### Cooperative Extension

4. Cooperative Extension requests a \$4,000 appropriation from the 4-H Fund's unassigned fund balance to be used for additional youth development programs. With this appropriation, the 4-H Fund will have an unassigned fund balance of approximately \$26,700. This budget amendment provides for the appropriation of \$4,000 from the 4-H Fund's available Unassigned Fund Balance. (See *Attachment 1, column 3*)

### Emergency Services Department

5. The Emergency Services Department has received a grant award of \$750 from the Orange County Alcohol Beverage Control Board. The department will use these funds to equip the Stay Up and Active program with a digital camera and projector to utilize when performing home assessments and educational sessions in the community where technology infrastructure is not present. This budget amendment provides for the receipt of these grant funds. (See *Attachment 1, column 4*)

**Orange Rural Fire Department**

6. The Orange Rural Fire Department has received reimbursement funds of \$25,000 from the N.C. Department Transportation for driveway paving costs at station #3 located on Walker Road. This budget amendment provides for the receipt of these reimbursement funds. *(See Attachment 1, column 5)*

**Orange Grove Fire Department**

7. The Orange Grove Fire Department has received reimbursement funds of \$25,000 from the N.C. Department of Transportation for driveway construction at station #2 located on Rocky Ridge Road. This budget amendment provides for the receipt of these reimbursement funds. *(See Attachment 1, column 6)*

**FINANCIAL IMPACT:** Financial impacts are included in the background information above.

**RECOMMENDATION(S):** The Manager recommends the Board approve budget and capital project ordinance amendments for fiscal year 2014-15.

Original Budget	Encumbrance Carry Forwards	Budget as Amended	Budget as Amended Through BOA #6	#1 DEAPR - Receipt of funds (\$4,560) transferred from the Blackwood Farm Park Capital Project to cover seasonal staff, and the receipt of a \$3,500 donation to be used for program supplies	#2 Health - Receipt of additional Breast and Cervical Cancer Control Program funds (\$5,100), and additional Community Care of NC revenues (\$4,778)	#3 Cooperative Extension - 4-H Fund/Youth Development fund balance appropriation of \$4,000 for additional youth development programs	#4 Emergency Services - Receipt of a grant award (\$750) from the Orange County Alcohol Beverage Control Board	#5 Orange Rural Fire Department - Receipt of reimbursement funds (\$25,000) from NCDOT	#6 Orange Grove Fire Department - Receipt of reimbursement funds (\$25,000) from NCDOT	Budget as Amended Through BOA #7
-----------------	----------------------------	-------------------	----------------------------------	---	--	---	--	--	--	----------------------------------

**General Fund**

**Revenue**

Property Taxes	\$ 145,714,650	\$ -	\$ 145,714,650	\$ 145,714,650	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 145,714,650
Sales Taxes	\$ 19,001,962	\$ -	\$ 19,001,962	\$ 19,001,962	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,001,962
License and Permits	\$ 313,000	\$ -	\$ 313,000	\$ 313,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 313,000
Intergovernmental	\$ 13,575,486	\$ -	\$ 13,575,486	\$ 18,997,949	\$ -	\$ 9,878	\$ -	\$ 750	\$ -	\$ -	\$ 19,008,577
Charges for Service	\$ 9,799,005	\$ -	\$ 9,799,005	\$ 9,894,038	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,894,038
Investment Earnings	\$ 105,000	\$ -	\$ 105,000	\$ 105,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 105,000
Miscellaneous	\$ 798,065	\$ -	\$ 798,065	\$ 910,589	\$ 3,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 914,089
Transfers from Other Funds	\$ 1,052,600	\$ -	\$ 1,052,600	\$ 1,052,600	\$ 4,560	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,057,160
Fund Balance	\$ 10,068,343	\$ 775,478	\$ 10,843,821	\$ 12,953,497	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,953,497
<b>Total General Fund Revenues</b>	<b>\$ 200,428,111</b>	<b>\$ 775,478</b>	<b>\$ 201,203,589</b>	<b>\$ 208,943,285</b>	<b>\$ 8,060</b>	<b>\$ 9,878</b>	<b>\$ -</b>	<b>\$ 750</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 208,961,973</b>

**Expenditures**

Governing & Management	\$ 17,550,722	\$ 227,080	\$ 17,777,802	\$ 17,790,802	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,790,802
General Services	\$ 19,372,273	\$ 102,019	\$ 19,474,292	\$ 19,505,096	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,505,096
Community & Environment	\$ 7,548,601	\$ 181,511	\$ 7,730,112	\$ 7,795,856	\$ 8,060	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,803,916
Human Services	\$ 32,242,706	\$ 118,064	\$ 32,360,770	\$ 37,730,188	\$ -	\$ 9,878	\$ -	\$ -	\$ -	\$ -	\$ 37,740,066
Public Safety	\$ 22,382,107	\$ 146,804	\$ 22,528,911	\$ 22,574,248	\$ -	\$ -	\$ -	\$ 750	\$ -	\$ -	\$ 22,574,998
Culture & Recreation	\$ 2,696,035	\$ -	\$ 2,696,035	\$ 2,711,376	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,711,376
Education	\$ 93,456,398	\$ -	\$ 93,456,398	\$ 93,456,398	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 93,456,398
Transfers Out	\$ 5,179,269	\$ -	\$ 5,179,269	\$ 7,379,321	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,379,321
<b>Total General Fund Appropriation</b>	<b>\$ 200,428,111</b>	<b>\$ 775,478</b>	<b>\$ 201,203,589</b>	<b>\$ 208,943,285</b>	<b>\$ 8,060</b>	<b>\$ 9,878</b>	<b>\$ -</b>	<b>\$ 750</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 208,961,973</b>
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

**Fire District Funds**

**Revenues**

Property Tax	\$ 4,853,234	\$ -	\$ 4,853,234	\$ 4,853,234	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,853,234
Intergovernmental	\$ -	\$ -	\$ -	\$ 12,500	\$ -	\$ -	\$ -	\$ 25,000	\$ 25,000	\$ -	\$ 62,500
Investment Earnings	\$ 654	\$ -	\$ 654	\$ 654	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 654
Appropriated Fund Balance	\$ -	\$ -	\$ -	\$ 55,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 55,000
<b>Total Fire Districts Fund Revenue</b>	<b>\$ 4,853,888</b>	<b>\$ -</b>	<b>\$ 4,853,888</b>	<b>\$ 4,921,388</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 25,000</b>	<b>\$ 25,000</b>	<b>\$ -</b>	<b>\$ 4,971,388</b>

**Expenditures**

Remittance to Fire Districts	\$ 4,853,888	\$ -	\$ 4,853,888	\$ 4,921,388	\$ -	\$ -	\$ -	\$ 25,000	\$ 25,000	\$ -	\$ 4,971,388
------------------------------	--------------	------	--------------	--------------	------	------	------	-----------	-----------	------	--------------

**4-H Fund**

**Revenues**

Donations	\$ 6,500	\$ -	\$ 6,500	\$ 6,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,500
Charges for Services	\$ 7,500	\$ -	\$ 7,500	\$ 7,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500
Intergovernmental	\$ 5,500	\$ -	\$ 5,500	\$ 5,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,500
Miscellaneous	\$ 1,500	\$ -	\$ 1,500	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500
Appropriated Fund Balance	\$ 5,000	\$ -	\$ 5,000	\$ 5,000	\$ -	\$ -	\$ 4,000	\$ -	\$ -	\$ -	\$ 9,000
<b>Total PFAP Fund Revenues</b>	<b>\$ 26,000</b>	<b>\$ -</b>	<b>\$ 26,000</b>	<b>\$ 26,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 30,000</b>

**Expenditures**

4-H Program	\$ 26,000	\$ -	\$ 26,000	\$ 26,000	\$ -	\$ -	\$ 4,000	\$ -	\$ -	\$ -	\$ 30,000
-------------	-----------	------	-----------	-----------	------	------	----------	------	------	------	-----------

## Year-To-Date Budget Summary

*Fiscal Year 2014-15*

### General Fund Budget Summary

Original General Fund Budget	\$200,428,111
Additional Revenue Received Through Budget Amendment #7 (April 7, 2015)	
Grant Funds	\$498,129
Non Grant Funds	\$5,150,579
General Fund - Fund Balance for Anticipated Appropriations (i.e. Encumbrances)	\$775,478
General Fund - Fund Balance Appropriated to Cover Anticipated and Unanticipated Expenditures	\$2,109,676
<b>Total Amended General Fund Budget</b>	<b>\$208,961,973</b>
Dollar Change in 2014-15 Approved General Fund Budget	\$8,533,862
% Change in 2014-15 Approved General Fund Budget	4.26%

**Paul:**

includes \$9,000 for Orange County's share of a possible joint regional public safety training facility (BOA #1); \$30,804 to cover 2nd Primary election costs (BOA #1); transfer of \$42,500 in deferred revenue/in-flows from the General Fund to the Grant Projects Fund (BOA #1); Appropriation of \$36,337 from the Sheriff's Drug fund account to purchase a vehicle (BOA #6)

### Authorized Full Time Equivalent Positions

Original Approved General Fund Full Time Equivalent Positions	842.550
Original Approved Other Funds Full Time Equivalent Positions	82.700
Position Reductions during Mid-Year	
Additional Positions Approved Mid-Year	1.600
<b>Total Approved Full-Time-Equivalent Positions for Fiscal Year 2014-15</b>	<b>926.850</b>

**Paul:**

Increase of .10 FTE for a Public Health Nurse, and approved moving a temporary position to a permanent position (.50 FTE) BOA #4-B; creation of a new 1.0 FTE Legal Advisor to the Sheriff (on 12/1/14)

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 6-e

**SUBJECT:** Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro City Schools (CHCCS) and Contingent Approval of Budget Amendment #7-A Related to CHCCS Capital Project Ordinances

---

**DEPARTMENT:** Finance and Administrative Services

**PUBLIC HEARING: (Y/N)**

No
----

**ATTACHMENT(S):**

Attachment 1. CHCCS – Lottery Proceeds Debt Service Application

**INFORMATION CONTACT:**

Paul Laughton, (919) 245-2152

---

**PURPOSE:** To approve an application to the North Carolina Department of Public Instruction (NCDPI) to release proceeds from the NC Education Lottery account related to FY 2014-15 debt service payments for Chapel Hill – Carrboro City Schools (CHCCS), and to approve Budget Amendment #7-A (amended School Capital Project Ordinances), contingent on the NCDPI's approval of the application.

**BACKGROUND:** Both County School Systems have previously presented approved resolutions from their respective Boards requesting that the County modify its Capital Funding Policy by applying accumulated lottery funds to debt service payments, and permitting current year withdrawals of lottery proceeds immediately after the State's quarterly lottery fund allocations. This policy expedites both the application process and the receipt of funds for both school systems.

Currently, the accumulated available lottery proceeds for Chapel Hill – Carrboro City Schools (CHCCS) is \$182,930. The attached application requests NCDPI to release lottery proceeds in the amount of \$182,700 to cover debt service for projects previously financed for the Chapel Hill – Carrboro City School system.

Budget Amendment #7-A provides for the receipt of the Lottery Proceeds, contingent on NCDPI's approval of the application, and substitutes the amount of Lottery Proceeds approved for debt service as additional Pay-As-You-Go (PAYGO) funds for FY 2014-15 for CHCCS long-range capital needs and projects, and amends the budgets for the following CHCCS capital projects:

ORD-2015-008

**Chapel Hill – Carrboro City Schools (\$182,700):****Roofing Projects (\$182,700) – Project # 54012**

Revenues for this project:

	Current FY 2014-15	FY 2014-15 Amendment	FY 2014-15 Revised
From General Fund (PAYG)	\$730,009	\$182,700	\$912,709
Qualified School Construction Bonds	\$4,630,000	\$0	\$4,630,000
<b>Total Project Funding</b>	<b>\$5,360,009</b>	<b>\$182,700</b>	<b>\$5,542,709</b>

Appropriated for this project:

	Current FY 2014-15	FY 2014-15 Amendment	FY 2014-15 Revised
Roofing	\$5,360,009	\$182,700	\$5,542,709
<b>Total Costs</b>	<b>\$5,360,009</b>	<b>\$182,700</b>	<b>\$5,542,709</b>

**FINANCIAL IMPACT:** The total Lottery Proceeds requested from the NCDPI for Chapel Hill–Carrboro City Schools is \$182,700.

**RECOMMENDATION(S):** The Manager recommends the Board approve, and authorize the Chair to sign, the application for North Carolina Education Lottery Proceeds; and approve Budget Amendment #7-A receiving the Lottery Proceeds and the amended CHCCS Capital Project Ordinances, contingent on NCDPI's approval of the application.

**APPLICATION  
PUBLIC SCHOOL BUILDING CAPITAL FUND  
NORTH CAROLINA EDUCATION LOTTERY**

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

County: Orange County

Contact Person: Paul Laughton

LEA: Chapel Hill-Carrboro City Schools

Title: Interim Director, OC Finance

Address: P.O. Box 8181, Hillsborough, NC

Phone: (919) 245-2152

Project Title: FY 2014-15 Debt Service (Fall 2006 Private Placement)

Location: \_\_\_\_\_

Type of Facility: \_\_\_\_\_

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Debt Service associated with Fall 2006 Private Placement - issued December 2006 for Chapel Hill-Carrboro City Schools (Carrboro High School)

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		_____
Repair	_____		_____
Debt Payment / Bond Payment	_____		182,700.00
<b>TOTAL</b>	_____	<b>\$</b>	<b>182,700.00</b>

Estimated Project Beginning Date: July 2014 Est. Project Completion Date: June 2015

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 182,700.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

\_\_\_\_\_  
(Signature — Chair, County Commissioners) (Date)

\_\_\_\_\_  
(Signature — Chair, Board of Education) (Date)

**ORANGE COUNTY  
BOARD OF COMMISSIONERS  
ACTION AGENDA ITEM ABSTRACT**  
Meeting Date: April 7, 2015

**Action Agenda  
Item No. 6-f**

**SUBJECT:** Resolution Authorizing Staff to File Applications with the Federal Transit Administration

---

**DEPARTMENT:** Planning and Inspections

**PUBLIC HEARING: (Y/N)**

No

---

**ATTACHMENT(S):**

1. Authorizing Resolution

**INFORMATION CONTACT:**

Bret Martin, Transportation Planner,  
919-245-2582

Peter Murphy, Transportation  
Administrator, 919-245-2002

Craig Benedict, Planning Director, 919-  
245-2592

---

**PURPOSE:** To consider a resolution authorizing the Orange County Transportation Planner and Orange Public Transportation Administrator to file applications with the Federal Transit Administration for Federal financial assistance.

**BACKGROUND:** Orange County transportation planning staff is currently coordinating with the Federal Transit Administration (FTA) to become a direct recipient of Federal financial assistance for public transit projects it undertakes within the Burlington and Durham Urbanized Areas (UZAs). For the entirety of its existence, Orange Public Transportation (OPT) has only been a sub-recipient of Federal financial assistance for transit projects it provides in rural areas, with the North Carolina Department of Transportation (NCDOT) acting as a pass-through entity that receives the funds directly from the FTA and administers and oversees OPT's use of the funds. Federal financial assistance for public transportation projects undertaken in UZAs requires a local recipient to receive the funds directly from the FTA. In doing so, the direct recipient assumes the responsibility of showing compliance with regulations and reporting requirements attached to the funds.

Each decennial census, a greater portion of OPT's service area is encompassed by both the Burlington and Durham UZAs. In order for OPT to retain its current level of Federal transit funding in the future and to be eligible for additional sources of Federal transit funding that could be used to support more service, OPT must position itself to become a direct recipient of Federal financial assistance. The ½ percent public transportation sales tax and vehicle registration fees would function as the local match that allows OPT to leverage these additional sources of Federal transit funding. Federal financial assistance for which OPT is eligible for projects it plans to undertake within the Burlington and Durham UZAs was assumed in the five-year bus service expansion program approved by the BOCC in October 2014.

*Authorizing Resolution:*

One requirement of the FTA for OPT to become a direct recipient of its UZA grant funding is for the governing body (BOCC) of the transit agency to adopt a resolution that authorizes a

designated official to act on its behalf to file official grant applications with the FTA (Attachment 1). The attached resolution authorizes the Orange County Transportation Planner and the Orange Public Transportation Administrator to interface with the FTA and file applications for Federal financial assistance to support transit projects OPT undertakes.

**FINANCIAL IMPACT:** Approval of the resolution is necessary to achieve the positive financial impact associated with acquiring additional sources of Federal financial assistance for services OPT provides that would be leveraged by the ½ percent public transportation sales tax and vehicle registration fees allocated to OPT. Orange County transportation planning staff has worked to secure additional Federal funding for OPT for use within the Burlington and Durham UZAs (Section 5307 funding secured through the MPOs of which Orange County is a member) in future years that would range between an additional \$250,000 - \$432,000 per year.

**RECOMMENDATION(S):** The Manager recommends the Board approve the attached resolution (Attachment 1) authorizing the Orange County Transportation Planner and Orange Public Transportation Administrator to file applications for Federal financial assistance directly with the Federal Transit Administration.

**Attachment 1: Resolution Authorizing Staff to File Applications with the Federal Transit Administration**

**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

**A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23 UNITED STATES CODE, AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION**

**WHEREAS**, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project; and

**WHEREAS**, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant and may require the Applicant to provide the local share of the project cost; and

**WHEREAS**, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project; and

**NOW, THEREFORE, BE IT RESOLVED** by the Orange County Board of Commissioners that:

- 1) The Orange County Transportation Planner and Orange Public Transportation Administrator are authorized to execute and file an application for Federal assistance on behalf of Orange County and Orange Public Transportation with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration. The Applicant (Orange County and Orange Public Transportation) has received authority from the Designated Recipients of Urbanized Area (UZA) Formula Program assistance for the Burlington UZA (North Carolina Department of Transportation) and the Durham UZA (Durham-Chapel Hill-Carrboro Metropolitan Planning Organization/City of Durham) to apply for said assistance as a Direct Recipient.
- 2) The Orange County Transportation Planner and/or Orange Public Transportation Administrator are authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement.
- 3) The Orange County Transportation Planner and Orange Public Transportation Administrator are authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of Orange County and Orange Public Transportation.

Upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution was adopted this the 7<sup>th</sup> day of April, 2015.

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on April 7, 2015, as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of said Board.

WITNESS my hand and the seal of said County, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Clerk to the Board of Commissioners

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 6-g

**SUBJECT:** Unified Development Ordinance (UDO) Amendment Outline and Schedule for the May 2015 Quarterly Public Hearing

---

**DEPARTMENT:** Planning and Inspections

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT(S):**

1. Amendment Outline for Rezoning of Property at Corner of US Highway 70 and Frazier Road (UDO/Zoning 2015-03)

**INFORMATION CONTACT:**

Ashley Moncado, Planner II, 919-245-2589

Michael Harvey, Planner III, 919-245-2597

Craig Benedict, Planning Director, 919-245-2592

---

**PURPOSE:** To consider and approve process components and schedule for a government initiated Zoning Atlas amendment for the May 2015 Quarterly Public Hearing.

**BACKGROUND:** In early February 2015, the Orange County Planning and Inspections Department received a non-residential site plan for a parcel, currently zoned as Rural Residential (R-1) and located at the corner of US Highway 70 and Frazier Road. The parcel is also located within the Efland-Cheeks Highway 70 Overlay District (ECOD). The ECOD had anticipated some commercial nodes within the corridor, such as this intersection. Due to the parcel's location within the ECOD and based on existing standards contained in the Orange County Unified Development Ordinance (UDO), the proposed non-residential use would be classified as a "permitted use" in the R-1 Zoning District and would be required to follow Section 2.5, *Site Plan Review*.

However, concerns were recently presented to Planning Staff by the County Attorney's Office regarding existing language contained in the UDO and consistency with State Statute regarding zoning overlay districts. Based on these concerns, the parcel would require a rezoning from Rural Residential (R-1) to Neighborhood Commercial (NC-2) in order to accommodate and permit the non-residential development proposal for this parcel.

Text amendments to the ECOD standards are also necessary and are being prepared as a separate action for the September 2015 Quarterly Public Hearing.

**FINANCIAL IMPACT:** Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement will be paid from FY2014-15 Departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

**RECOMMENDATION(S):** The Manager recommends the Board approve the attached Amendment Outline form and direct staff to proceed accordingly.

# COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2015-03

Rezoning of Property at Corner of US Highway 70 and Frazier Road

## A. AMENDMENT TYPE

### Map Amendments

- Land Use Element Map:  
From:  
To:
- Zoning Map:  
From: Rural Residential (R-1)  
To: Neighborhood Commercial (NC-2)
- Other:

### Text Amendments

- Comprehensive Plan Text:

Section(s):

- UDO Text:

- UDO General Text Changes  
 UDO Development Standards  
 UDO Development Approval Processes

Section(s):

- Other:

## B. RATIONALE

### 1. Purpose/Mission

In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the UDO, the Planning Director has initiated an amendment to the Zoning Atlas to rezone a parcel of property (PIN# 9835-40-3691) located at the northwest corner of US Highway 70 and Frazier Road from Rural Residential (R-1) to Neighborhood Commercial (NC-2). This rezoning includes one parcel totaling approximately 4 acres and is located within the Cheeks Township. A map of the parcel is included at the end of this form.

In 2007 the County adopted the Efland-Cheeks Highway 70 Corridor Overlay District (ECOD), the purpose of which was to allow for additional non-residential development within a pre-defined area along US Highway 70. This district contained a pre-designated commercial area where residential properties were allowed to develop non-residential land uses consistent with the permitted and special uses outlined for the Neighborhood Commercial (NC-2) general use zoning district. This overlay district was an attempt to implement various recommendations and policy initiatives adopted as part of the County's Efland-Mebane Small Area Plan.

In early February 2015, the Orange County Planning and Inspections Department received a non-residential site plan application for the parcel located at the corner of US Highway 70 and Frazier Road and currently zoned as Rural Residential (R-1) and is within the ECOD. Due to the parcel's location within the Efland-Cheeks Highway 70 Corridor Overlay District and based on standards contained in the Orange County Unified Development Ordinance (UDO), the proposed non-residential use would be classified as a "permitted use" and would be required to follow Section 2.5, *Site Plan Review*.

However, recently concerns were presented to Planning Staff by the Orange County Attorney's office identifying existing language contained in Section 4.4.4(A) of the UDO as questionable with State Statute. Specifically, the County Attorney's office does not agree that an overlay district can establish allowable uses for a parcel.

As a result, the County Attorney's office determined that the parcel would need to be rezoned to NC-2 to accommodate the non-residential development proposal for this parcel. Due to the recent concerns identified by the County Attorney with existing language contained in the UDO, Planning Staff has initiated this rezoning request on behalf of the property owner. The proposed atlas amendment seeks to address the issue by rezoning the property. It should be noted that the property owner is not being asked to shoulder any financial responsibility for the amendment.

In addition, the Planning Department will be pursuing a text amendment to the UDO for the September Quarterly Public Hearing to address issues with existing language contained in Section 4.4.4, *Efland-Cheeks Highway 70 Corridor* in order to address the concerns of the County Attorney's office and to avoid future obstacles for Orange County residents.

## 1. **Analysis**

As required under Sections 2.3.9 and 2.8.5 of the Orange County Unified Development Ordinance, the Planning Director is required to 'cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners'.

Will be available with public hearing materials.

## 2. **Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)**

**Land Use Overarching Goal:** Coordination of the amount, location, pattern and designation of future land uses, with availability of County services and facilities sufficient to meet the needs of Orange County's population and economy consistent with other Comprehensive Plan element goals and objectives.

Objective LU-1.1: Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available.

**Economic Development Overarching Goal:** Viable and sustainable economic development that contributes to both property and sales tax revenues, and enhances high-quality employment opportunities for County residents.

Objective ED-2.5: Identify lands suitable to accommodate the expansion and growth of commercial and industrial uses.

## 3. **New Statutes and Rules**

# C. PROCESS

## 1. **TIMEFRAME/MILESTONES/DEADLINES**

- a. BOCC Authorization to Proceed

April 7, 2015

- b. Quarterly Public Hearing

May 26, 2015

- c. BOCC Updates/Checkpoints

May 26, 2015 – Quarterly Public Hearing

June 16, 2015 – Receive Planning Board recommendation

- d. Other

## 2. **PUBLIC INVOLVEMENT PROGRAM**

**Mission/Scope:** Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements.

- a. Planning Board Review:

June 3, 2015 – Recommendation to the BOCC

b. Advisory Boards:

_____	_____
_____	_____
_____	_____

c. Local Government Review:

_____	_____
_____	_____
_____	_____

d. Notice Requirements

This item will be included in the Quarterly Public Hearing legal ad. Prior to the public hearing, required notices will be mailed to the affected property owner and property owners within 500-feet of the affected property. In addition, signs shall be posted on the property at least 10 days prior to the public hearing.

e. Outreach:

<input type="checkbox"/> General Public:	_____
<input type="checkbox"/> Small Area Plan Workgroup:	_____
<input type="checkbox"/> Other:	_____

**3. FISCAL IMPACT**

Consideration and approval will not create the need for additional funding for the provision of county services. Costs for the required legal advertisement will be paid from FY2014-15 Departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

**D. AMENDMENT IMPLICATIONS**

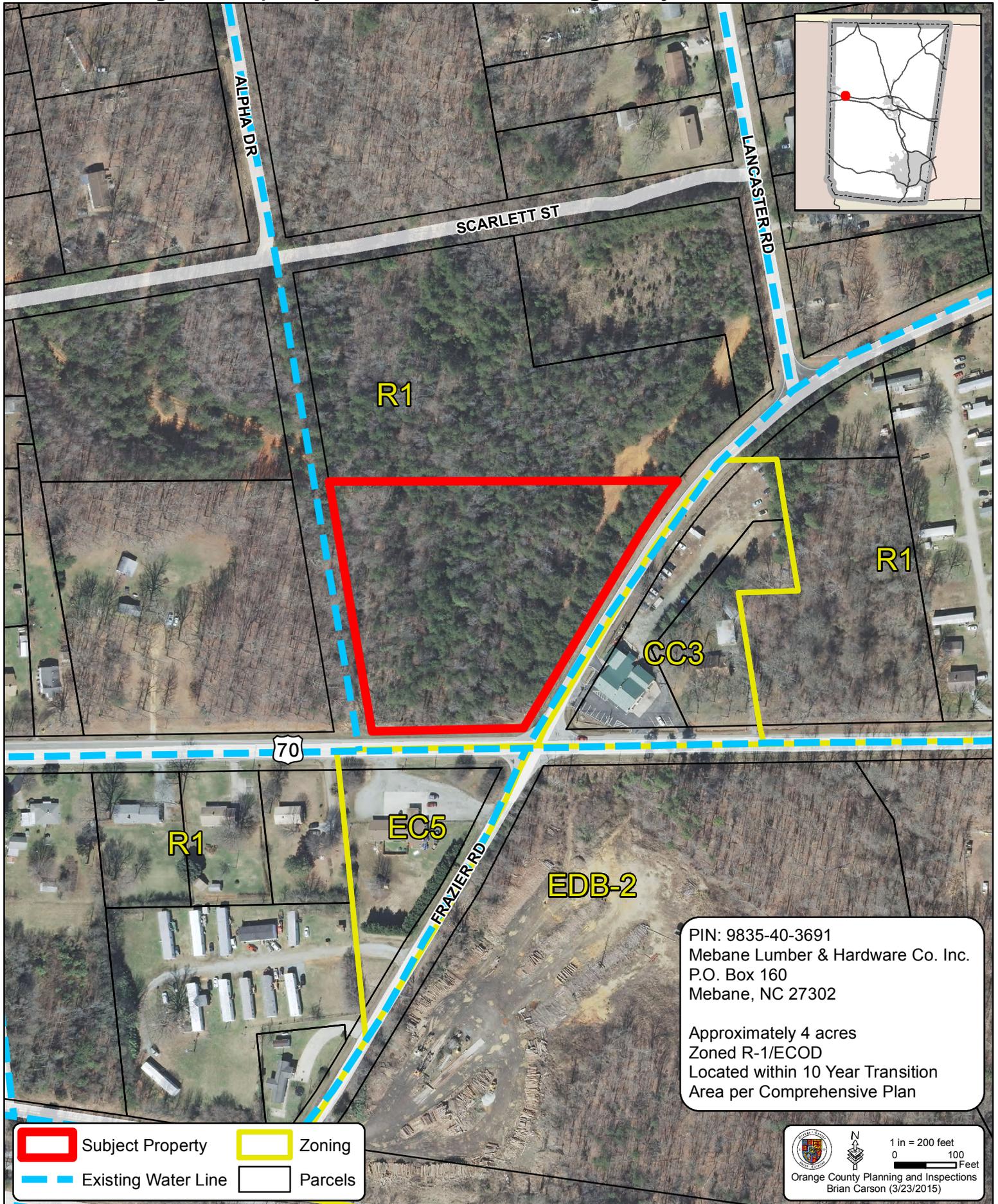
The rezoning will accomplish the intent of the “pre-designated commercial area” component of the ECOD and will allow for the location of non-residential development on the parcel.

**E. SPECIFIC AMENDMENT LANGUAGE**

--

**Primary Staff Contact:**  
 Ashley Moncado  
 Planning Department  
 919-245-2589  
 amoncado@orangecountync.gov

# Rezoning of Property at Corner of US Highway 70 and Frazier Road



**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 6-h

---

**SUBJECT:** County Sheriff's Office – Records Retention and Disposition Schedule

---

**DEPARTMENT:** Orange County Sheriff's Office

**PUBLIC HEARING:** (Y/N)

No

---

**ATTACHMENT(S):**

**UNDER SEPARATE COVER-ONLY  
AVAILABLE ONLINE**

*Records Retention and Disposition  
Schedule, dated November 10, 2008*

<http://orangecountync.gov/occlerks/1504076h1.pdf>

*Records Retention and Disposition  
Schedule Amendment, dated September  
28, 2009*

<http://orangecountync.gov/occlerks/1504076h2.pdf>

**INFORMATION CONTACT:**

Charles Blackwood, Orange County  
Sheriff, 919.245.2900

Jennifer Galassi, Legal Advisor to  
the Sheriff, 919.245.2952

---

**PURPOSE:** To approve the County Sheriff's Office Records Retention and Disposition Schedule.

**BACKGROUND:** North Carolina General Statutes §§ 121-5 and 132-3 provide that the Orange County Sheriff's Office may only destroy or dispose of public records with "the consent of the Department of Cultural Resources, except as provided in G.S. 130A-99". Compliance with that Statute would require the Orange County Sheriff's Office (the "Sheriff's Office") to obtain permission to destroy any record, regardless of its significance. Destruction of a public record that does not comply with the statute constitutes a Class 3 misdemeanor accompanied by a fine.

To avoid the need to seek and obtain permission from the Department of Cultural Resources to destroy records, the statute authorizes the North Carolina Historical Commission to make orders, rules, and regulations to carry out its provisions. Destruction of public records in accordance with these orders, rules, and regulations relieves the Sheriff's Office from liability. In November 2008, the Department of Cultural Resources released the "County Sheriff's Office: Records Retention and Disposition Schedule" (the "Schedule"). The Department of Cultural Resources uses the Schedule as a tool to assist Sheriff's Offices to manage records. The Schedule inventories the types of records found in a Sheriff's Office, and determines when they can be destroyed if at all. The Schedule and a 2009 amendment are available at the links in the "Attachments" section noted above – these documents are not included in hard copy with this abstract and are available upon request.

The Sheriff's Office has not previously recommended approval of the Records Retention and Disposition Schedule. However, the Schedule will serve as an agreement between the Sheriff's Office and the Department of Cultural Resources. The Schedule will determine the disposition schedule and retention periods that govern Sheriff's Office records. If the Board approves the Schedule, Sheriff's Office staff will obtain training from the Department of Cultural Resources to carry out the provisions of the Schedule. (Note: In November 2007, the Board approved a "Records Retention and Disposition Schedule for the County.")

**FINANCIAL IMPACT:** There will be no initial financial impact. The Department of Cultural Resources training is offered free of charge and can be provided at the Sheriff's Office. As staff work to comply with the Schedule, there may be some cost to ensure that long term storage of documents is handled properly. Additionally, there may be costs associated with the destruction or shredding of documents.

**RECOMMENDATION(S):** The Manager recommends that the Board approve the County Sheriff's Office Records Retention and Disposition Schedule, dated November 10, 2008, and any amendments thereto, including but not limited to an amendment made on September 28, 2009, and authorize the Chair to sign the Schedule documents/Agreement.

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 6-i

**SUBJECT:** Access Easement for Jeffrey Fisher – Hollow Rock Access Area

---

**DEPARTMENT:** Environment, Agriculture,  
Parks and Recreation  
(DEAPR)

**PUBLIC HEARING: (Y/N)**

No
----

---

**ATTACHMENTS:**

Draft Deed of Easement  
Draft Access Easement Plat

**INFORMATION CONTACT:**

David Stancil, 919-245-2510  
Rich Shaw, 919-245-2514  
Marabeth Carr, 919-245-2516  
John Roberts, 919-245-2318

---

**PURPOSE:** To authorize the County granting a 30-foot-wide access easement for Jeffrey Fisher to access his landlocked residential property through the Hollow Rock Access Area.

**BACKGROUND:** The planned Hollow Rock Access Area is a 75-acre site comprised of multiple land parcels owned separately by Orange County, Durham County, and the Town of Chapel Hill. In 2010 the three jurisdictions, along with the City of Durham, adopted a master plan for a low-impact public recreation and natural area. Phase 1 construction this facility is planned for 2015.

One of the parcels Orange County acquired for the Hollow Rock Access Area is a 7-acre parcel purchased from Duke University in 2006. Duke University had owned the property for several decades and managed it as part of the Duke Forest. The owners of a private residence (ca. 1910) accessed their adjacent landlocked property using a gravel driveway from Erwin Road, across the Duke property. The landlocked property is currently owned by Mr. Jeffrey Fisher.

Mr. Fisher has requested an access easement from the County in order to satisfy a banking requirement. The County has long anticipated the need for granting an easement and this situation presents an opportunity for this action. DEAPR has worked with the County Attorney and Mr. Fisher to prepare a deed of easement and survey plat. Granting this easement would not be inconsistent with the adopted master plan for the planned Hollow Rock Access Area.

**FINANCIAL IMPACT:** The County will share the approximately \$800 in transaction fees with Mr. Fisher.

**RECOMMENDATION(S):** The Manager recommends that the Board authorize the granting of an access easement on the County's Hollow Rock property to Mr. Jeffrey Fisher.

**DRAFT**

Prepared by William A. Anderson, III (without benefit of title examination)  
Return to Grantee

**DEED OF EASEMENT**

**THIS DEED OF EASEMENT** is made this the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by **ORANGE COUNTY**, a North Carolina body politic, with a mailing address of \_\_\_\_\_, Hillsborough, NC, 27278 (“Grantor”), to **JEFFREY A. FISHER**, having a mailing of 682 Erwin Rd., Durham, North Carolina 27707 (“Grantee”).

**WITNESSETH:**

WHEREAS, Grantor owns the property described on Exhibit A attached hereto and incorporated herein by reference (the “County Property”);

WHEREAS, Grantee owns the property described on Exhibit B attached hereto and incorporated herein by reference (the “Fisher Property”);

WHEREAS, Grantee and his predecessors have historically accessed the Fisher Property from Erwin Road, a public right of way, by a drive crossing a portion of the County Property, and Grantor and Grantee desire to memorialize such easement in writing;

NOW, THEREFORE, in consideration of the foregoing premises, Grantor does hereby make, declare, give, grant and convey unto Grantee, and his heirs, successors and assigns a perpetual, nonexclusive easement for the purposes of vehicular and pedestrian ingress, egress and regress to and from Erwin Road over, across and through the area more particularly shown and described as \_\_\_\_\_ on the plat prepared by Coulter Jewell Thames, PA recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Orange County Registry.

Nothing herein shall convey to or establish for the public a right of access over the easement established herein.

**TO HAVE AND TO HOLD** the aforescribed easement unto the Grantee, and his heirs, successors and assigns in perpetuity. Grantor, for itself, its successors and assigns, hereby warrants and covenants that it is the sole owner of the Grantor Property; that it has the right to

grant the easements described herein, and that it will warrant and defend the title to the same against the lawful claims of all persons whomsoever, subject to all matters of record.

**IN WITNESS WHEREOF**, Grantor has caused this instrument to be signed, sealed and delivered by duly authorized officers, as of the day and year first above written.

**ATTEST: (SEAL)**

**ORANGE COUNTY,  
NORTH CAROLINA**

\_\_\_\_\_  
Name: \_\_\_\_\_  
\_\_\_\_\_ Clerk, Board of Commissioners

By: \_\_\_\_\_  
Bonnie B. Hammersley, County Manager

\* \* \* \* \*

**STATE OF NORTH CAROLINA  
ORANGE COUNTY**

I, a Notary Public of such County and State, certify that Bonnie B. Hammersley and \_\_\_\_\_ personally came before me this day and acknowledged that they are the County Manager and the \_\_\_\_\_ Clerk of the Board of Commissioners, respectively, of Orange County, North Carolina, and that by authority duly given and as the act of such County, the foregoing instrument was signed in the County's name by such Interim County Manager, sealed with its corporate seal and attested by such Clerk.

**WITNESS** my hand and official stamp or seal, this \_\_\_\_ day of \_\_\_\_\_, 2015.

[SEAL]

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**EXHIBIT A**  
**County Property**

PIN 0801-01-4625

That certain lot or parcel of land located in Chapel Hill Township, Orange County, North Carolina and more particularly described as follows:

BEGINNING at a control corner having the following North Carolina Grid coordinates: N: 811,999.819; E: 2,000,522.804; thence along and with the western right-of-way line of Pickett Road - S.R. 1734 (60' Wide public R/W) S 16° 35' 14" E 150.73' to a set iron pipe; thence along a curve having a delta of 23° 45' 38", a radius of 1254.00', a length of 520.03', and a chord bearing of S 28° 28' 03" E to a point lying on the western right-of-way line of said Pickett Road; thence N 88° 34' 26" W 1033.65' to a set iron pipe; thence N 57° 24' 48" E 35.65' to an existing concrete monument in the southern right-of-way line of Erwin Road - S.R. 1737 (Variable Public R/W); thence along a curve having a delta of 2° 00' 14", a radius of 3110.23', a length of 108.78' and a chord bearing of N 56° 24' 41" E to a set iron pipe; thence N 34° 35' 26" W 12.65' to an existing concrete monument in the southern right-of-way of said Erwin Road; thence along a curve having a delta of 2° 24' 35", a radius of 3097.58', a length of 130.28' and a chord bearing of N 54° 12' 16" E to a mathematical point; thence along a curve having a delta of 0° 13' 55", a radius of 3097.58', a length of 12.54' and a chord bearing of N 52° 53' 01" E to a mathematical point; thence N 52° 46' 03" E 90.35' to a mathematical point; thence along a curve having a delta of 1° 12' 50", a radius of 3573.56', a length of 75.71' and a chord bearing of N 52° 09' 38" E to a mathematical point; thence N 51° 33' 13" E 487.49' to an iron pin or pipe; thence S 16° 35' 14" E 5.38' to the point and place of BEGINNING, according to a plat of survey by Triangle Surveyors, dated 9/20/2005, entitled "Final Plat of Minor Subdivision for Property Surveyed for Orange County," which plat is incorporated herein by reference and which plat is recorded at Plat Book 99, Page 73, Orange County Registry (hereafter "the Final Plat").

Also conveyed herein WITHOUT WARRANTY, EXPRESS OR IMPLIED, as to the title thereto is the following parcel of land, also according to the Final Plat:

BEGINNING at a control corner (set iron pipe) in the western right-of-way line of Pickett Road - S.R. 1734 (60' Wide Public R/W), and being a common corner with now or formerly Gertrude Rose (D.B. 142/202); thence N 88° 47' 57" W 1069.71' to a point identified as "CP" on the Final Plat; thence N 57° 24' 48" E 29.85' to a set iron pipe; thence S 88° 34' 26" E 1033.65' to a point in the western right-of-way of said Pickett Road; thence along and with the western right-of-way line of said Pickett Road along a curve having a delta of 0° 46' 11", a radius of 1254.00', a length of 16.85' and a chord bearing of S 40° 43' 57" E to a set iron pipe, said set iron pipe being the point and place of BEGINNING.

The properties described above are together Lot 1 (Inclusive of R/W Dedication & Property Quitclaimed by Duke University) shown on the Final Plat and are hereby merged into one parcel of land for all purposes.

**EXHIBIT B**  
**Fisher Property**

PIN 9891-91-6210

BEING all of that certain parcel of land comprised of Tract A containing 1.12 acres, Tract B containing .05 acres, and Tract C containing .34 acres, as shown on the plat by The John R. McAdams Company, Inc. recorded in Plat Book 93, Page 42, Orange County Registry, to which plat reference is made for a more particular description of same.



**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 6-j

**SUBJECT:** Replacement Ambulance for Orange County Emergency Services

---

**DEPARTMENT:** Emergency Services

**PUBLIC HEARING: (Y/N)**

No
----

---

**ATTACHMENT(S):**

Attachment 1: FESCO Quote

Attachment 2: Dare to Compare Safety  
Brochure

**INFORMATION CONTACT:**

Jim Groves, 919-245-6140

Jeff Thompson, 919-245-2658

---

**PURPOSE:** To approve the purchase on one (1) ambulance that will replace a 2007 model ambulance manufactured by Wheeled Coach.

**BACKGROUND:** In 2008 the Orange County ambulance fleet was struggling to sustain the increasing call volume and mileage requirements with the existing vehicles. Emergency Services (ES) staff approached Asset Management Services (AMS) to develop a long term solution. ES and AMS agreed that a medium duty chassis and drive train (engine and transmission) was critical to compensate for increasing call volume, mileage, and corresponding on-scene idling during calls. The recommended solution was the purchase of medium duty ambulances on the Freightliner chassis. These units have been provided by Excellance, Inc. from Madison, Alabama.

After reflecting on the long term ambulance fleet recommendation, ES staff believes that there were unforeseen complications with the previous recommendation. The medium duty ambulances do not have airbags for the driver and passenger and the operation of the vehicles is difficult in winter precipitation. They also provide a harsh ride for the patients and the anticipation of reduced maintenance cost has not met the County's expectations.

To identify an alternate fleet solution, the ES Director developed an ambulance sub-committee that was charged with identifying an ambulance that would provide for the safety of staff, provide a comfortable ride for patients, be extremely reliable, have local maintenance capabilities, and not require auxiliary chains for winter precipitation. The ambulance sub-committee considered four (4) vendors, and eventually narrowed the field to three (3) vendors. This was accomplished by reviewing specifications, by the vendors providing vehicles for staff to test drive, by visiting EMS organizations that utilized fleet vehicles from the vendors, and by considering work performance and references provided by the vendor customers.

Based on all factors, the ambulance sub-committee recommended a Four Wheel Drive (4WD) ambulance built by Horton Emergency Vehicles, supplied by FESCO, Inc. out of Elkridge, Maryland. Horton was chosen because:

- It is the only ambulance on the market that has both front and rear airbags to protect staff.
- It provides a very comfortable ride for patients (members of the ambulance sub-committee actually filled the role of the patient in the rear of the ambulance to see how patients would feel when riding to the hospital).
- FESCO has mobile maintenance services and a maintenance facility in Richmond, VA that is only 2.5 hours away for significant maintenance issues.
- The Ford F-550 4WD chassis can be serviced locally in Hillsborough.
- The units of government that use Horton and FESCO in their fleets give high marks for reliability, service and support.

North Carolina General Statute (NCGS) 143-129(e)(3) allows local governments to make purchases through a competitive bidding group purchasing program, which is a formally organized program that offers competitively obtained purchasing services at discount prices to two or more public agencies. The Houston-Galveston Area Council (HGAC) is a cooperative purchasing group that meets the requirements of NCGS 143-129(e)(3). The specific contract number for the HGAC is # AM10-14. The terms of the contract call for items to be sold and serviced through identified authorized dealers. Both Horton Ambulance and FESCO are listed on contract #AM10-14.

**FINANCIAL IMPACT:** The Horton ambulance is about \$35,000 less than the medium duty chassis currently being purchased. The financial impact will be the cost of the ambulance (\$205,369), the cost of a power lift stretcher (approx. \$15,000), and the cost of a dual head radio (approx. \$6,500) for a total approximate cost under \$230,000. Funding for this vehicle was included as part of the approved vehicle replacement list provided with Agenda Item #6-m, Attachment 2, at the March 3, 2015 Board of Commissioners meeting.

**RECOMMENDATION(S):** The Manager recommends that the Board award the bid to FESCO and authorize the Manager, Emergency Services, and Asset Management to proceed with the purchase of the Horton ambulance from FESCO, Inc. including all signatures required for contracts and agreements.



# FESCO EMERGENCY SALES

*BID PROPOSAL for furnishing*

## HORTON EMERGENCY VEHICLES

January 21, 2015

Orange County Emergency Services  
ATTN: James Lunsford, Logistics Officer  
510 Meadowlands Drive  
Hillsborough, NC 27278

Gentlemen,

The undersigned is prepared to manufacture and/or supply for you, upon an order being placed by you for final acceptance by FESCO Emergency Sales (FESCO), at our office in Elkridge, Maryland, the apparatus and equipment herein named and for the following prices:

One (1) Horton Model #603F ambulance mounted on a 2015 Ford F-550 4x4 cab and chassis per attached specification dated 1/15/2015 Rev 4, for a total delivered price of.....	\$205,369.00
---	--------------

\*\*\*This proposal is provided utilizing HGAC contract #AM10-14. FESCO is the authorized dealer for North Carolina.

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached. Delays due to strikes, war or international conflict, failures to obtain materials, or other causes beyond our control in preventing, delivery shall be within 160-180 working days after receipt of this order and the acceptance thereof at our office at Elkridge, Maryland, and to be delivered to you at Grove City, OH.

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are initialed by authorized representatives of both parties prior to the acceptance by FESCO of the offer to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

Unless accepted prior to April 21, 2015, the right is reserved to withdraw this proposal.

**FESCO EMERGENCY SALES  
7010 TROY HILL DR.  
ELKRIDGE, MARYLAND 21075**

By: 

Robert Hook, Regional Sales Manager

CONTRACT

THIS AGREEMENT, made in duplicate, by and between FESCO Emergency Sales (FESCO), of Elkridge, Maryland, First Party, and the Orange County Emergency Services by its authorized representative(s), Second Party.

**Witnesseth:**

**First.** The said First Party thereby agrees to furnish the apparatus and equipment according to the Specifications hereto attached/enclosed, and made a part of this Contract, and to deliver the same as hereinafter provided.

**Second.** The First Party guarantees that all material and workmanship in and about said apparatus and equipment shall comply with said Specifications. In the event there is any conflict between the Customer's Specifications and the FESCO's Proposal Specifications, the FESCO Proposal Specifications shall prevail.

**Third.** The said apparatus and equipment shall be ready for delivery from Elkridge, Maryland, within about 160 to 180 working days after receipt and acceptance of the contract at the First Party's office in Elkridge, Maryland. Delays due to strikes, failure to obtain materials, or other causes beyond the First Party's control not preventing, the ambulance(s) shall be delivered to the Second Party at Grove City, OH.

**Fourth.** A competent service technician shall, upon request, be furnished by the First Party to demonstrate said apparatus for the Second Party and to give its members/employees the necessary familiarization in the operation and handling of said apparatus.

**Fifth.** The Second Party purchases and agrees to pay for said apparatus and equipment, for the total sum of Two Hundred Five Thousand Three Hundred Sixty Nine Dollars & 00/100 (\$205,369.00)

It is hereby certified that such amount will be available on the acceptance date(s). A deposit made payable to FESCO Emergency Sales is due at contract signing, and final payment shall be made to FESCO Emergency Sales after full review and acceptance of your new ambulance(s) at the Horton factory.

A deposit amount of Twenty Thousand Five Hundred Dollars & 00/100 Ck.# (\$ 20,500.00)

shall later reduce the total contract price (shown above.) If more than one piece of apparatus is covered by this contract, the terms of payment shall apply to each piece.

**Sixth.** In case the Second Party desires to test the said apparatus, such test shall be made within ten (10) days after arrival at destination, and a written report of such test forthwith delivered to the First Party at its' office in Elkridge, Maryland. If no such test be made, or if no such written report is received by the First Party within ten (10) working days after arrival, then said apparatus and equipment shall be considered as fully complying with the contract specifications.

**Seventh.** It is agreed that the apparatus and equipment covered by this contract shall remain the property of the First Party until the entire contract price has been paid in full. If more than one vehicle is covered by this contract, then each unit shall remain the property of the First Party until the above listed price for each piece has been paid in full. In case of any default in payment, the said First Party may take full possession of the apparatus and equipment, or of the piece or pieces upon which default has been made, and any payments that may have been made shall be applied as rent in full for the use of the apparatus and equipment up to date of taking possession.

**Eighth.** In the event any Federal or State regulation shall be enacted during the course of this contract that will affect the cost of producing said product, such cost(s) will be extended to the Second Party.

The contract, to be binding, must be signed and approved by a Corporate Officer of FESCO or by someone authorized by a Corporate Officer in writing to do so. This contract and associated Specifications take precedence over all previous oral and/or written negotiations. No oral or written representations will be considered as part of this contract except as are contained herein, or listed in the Specifications attached/enclosed hereto.

**IN WITNESS WHEREOF**, the said parties have caused these presents to be executed and the Second Party has caused its corporate seal (as applicable) to be hereunto affixed, and attested by its authorized representative(s) on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

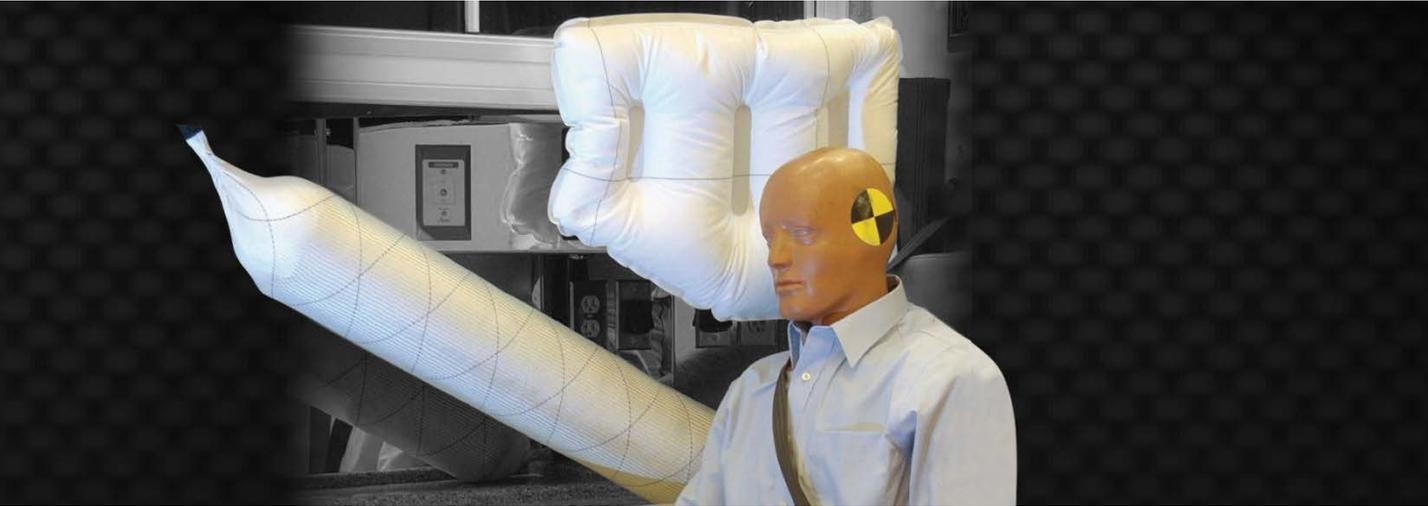
**FESCO EMERGENCY SALES**

**Orange County Emergency Services**

By \_\_\_\_\_

\_\_\_\_\_  
First Party  
Date of Acceptance \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Second Party



## Dare to Compare

Seeking to improve safety, the ambulance industry is constantly introducing new technology. But without extensive testing, can companies really stand by their product? Many manufacturers lead end-users to a false sense of security by offering unverified solutions.

As the only ambulance manufacturer independently and repeatedly testing since 1974, Horton continues to lead the industry. Unsatisfied by simply “getting by” on testing, Horton exceeds all KKK, NFPA and AMD standards, by as much as 400%.

Take, for example, AMD standard 001 – the static load roof test. All manufacturers are required to administer the test and most exceed the standard. Horton not only exceeds the standard, Horton exceeds the competition with a verified performance of up to 90,000 pounds of force.

Taking the extra step for more accurate testing, we perform our static load test with a 10-point mounting system to the test body floor. Some competitors complete their static load test on steel beams for full-body support. Horton’s test more accurately represents authentic mounting to a chassis frame, giving the consumer results that are based on real-life scenarios, not a modified testing environment.

Test	Horton
Static Load Test – Roof	90,000 lbs.*
Static Load Test – Side	44,000 lbs.
Side Body Impact	35G of force
Squad Bench Test	19,500 lbs.
Attendant Seat Test	9,250 lbs.
CPR Seat Test	7,000 lbs.
Cabinet Structure Test	145,874 lbs.**
Head of Bench Test	145,874 lbs.**
Liter Retention Test	2,500 lbs.

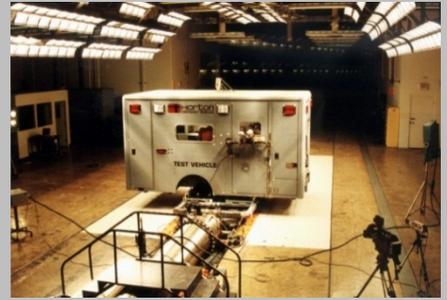
\*On 10-point mounting system

\*\*Based on side crash test with 35G of force

We could have stopped there, but we didn't. Voluntarily, Horton subjects its ambulances to additional dynamic testing, again mirroring the real-life scenario of an actual crash (as opposed to a static load). These tests include:

## HYGE sled

At impact, a vehicle stops rapidly and the occupant maintains velocity. HYGE testing stimulates this exact situation, but in reverse - driving the test vehicle out from under a stationary mannequin. As the acceleration and deceleration effects are interchangeable, HYGE sled testing provides the most accurate crash test results. High-speed cameras and instrumented test dummies capture the data for quantifiable results.



## Destructive impact

The Society of Automotive Engineers (SAE) impact tests verify the integrity of patient area by striking the module front, side and roof edge with a computer-controlled sled, whose speed, weight and force of impact are all measurable and controlled.



## Rollover crash

One of only two in the United States, this dynamic rollover test machine enables third-party engineers to simulate a rollover event while recording significant test data from inside the vehicle. Horton continues its tradition as the only ambulance manufacturer testing for rollover crashes, knowing it's our duty to try our systems in the most fatal of ambulance crashes. Rollover tests monitored effects on the module and successful HOPS deployment.



# Hybrid III mannequins relay occupant impact data

Testing with fully-instrumented Hybrid III mannequins allows us to measure the transference of energy through the module structure into the occupants themselves. During mannequin testing, **Horton monitors the head, neck and chest cavity for potentially damaging forces.** Just because a seatbelt holds up to several thousand pounds of pull doesn't mean that it will have an acceptable impact on the occupants themselves.

Results from mannequin testing have influenced future Horton innovations, such as progressive resistance foam. Mannequin testing showed significant head injuries due to standard foam "bottoming out" during a head strike. As a result, Horton now uses progressive resistance foam padding, which dissipates the head strike energy throughout a layered protective surface.



Horton's dynamic testing has shown the standard .33" center bolt in OEM mounting pucks to shear in accidental forces greater than 10Gs (roughly a 15 mph collision). In some cases, this can actually cause the module to separate from the frame rails. As a result, Horton developed a stronger and more reliable mounting system – VI-Tech. The VI-Tech mounting system uses three failsafe flanges, two elastomer isolators and a .75" center bolt, tested and proven to retain mounting in 35G impact crashes. As an added benefit, VI-Tech improves ride quality with reduced noise and a smoother ride.



## Third-party validation

At Horton, we believe the best way to conduct testing is through third-party facilities. While some might find in-house testing to be more economically reasonable, there are several distinct advantages to using a third party for testing. These include:

- Unbiased assessment of quality and assembly
- Independent perspective in testing process
- Professionals that specialize in the area of testing
- More accurate reporting and results

Horton uses several third-party testing companies with differing specialties including CTL Engineering, Transportation Research Center Inc., IMMI CAPE® (the Center for Advanced Product Evaluation), Progressive Engineering Inc. and Bosch Testing Facility.

And testing isn't limited just to safety. All features introduced as Horton standards have been tested and proven to stand up in performance, durability and reliability.



In the comparison of ambulance features, testing results are the voice of reason. Horton continues to outperform all other products available on the market and we have the results to prove it.

**We dare you to compare.**

**ORANGE COUNTY  
BOARD OF COMMISSIONERS  
ACTION AGENDA ITEM ABSTRACT**  
**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 7-a

**SUBJECT:** Joint Planning Land Use Plan and Agreement Amendments – Agricultural Support Enterprises Within the Rural Buffer Land Use Classification

---

**DEPARTMENT:** Planning and Inspections

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENTS:**

1. Resolution Approving Amendments
2. Resolutions Adopted by the Towns of Carrboro and Chapel Hill
3. Highlighted Joint Planning Documents Showing Changes from Version Previously Approved by the BOCC
4. List of Town Elected Board Meetings

**INFORMATION CONTACT:**

Perdita Holtz, Planner III, (919) 245-2578  
Craig Benedict, Director, (919) 245-2592

---

**PURPOSE:** To reconsider County-initiated amendments to the Joint Planning Land Use Plan and Agreement to allow for the possibility of locating appropriate Agricultural Support Enterprises within the Rural Buffer land use classification.

**BACKGROUND:** The Board of County Commissioners (BOCC) approved a version of these County-initiated amendments at its meeting on June 3, 2014. Materials, including extensive background information, are available at (Item 7-d):  
<http://orangecountync.gov/occlerks/140603.pdf>.

Amendments to the Joint Planning Land Use Plan and Agreement must be approved by Orange County and the Towns of Chapel Hill and Carrboro. County Planning staff has worked extensively with Town staffs, advisory boards, and elected boards since the March 27, 2014 joint public hearing. The item was discussed at both the October 16, 2014 joint Orange County/Town of Carrboro meeting and the November 19, 2014 Assembly of Governments meeting. The Town of Carrboro adopted a second resolution approving the amendments on January 27, 2015 (replacing the version adopted by the Town on October 14, 2014) and the Town of Chapel Hill adopted the same resolution on March 9, 2015 (see Attachment 2).

The resolutions adopted by the Towns differ from the version of the amendments previously adopted by the BOCC. Because the three local governments must agree to the same language, the amendments must be reconsidered by the BOCC and approved. The document in Attachment 3 contains the proposed Joint Planning Land Use Plan and Agreement text amendments with changes from the previously adopted version highlighted in yellow.

The resolutions adopted by the Towns also include recommendations regarding the proposed amendments to the County's Unified Development Ordinance (UDO). These recommendations will be incorporated into the version of the UDO amendments the BOCC is scheduled to consider on May 5, 2015. It should be noted that one of the recommendations (removal of four

uses from consideration in the Rural Buffer) must be included in the version of the UDO adopted by the County as the Towns' approval of the JPA amendments were predicated on the removal of these uses. The County's intention to include the Towns' recommendations in the UDO amendments is stated in one of the "Whereas" paragraphs in the Resolution in Attachment 1.

Attachment 4 contains a list of meeting dates this subject was addressed on the Towns' meetings agendas. The information is included for those who may wish to look up agenda materials, minutes, and/or video footage on the respective Town websites.

**FINANCIAL IMPACT:** Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement were paid from FY2013-14 Departmental funds budgeted for this purpose. This initiative has required extensive staff time and existing Planning staff included in the Departmental staffing budget has accomplished the work required to process this amendment.

**RECOMMENDATION:** The Manager recommends the Board:

1. Deliberate as necessary on the proposed amendments to the Joint Planning Land Use Plan and Agreement; and
2. Decide accordingly and/or adopt the Resolution contained in Attachment 1 which approves the amendments to the Joint Planning Land Use Plan and Agreement.

**A RESOLUTION AMENDING  
THE JOINT PLANNING LAND USE PLAN AND JOINT PLANNING AGREEMENT TO  
ALLOW FOR THE POSSIBILITY OF LOCATING APPROPRIATE  
AGRICULTURAL SUPPORT ENTERPRISES IN THE  
RURAL BUFFER LAND USE CLASSIFICATION**

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro entered into a Joint Planning Agreement originally dated September 22, 1987 and amended from time to time, and

WHEREAS, pursuant to the Joint Planning Agreement, a Joint Planning Land Use Plan was adopted on October 13, 1986 by all parties to the Joint Planning Agreement, and has since been amended on several occasions, and

WHEREAS, Orange County initiated amendments to the Orange County Comprehensive Plan and Unified Development Ordinance in order to adopt a regulatory program referred to as "Agricultural Support Enterprises Within the Rural Buffer Land Use Classification," a program the County has been working on since 2001, and

WHEREAS, amendments to the Joint Planning Land Use Plan and Agreement are necessary prior to Orange County adopting the aforementioned Comprehensive Plan and Unified Development Ordinance amendments, and

WHEREAS, a joint public hearing regarding the proposed Joint Planning Land Use Plan and Agreement amendments was held on March 27, 2014, in accordance with the requirements of the Joint Planning Agreement, and

WHEREAS, the topic was further discussed by the three governments at the November 19, 2014 Assembly of Governments meeting, and

WHEREAS, the Towns of Chapel Hill and Carrboro have made recommendations regarding the proposed amendments to the County's Unified Development Ordinance (UDO) which would implement the Agricultural Support Enterprises program within the Rural Buffer land use classification, and

WHEREAS, Orange County will incorporate the recommendations made by the Towns into the proposed UDO text amendments which are scheduled to be considered at a later date.

NOW THEREFORE, the Board of Commissioners of Orange County hereby resolves that the Joint Planning Land Use Plan and Agreement be amended as shown on the attached pages.

BE IT FURTHER RESOLVED THAT the amendments to the Joint Planning Land Use Plan and Agreement shall become effective upon adoption by the governing bodies of Orange County, Chapel Hill, and Carrboro.

Upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution was adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

I, Donna S. Baker, Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on \_\_\_\_\_, 2015 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

SEAL

\_\_\_\_\_  
Clerk to the Board of Commissioners

**Excerpted Pages of Joint Planning Land Use Plan**

**\*Suburban Residential Areas** are designated for housing densities ranging from one (1) to five (5) dwelling units per acre. Such areas are located where land is changing from rural to urban, suitable for urban densities, and to be provided with public utilities and services. Housing types range from single-family to duplexes to multi-family dwellings.

\*However, densities may be lower than one dwelling unit per acre in Suburban Residential Areas. Chapel Hill as part of its Southern Small Area Plan has identified certain areas in the Southern Triangle as being suitable for densities not exceeding one (1) unit per acre for areas immediately east of U.S. 15-501 and densities not exceeding one (1) unit per five (5) acres for areas immediately west of Old Lystra Road.

\*Amended 2/1/93

**Urban Residential Areas** are similar to Suburban Residential Area in terms of both housing types and public services availability. However, densities are higher, ranging from six (6) to thirteen (13) dwelling units per acre.

**Office-Institutional Areas** is a category consisting of establishments which offer an array of financial, insurance, real estate, legal, medical, and business services. Such areas generally have public utilities and services available and are located adjacent to heavily traveled streets.

**Future UNC Development** is a category established for lands owned by the University of North Carolina, including Horace Williams Airport and adjacent parcels. Such lands are contemplated for expansion of the UNC campus, provided the Airport is relocated.

**Retail Trade Areas** are limited in Transition Areas, including existing establishments at Starpoint and Calvander. Modest room for expansion was projected in Transition Areas.

**Light Industrial Areas** are singular, consisting of the Chapel Hill Industrial Park on Eubanks Road and the proposed site between Eubanks Road and Homestead Road are included in this category.

**Disposal Use Areas** consist of landfill sites, either existing or future. The existing landfill on Eubanks Road and the proposed site between Eubanks Road and Homestead Road are included in this category.

**\*Rural Buffer and Conservation**

\*Amended

4/2/90

2/3/92 (effective 2/24/92)

6/9/14

6/17/14

The basic categories of Rural Buffer and Conservation have been combined in the Joint Planning Area Land Use Plan to form a single land use classification – Rural Buffer.

The Rural Buffer is defined as being a low-density area consisting of single-family homes situated on large lots having a minimum size of two (2) acres. The Rural Buffer is further defined as land which, although adjacent to an Urban or Transition Area, is rural in character and which will remain rural and not require urban services (public utilities and other Town services). The Rural Buffer is expected to contain low density residential uses, **as well as** agricultural uses exempt from zoning regulations, **and low-intensity agricultural support uses** and consists of the following Joint Planning Area Land Use Plan categories: Rural Residential and Agricultural; Public-Private Open Space; Resource Conservation; New Hope Creek Corridor Open Space; Extractive Use; and the overlay category designated University Lake Watershed Area.

**Rural Residential and Agricultural Areas** are low-density areas consisting of single-family homes situated on large lots with a minimum lot size of two acres, except when part of a cluster subdivision and then adhering to a density limit of 1 unit for every 2 acres of property. Cluster subdivisions, reducing parcels to 1 acre in area, are allowed so long as established density limits for the entire subdivision are maintained. In

### **\*University Lake Watershed Area**

\*Amended  
4/2/90  
6/9/14

The University Lake Watershed Area includes all lands which drain into the University Lake Reservoir. Density within this area is limited to 1 dwelling unit for every 5 acres with a required minimum lot size of 2 acres. Based on a preferred watershed protections strategy of land use controls as recommended by Camp, Dresser and McKee in the University Lake Watershed Study, only low-density residential uses are permitted. Cluster subdivisions with lot sizes of not less than one (1) acre are also allowed so long as density limits are adhered to. There is an allowance for the creation of 5 lots at a density of 1 unit per 2 acres for property legally in existence as of October 2, 1989. Additional lots shall be allowed consistent with the 1 unit per 5 acre density as detailed herein.

### **\*Rural Residential and Agricultural**

\*Amended  
4/2/90  
6/9/14  
6/17/14

The Rural Residential category is a low-density area consisting of single-family homes situated on large lots with a minimum lot size of two acres, except when part of a cluster subdivision and then adhering to a density limit of 1 unit for every 2 acres of property. Cluster subdivisions, reducing parcels to 1 acre in area, are allowed as long as established density limits are maintained. The Rural Residential designation is identical to the Rural Buffer category contained in the current Orange County Land Use Plan. The Rural Buffer category is described in the Plan as land adjacent to an Urban or Transition area which is rural in character and which should remain rural; contain very low-density residential uses, **and** agricultural uses exempt from zoning regulations, **and low-intensity agricultural support uses**; and not require urban services (water and sewer) during the Plan period.

Agricultural areas existing within Transition Areas are expected to change from rural to urban uses as Chapel Hill and Carrboro continue to grow and as public water and sewer services are expanded. Agricultural areas are located principally in University Lake Watershed but are also prominent along the northern perimeter of the Planning Area boundary. As development occurs in these areas, it will be of very low-density in nature and will generally consist of farm dwelling and outbuildings in support of agricultural operations.

To the north of Chapel Hill and Carrboro in the New Hope Creek drainage basin, low-density residential development has taken place along Whitfield Road, Sunrise Road and Erwin Road. Residential developments similar to Sedgfield, Stoneridge, Oak Hills, Birchwood Lake Estates and Falls of the New Hope are expected to continue, relying on wells and septic tanks for water supply and sewer disposal.

To the west of Carrboro, Rural Residential development is also expected in University Lake Watershed. However, only low-density residential and agricultural uses are anticipated. Development will continue to rely on wells and septic tanks for water supply and sewage disposal.

Excerpted Pages of Joint Planning Agreement

agreement. However, it will only be changed as the Joint Planning Area Land Use Map is amended if the Map amendments change the location of either the CJDA or the CJJDA.

F. Joint Courtesy Review Area. A portion of the northern Rural Buffer Area bounded on the east by I-40 and shown as such on Exhibit A.

G. Rural Buffer. That portion of the Joint Planning Area designated on the Joint Planning Area Land Use Map as such and designated in the Joint Planning Area Land Use Plan as Rural Residential and Agricultural, Public/Private Open Space, Resource Conservation, Extractive/Disposal Use and the overlay district designated University Lake Watershed Area. This area is further defined as being a low-density area consisting of single-family homes situated on large lots having a minimum size of two (2) acres, unless the cluster subdivision option is used and density limits are maintained. The Rural Buffer is further defined as land which, although adjacent to an Urban or Transition area, is rural in character and which will remain rural, contain low-density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses and not require urban services (public utilities and other town services). Agricultural support uses are those designated in the County's Unified Development Ordinance as allowable in the RB (Rural Buffer) general use zoning district or those permitted through the ASE-CZ conditional zoning district.

H. Transition Area. That portion of the Joint Planning Area designated on the Joint Planning Area Land Use Map as such. This area is further defined as being in

~~harmless, to the extent they can legally do so, Orange County, its Board of Commissioners, its advisory boards, its staff and all members of its boards and staffs, in their official and individual capacities, from any and all claims, actions, proceedings, expenses, damages or liabilities, including attorneys' fees and courts costs, resulting from the towns' administration of the ordinances specified in Sections 2.1(C).~~

- ~~C. Orange County shall notify the respective towns and the towns shall notify Orange County as soon as practicable thereafter of any such claim, action or proceeding.~~

## **Section 2.6 Text and Map Amendments**

- A. Proposed amendments to the Joint Planning Area Land Use Plan and/or the Joint Planning Area Land Use Map may be initiated by (i) Orange County or (ii) the Towns or any other party by filing a request for such an amendment with Orange County. Any petition or request to amend the Joint Planning Area Land Use Plan received by the County shall be referred to the respective Towns. No such amendment may become effective until after it has been adopted by Orange County, Chapel Hill and Carrboro following a joint public hearing by all three governing bodies.
- B. Except as provided herein, proposed amendments to the text of the Orange County ~~Zoning and Subdivision Ordinances~~ **Unified Development Ordinance**<sup>1</sup> that are applicable within the Rural Buffer as well as proposed changes in zoning district classifications (i.e., zoning map changes) that affect property within the Rural Buffer shall be initiated and adopted in accordance with the procedures set forth in those County ordinances. All such proposals that affect the CHJDA shall be referred to Chapel Hill for review and recommendation,

---

<sup>1</sup> Since the County now uses a Unified Development Ordinance, the language in this section should be changed to reflect the current name of the County's land use regulations.

and all such proposed amendments that affect the CJDA shall be referred to Carrboro for review and recommendation. Orange County may not adopt such proposed amendments until the respective Towns have made their recommendations, or until the expiration of thirty (30) days following such referral, whichever occurs first.

In the case of agricultural support uses, both the ASE-CZ conditional zoning districts and the agricultural support uses added to the RB (Rural Buffer) general use zoning district in 2015, Orange County shall not materially change the text of its Unified Development Ordinance, as it pertains to the Rural Buffer, unless the amendment is heard at a joint public hearing and adopted by Orange County, Chapel Hill, and Carrboro. Examples of material changes, in this case, are adding or deleting uses to/from the Table of Permitted Uses and/or adding, deleting, or changing the use-specific standards in Article 5 of the Unified Development Ordinance.<sup>2</sup>

- C. Whenever Chapel Hill proposes to amend the text of its Land Development Ordinance, and whenever Carrboro proposes to amend the text of its Land Use Ordinance, the respective towns shall deliver a copy of the full text of the proposed amendment to Orange County not later than thirty (30) days before the date of the public hearing on any such amendment. However, with the written consent of the Orange County Manager or his designate, this thirty (30) day period may be reduced to not less than ten (10) days. Unless Orange County files with the respective towns a written objection on or before the date of the public hearing on the proposed ordinance amendment, then adoption of the amendment

---

<sup>2</sup> This text was added to address concerns that Orange County could significantly change its Unified Development Ordinance after the Towns of Carrboro and Chapel Hill approve amendments to the Joint Planning documents and those changes would be subject only to a staff-level review by Town staff.

Perdita Holtz, Orange County Planning Department, stated that the County prefers that the Town adopt something that addresses their intent rather than amending the County's UDO language.

**A motion was made by Alderman Chaney, seconded by Alderman Seils, that this resolution be approved.**

RESOLUTION AMENDING THE JOINT PLANNING LAND USE PLAN AND JOINT PLANNING AGREEMENT TO ALLOW FOR THE POSSIBILITY OF LOCATING APPROPRIATE LOW INTENSITY AGRICULTURAL SUPPORT ENTERPRISES IN THE RURAL BUFFER LAND USE CLASSIFICATION

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro entered into a Joint Planning Agreement originally dated September 22, 1987 and amended from time to time, and

WHEREAS, pursuant to the Joint Planning Agreement, a Joint Planning Land Use Plan was adopted on October 13, 1986 by all parties to the Joint Planning Agreement, and has since been amended on several occasions, and

WHEREAS, Orange County initiated amendments to the Orange County Comprehensive Plan and Unified Development Ordinance in order to adopt a regulatory program referred to as "Agricultural Support Enterprises Within the Rural Buffer Land Use Classification," a program the County has been working on since 2001, and

WHEREAS, amendments to the Joint Planning Land Use Plan and Agreement are necessary prior to Orange County adopting the aforementioned Comprehensive Plan and Unified Development Ordinance amendments, and

WHEREAS, a joint public hearing regarding the proposed Joint Planning Land Use Plan and Agreement amendments was held on March 27, 2014, in accordance with the requirements of the Joint Planning Agreement.

NOW THEREFORE, the Carrboro Board of Aldermen hereby resolves that the Joint Planning Land Use Plan and Agreement be amended as shown on the attached pages.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen recommends approval of all but four (i.e. Agricultural Processing Facility, Microbrewery w/Major Events, Winery w/Major Events, and Assembly Facility Greater than 300 Occupants) of the proposed agricultural support uses contained in the draft ordinance modifying the Orange County Unified Development Ordinance that may only be enacted after the amendments to the Joint Planning Land Use Plan and Joint Planning Agreement have been approved. The Carrboro Board of Aldermen's approval is predicated on the removal of these uses.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen recommends that the Agricultural Preservation Board, the County's appointed agricultural advisory board be given the opportunity to comment on rezoning and land use permits related to ASE in the Rural Buffer. BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen recommends that reuse of existing farm

buildings, especially those 50 years or older, into new agricultural support enterprises, be encouraged by including in the draft ordinance provisions a mechanism for reducing or waiving the 100-foot property line setback requirements that would otherwise apply to such new enterprises.

BE IT FURTHER RESOLVED that the Carrboro Board of Aldermen requests that an update on Agricultural Support Enterprises be provided annually at a joint public meeting of the parties to the Joint Planning Agreement.

BE IT FURTHER RESOLVED that the amendments to the Joint Planning Land use Plan and the Joint Planning Agreement described above and indicated on the attached pages shall become effective upon adoption by the governing bodies of Orange County, Chapel Hill, and Carrboro.

BE IT FURTHER RESOLVED that Vet Clinics and Hospital Uses are preferred for only large animal care.

This the 27<sup>th</sup> day of January, 2015

**The motion carried by the following vote:**

**Aye:** Mayor Lavelle, Alderman Haven-O'Donnell, Alderman Chaney, Alderman Seils, Alderman Gist, and Alderman Johnson

**Nay:** Alderman Slade

**PAGE 60-a – JPA LAND USE PLAN**

The Rural Buffer is defined as being a low-density area consisting of single-family homes situated on large lots having a minimum size of two (2) acres. The Rural Buffer is further defined as land which, although adjacent to an Urban or Transition Area, is rural in character and which will remain rural and not require urban services (public utilities and other Town services). The Rural Buffer is expected to contain low density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses<sup>1</sup> and consists of the following Joint Planning Area Land Use Plan categories: Rural Residential and Agricultural; Public-Private Open Space; Resource Conservation; New Hope Creek Corridor Open Space; Extractive Use; and the overlay category designated University Lake Watershed Area.

**Rural Residential and Agricultural Areas** are low-density areas consisting of single-family homes situated on large lots with a minimum lot size of two acres, except when part of a cluster subdivision and then adhering to a density limit of 1 unit for every 2 acres of property. Cluster subdivisions, reducing parcels to at least 1 acre in area, are allowed so long as density limits for the entire subdivision are maintained. In that respect, Rural Residential Areas are identical to the definition of the Rural Buffer. The area includes property supporting farming operations, including forestry activities, established in accordance with the provisions of the North Carolina General Statutes.

**Public-Private Open Space Areas** include major land areas owned or controlled by public and private interests in the Rural Buffer. Such holdings as Duke Forest, Camp New Hope, U.S. Government lands associated with Jordan Lake, the 100-foot buffer along I-40, and Orange Water and Sewer Authority lands adjacent to University Lake and the quarry site on N.C. Highway 54 provide open space through research, educational, forest management, and recreational functions.

**Resource Conservation Areas** in the Rural Buffer are identical to those in the Transition Areas; i.e., floodplains, wetlands along drainage tributaries, and steep slope areas (15% or greater). The areas form the basis for a parks and open space system (see Strategy Map) which provided the framework within which other land uses are situated.

**New Hope Creek Corridor Open Space Areas** include some of the Resource Protection Areas and a portion of the Public/Private Open Space Areas which were designated as significant and worthy of protection according to the New Hope Corridor Open Space Master Plan completed in April of 1991. (See Master Plan Map following Strategy Maps). The areas are part of a system of open space in Durham and Orange Counties along New Hope Creek and its tributaries between Eno River State Park and U.S. Army Corps of Engineers land north and south of Jordan Lake. This category is made up of critical environmental areas such as stream beds, floodplains, steep slopes, and larger tracts of historic, educational, or recreational value.

**Extractive Use Areas** encompass mining and quarry operations. Only one such site exists in the Rural Buffer, the American Stone Company quarry on N.C. Highway 54 west of Carrboro.

**Retail Trade Areas** in the Rural Buffer include low intensity neighborhood centers which serve the immediate area and generate low traffic volumes. Only one such area is designated in the Rural Buffer – Blackwood station on N.C. Highway 86.

<sup>1</sup> The amendments necessary for Agricultural Support uses are shown in *italic and underlined text*.

**PAGE 83 – JPA LAND USE PLAN**

Text above the section proposed for amendment has been removed.

**\*Rural Residential and Agricultural<sup>1</sup>**

\*Amended  
4/2/90

The Rural Residential category is a low-density area consisting of single-family homes situated on large lots with a minimum lot size of two acres, except when part of a cluster subdivision and then adhering to a density limit of 1 unit for every 2 acres of property.

<sup>1</sup> The amendments necessary for Agricultural Support uses are shown in *italic and underlined text*.

**PAGE 84 – JPA LAND USE PLAN**

Cluster subdivisions, reducing parcels to at least 1 acre in area, are allowed to as long as density limits for the entire subdivision are maintained. The Rural Residential designation is identical to the Rural Buffer category contained in the current Orange County Land Use Plan. The Rural Buffer category is described in the Plan as land adjacent to an Urban or Transition area which is rural in character and which should remain rural; contain very low- density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses; and not require urban services (water and sewer) during the Plan period.

Agricultural areas existing within Transition Areas are expected to change from rural to urban uses as Chapel Hill and Carrboro continue to grow and as public water and sewer services are expanded. Agricultural areas are located principally in University Lake Watershed but are also prominent along the northern perimeter of the Planning Area boundary. As development occurs in these areas, it will be of very low-density in nature and will generally consist of farm dwelling and outbuildings in support of agricultural operations.

To the north of Chapel Hill and Carrboro in the New Hope Creek drainage basin, low-density residential development has taken place along Whitfield Road, Sunrise Road and Erwin Road. Residential developments similar to Sedgefield, Stoneridge, Oak Hills, Birchwood Lake Estates and Falls of the New Hope are expected to continue, relying on wells and septic tanks for water supply and sewer disposal.

To the west of Carrboro, Rural Residential development is also expected in University Lake Watershed. However, only low-density residential and agricultural uses are anticipated. Development will continue to rely on wells and septic tanks for water supply and sewage disposal.

The remaining area designated for Rural Residential and Agricultural development is the Southern Triangle area in the extreme southeastern portion of the County. The area drains to the southeast toward Jordan Lake and is beyond the ridge line of the Morgan Creek basin, an area which can be served by gravity sewer lines. The Southern Triangle is also characterized by environmental constraints such as steep slopes, flood plains and soils with poor stability, so low-density development is projected.

There are approximately 9,260 acres of land designated for Rural Residential and Agricultural purposes in the Land Use Plan. If developed at an average density of one dwelling unit per two acres with 15% of the area subtracted out for streets and roads, the holding capacity of the area in terms of dwellings is 3,935. If multiplied by the 1980 Census figure for population per household (2.6), the estimated population would be 10,231.

Text below the section proposed for amendment has been removed.

### Page 3 of Joint Planning Agreement

agreement. However, it will only be changed as the Joint Planning Area Land Use Map is amended if the Map amendments change the location of either the CJDA or the CHJDA.

F. Joint Courtesy Review Area. A portion of the northern Rural Buffer Area bounded on the east by I-40 and shown as such on Exhibit A.

G. Rural Buffer. That portion of the Joint Planning Area designated on the Joint Planning

The amendments necessary for Agricultural Support uses *are shown in italic and underlined text.*

Area Land Use Map as such and designated in the Joint Planning Area Land Use Plan as Rural Residential and Agricultural, Public/Private Open Space, Resource Conservation, Extractive/Disposal Use and the overlay district designated University Lake Watershed Area. This area is further defined as being a low-density area consisting of single-family homes situated on large lots having a minimum size of two (2) acres, unless the cluster subdivision option is used and density limits are maintained. The Rural Buffer is further defined as land which, although adjacent to an Urban or Transition area, is rural in character and which will remain rural, contain low-density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses and not require urban services (public utilities and other town services). Agricultural support uses are those designated in the County's Unified Development ordinance as allowable in the RB (Rural Buffer) general use zoning district or those permitted through the ASE-CZ conditional zoning district.

H. Transition Area. That portion of the Joint Planning Area designated on the Joint Planning Area Land Use Map as such. This area is further defined as being in

- C. Orange County shall notify the respective towns and the towns shall notify Orange County as soon as practicable thereafter of any such claim, action or proceeding.

## Section 2.6 Text and Map Amendments

- A. Proposed amendments to the Joint Planning Area Land Use Plan and/or the Joint Planning Area Land Use Map may be initiated by (i) Orange County or (ii) the Towns or any other party by filing a request for such an amendment with Orange County. Any petition or request to amend the Joint Planning Area Land Use Plan received by the County shall be referred to the respective Towns. No such amendment may become effective until after it has been adopted by Orange County, Chapel Hill and Carrboro following a joint public hearing by all three governing bodies.
- B. Except as provided herein, proposed amendments to the text of the Orange County ~~Zoning and Subdivision Ordinances~~ Unified Development Ordinance<sup>3</sup> that are applicable within the Rural Buffer as well as proposed changes in zoning district classifications (i.e., zoning map changes) that affect property within the Rural Buffer shall be initiated and adopted in accordance with the procedures set forth in those County ordinances. All such proposals that affect the CHJDA shall be referred to Chapel Hill for review and recommendation, and all such proposed amendments that affect the CJDA shall be referred to Carrboro for review and recommendation. Orange County may not adopt such proposed amendments until the respective Towns have made their recommendations, or until the expiration of thirty (30) days following such referral, whichever occurs first.

*In the case of agricultural support uses, both the ASE-CZ conditional zoning districts and the agricultural support uses added to the RB (Rural Buffer) general use zoning district in*

<sup>3</sup> Since the County now uses a Unified Development Ordinance, the language in this section should be changed to reflect the current name of the County's land use regulations.

2014, Orange County shall not materially change the text of its Unified Development Ordinance, as it pertains to the Rural Buffer, unless the amendment is heard at a joint public hearing and adopted by Orange County, Chapel Hill, and Carrboro. Examples of material changes, in this case, are adding or deleting uses to/from the Table of Permitted Uses and/or adding, deleting, or changing the use-specific standards in Article 5 of the Unified Development Ordinance.<sup>4</sup>

- C. Whenever Chapel Hill proposes to amend the text of its Land Development Ordinance, and whenever Carrboro proposes to amend the text of its Land Use Ordinance, the respective towns shall deliver a copy of the full text of the proposed amendment to Orange County not later than thirty (30) days before the date of the public hearing on any such amendment. However, with the written consent of the Orange County Manager or his designate, this thirty (30) day period may be reduced to not less than ten (10) days. Unless Orange County files with the respective towns a written objection on or before the date of the public hearing on the proposed ordinance amendment, then adoption of the amendment by the respective town shall automatically effect a corresponding amendment to the applicable ordinance adopted by reference by Orange County as provided in Section 2.1C. Any such objection shall be based on a determination by Orange County that the proposed amendment is inconsistent with the adopted Joint Planning Area Land Use Plan. If a town adopts an amendment despite Orange County's objection, then it shall refer such amendment to Orange County with a request that the County make corresponding changes as expeditiously as reasonably possible so that the town may continue to enforce within its

<sup>4</sup> This text is proposed to be added to address concerns that Orange County could significantly change its Unified Development Ordinance after the Towns of Carrboro and Chapel Hill approve amendments to the Joint Planning documents and those changes would be subject only to a staff-level review by Town staff.

MOTION WAS MADE BY ALDERMAN SLADE SECONDED BY ALDERMAN HAVEN-O'DONNELL TO HAVE COUNTY STAFF 1) ADD LANGUAGE TO THE STANDARDS SECTION FOR "WINERY WITH MINOR EVENTS" AND "MICROBREWERY WITH MINOR EVENTS" SIMILAR TO LANGUAGE WHICH ALREADY EXISTS FOR "MICROBREWERY PRODUCTION ONLY" WHICH ENSURES THEY ARE LIMITED TO BEING LOCATED ONLY ON BONA FIDE FARMS AND 2) FOR COUNTY STAFF TO ADD LANGUAGE TO THE STANDARDS SECTION FOR "COLD STORAGE FACILITY" AND "FEED MILL" SIMILAR TO LANGUAGE THAT ALREADY EXISTS FOR "AGRICULTURAL PROCESSING FACILITY, COMMUNITY" WHICH CONDITIONS, WHEN IN THE RURAL BUFFER, THAT THE USE IS FOR LOCAL COOPERATIVE FARM PARTNERS ONLY. THE MOTION FAILED BY THE FOLLOWING VOTE: AYE: HAVEN-O'DONNELL AND SLADE, NAY: SEILS, CHANEY, JOHNSON, LAVELLE, GIST

\*\*\*\*\*

**PRESENTATION FROM THE NC METRO MAYORS EXECUTIVE DIRECTOR AND BOARD DISCUSSION OF LEGISLATIVE ISSUES FOR THE 2015 SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY**

The purpose of this item was to hear a presentation from Julie White, the Executive Director of the NC Metro Mayors Coalition and to request that the Board of Aldermen discuss legislative issues to present to our local delegation at the breakfast. The delegation may be able to pursue some of the issues presented during the upcoming session of the NC General Assembly.

Julie White, Executive Director of the NC Metro Mayors Coalition, presented the legislative goals of the Coalition to the Board.

Alderman Slade asked for a response from Rep. Price regarding the Trans-Pacific Partnership resolution passed by the Board. He also asked for the attorney to check on the housing code proposed legislation from last year.

Alderman Chaney asked for affordable housing financing strategies to be discussed along with the protection of roads from damage due to truck routes related to fracking. She also requested that the Town support historic tax credits and low-income tax credits. Alderman Chaney asked that the Board ask for the delegation's perception on the University System and current changes.

Alderman Gist asked that the Board discuss HB 150 with the delegates.

Mayor Lavelle asked that the Board discuss the proposed bill for religious freedoms and its anti-GLBT platform. She also asked that the delegation take a look at the way vacancies on the Court of Appeals are filled.

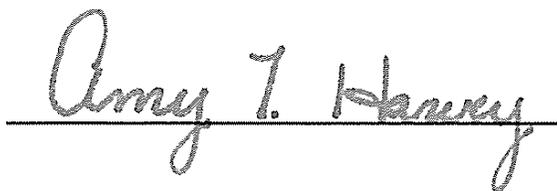
Alderman Seils asked that municipal rental inspection and registration programs be discussed along with strengthening of gun control in parks and schools. He asked that the Charter amendment to add sexual orientation, gender identity and gender expression to the list of bases upon which the Board may prohibit housing discrimination be pursued again during this session.

\*\*\*\*\*

**DISCUSSION ON USE OF TOWN OWNED PROPERTY LOCATED 110 EAST MAIN**

**I, Amy T. Harvey, Acting Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2015-03-09/R-4) adopted by the Chapel Hill Town Council on March 9, 2015.**

**This the 10th day of March, 2015.**

A handwritten signature in cursive script that reads "Amy T. Harvey". The signature is written in black ink and is positioned above a solid horizontal line.

**Amy T. Harvey  
Acting Town Clerk**



**RESOLUTION****A RESOLUTION APPROVING AMENDING THE JOINT PLANNING LAND USE PLAN AND JOINT PLANNING AGREEMENT MODIFYING LANGUAGE TO ENSURE AGRICULTURAL ACTIVITIES ARE ALLOWED THROUGHOUT THE RURAL BUFFER (2015-03-09/R-4)**

WHEREAS, Orange County, the Town of Chapel Hill, and the Town of Carrboro have engaged in a cooperative planning effort for the area known as the Rural Buffer as detailed within a Joint Planning Land Use Plan (hereafter 'the Plan'), adopted October 13, 1986, and amended from time to time; and

WHEREAS, the administration of this Joint Planning Land Use Plan is laid out within the Joint Planning Agreement (hereafter 'Agreement'), originally adopted on September 22, 1987, and amended from time to time; and

WHEREAS, Orange County initiated amendments to the Plan and Agreement seeking to ensure agricultural activities are allowed throughout the area; and

WHEREAS, these amendments to the Plan and Agreement are necessary to ensure consistency with the County's existing land use management program; and

WHEREAS, a joint public hearing regarding the proposed Joint Planning Land Use Plan and Agreement amendments was held on November 19, 2014 and March 27, 2014, in accordance with the requirements of the Joint Planning Agreement.

NOW, THEREFORE, the Town Council hereby resolves that the Joint Planning Land Use Plan and Agreement be amended as shown on the attached pages labeled Attachment A-4 through A-9.

BE IT FURTHER RESOLVED that the Town Council recommends approval of all but four (i.e., Agricultural Processing Facility, Microbrewery with Major Events, Winery with Major Events, and Assembly Facility Greater than 300 Occupants) of the proposed agricultural support uses contained in the draft ordinance modifying the Orange County Unified Development Ordinance that may only be enacted after the amendments to the Joint Planning Land Use Plan and Joint Planning Agreement have been approved. The Town Council's approval is predicated on the removal of these uses.

BE IT FURTHER RESOLVED that the Town Council recommends that the Agricultural Preservation Board, the County's appointed agricultural advisory board, be given the opportunity to comment on rezoning and land use permits related to Agricultural Support Enterprises (ASE) in the Rural Buffer.

BE IT FURTHER RESOLVED that the Town Council recommends that reuse of existing farm buildings, especially those 50 years or older, into new agricultural support enterprises be encouraged by including in the draft ordinance provisions a mechanism for reducing or waiving

the 100-foot property line setback requirements that would otherwise apply to such new enterprises.

BE IT FURTHER RESOLVED that the Town Council requests that an update on Agricultural Support Enterprises be provided annually at a joint public meeting of the parties to the Joint Planning Agreement.

BE IT FURTHER RESOLVED that Vet Clinics and Hospital Uses are preferred for only large animal care.

BE IT FURTHER RESOLVED that the amendments to the Joint Planning Land Use Plan and the Joint Planning Agreement described above and indicated on the attached pages shall become effective upon adoption by the governing bodies of Orange County, Chapel Hill, and Carrboro.

This the 9<sup>th</sup> day of March, 2015.

**PAGE 60-a – JPA LAND USE PLAN**

The Rural Buffer is defined as being a low-density area consisting of single-family homes situated on large lots having a minimum size of two (2) acres. The Rural Buffer is further defined as land which, although adjacent to an Urban or Transition Area, is rural in character and which will remain rural and not require urban services (public utilities and other Town services). The Rural Buffer is expected to contain low density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses<sup>1</sup> and consists of the following Joint Planning Area Land Use Plan categories: Rural Residential and Agricultural; Public-Private Open Space; Resource Conservation; New Hope Creek Corridor Open Space; Extractive Use; and the overlay category designated University Lake Watershed Area.

**Rural Residential and Agricultural Areas** are low-density areas consisting of single-family homes situated on large lots with a minimum lot size of two acres, except when part of a cluster subdivision and then adhering to a density limit of 1 unit for every 2 acres of property. Cluster subdivisions, reducing parcels to at least 1 acre in area, are allowed so long as density limits for the entire subdivision are maintained. In that respect, Rural Residential Areas are identical to the definition of the Rural Buffer. The area includes property supporting farming operations, including forestry activities, established in accordance with the provisions of the North Carolina General Statutes.

**Public-Private Open Space Areas** include major land areas owned or controlled by public and private interests in the Rural Buffer. Such holdings as Duke Forest, Camp New Hope, U.S. Government lands associated with Jordan Lake, the 100-foot buffer along I-40, and Orange Water and Sewer Authority lands adjacent to University Lake and the quarry site on N.C. Highway 54 provide open space through research, educational, forest management, and recreational functions.

**Resource Conservation Areas** in the Rural Buffer are identical to those in the Transition Areas; i.e., floodplains, wetlands along drainage tributaries, and steep slope areas (15% or greater). The areas form the basis for a parks and open space system (see Strategy Map) which provided the framework within which other land uses are situated.

**New Hope Creek Corridor Open Space Areas** include some of the Resource Protection Areas and a portion of the Public/Private Open Space Areas which were designated as significant and worthy of protection according to the New Hope Corridor Open Space Master Plan completed in April of 1991. (See Master Plan Map following Strategy Maps). The areas are part of a system of open space in Durham and Orange Counties along New Hope Creek and its tributaries between Eno River State Park and U.S. Army Corps of Engineers land north and south of Jordan Lake. This category is made up of critical environmental areas such as stream beds, floodplains, steep slopes, and larger tracts of historic, educational, or recreational value.

**Extractive Use Areas** encompass mining and quarry operations. Only one such site exists in the Rural Buffer, the American Stone Company quarry on N.C. Highway 54 west of Carrboro.

**Retail Trade Areas** in the Rural Buffer include low intensity neighborhood centers which serve the immediate area and generate low traffic volumes. Only one such area is designated in the Rural Buffer – Blackwood station on N.C. Highway 86.

<sup>1</sup> The amendments necessary for Agricultural Support uses are shown in *italic and underlined text*.

**PAGE 83 – JPA LAND USE PLAN**

Text above the section proposed for amendment has been removed.

**\*Rural Residential and Agricultural<sup>1</sup>**

\*Amended  
4/2/90

The Rural Residential category is a low-density area consisting of single-family homes situated on large lots with a minimum lot size of two acres, except when part of a cluster subdivision and then adhering to a density limit of 1 unit for every 2 acres of property.

<sup>1</sup> The amendments necessary for Agricultural Support uses are shown in *italic and underlined text*.

**PAGE 84 – JPA LAND USE PLAN**

Cluster subdivisions, reducing parcels to at least 1 acre in area, are allowed to as long as density limits for the entire subdivision are maintained. The Rural Residential designation is identical to the Rural Buffer category contained in the current Orange County Land Use Plan. The Rural Buffer category is described in the Plan as land adjacent to an Urban or Transition area which is rural in character and which should remain rural; contain very low- density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses; and not require urban services (water and sewer) during the Plan period.

Agricultural areas existing within Transition Areas are expected to change from rural to urban uses as Chapel Hill and Carrboro continue to grow and as public water and sewer services are expanded. Agricultural areas are located principally in University Lake Watershed but are also prominent along the northern perimeter of the Planning Area boundary. As development occurs in these areas, it will be of very low-density in nature and will generally consist of farm dwelling and outbuildings in support of agricultural operations.

To the north of Chapel Hill and Carrboro in the New Hope Creek drainage basin, low-density residential development has taken place along Whitfield Road, Sunrise Road and Erwin Road. Residential developments similar to Sedgefield, Stoneridge, Oak Hills, Birchwood Lake Estates and Falls of the New Hope are expected to continue, relying on wells and septic tanks for water supply and sewer disposal.

To the west of Carrboro, Rural Residential development is also expected in University Lake Watershed. However, only low-density residential and agricultural uses are anticipated. Development will continue to rely on wells and septic tanks for water supply and sewage disposal.

The remaining area designated for Rural Residential and Agricultural development is the Southern Triangle area in the extreme southeastern portion of the County. The area drains to the southeast toward Jordan Lake and is beyond the ridge line of the Morgan Creek basin, an area which can be served by gravity sewer lines. The Southern Triangle is also characterized by environmental constraints such as steep slopes, flood plains and soils with poor stability, so low-density development is projected.

There are approximately 9,260 acres of land designated for Rural Residential and Agricultural purposes in the Land Use Plan. If developed at an average density of one dwelling unit per two acres with 15% of the area subtracted out for streets and roads, the holding capacity of the area in terms of dwellings is 3,935. If multiplied by the 1980 Census figure for population per household (2.6), the estimated population would be 10,231.

Text below the section proposed for amendment has been removed.

### Page 3 of Joint Planning Agreement

agreement. However, it will only be changed as the Joint Planning Area Land Use Map is amended if the Map amendments change the location of either the CJDA or the CHJDA.

F. Joint Courtesy Review Area. A portion of the northern Rural Buffer Area bounded on the east by I-40 and shown as such on Exhibit A.

G. Rural Buffer. That portion of the Joint Planning Area designated on the Joint Planning

The amendments necessary for Agricultural Support uses are shown in italic and underlined text.

Area Land Use Map as such and designated in the Joint Planning Area Land Use Plan as Rural Residential and Agricultural, Public/Private Open Space, Resource Conservation, Extractive/Disposal Use and the overlay district designated University Lake Watershed Area. This area is further defined as being a low-density area consisting of single-family homes situated on large lots having a minimum size of two (2) acres, unless the cluster subdivision option is used and density limits are maintained. The Rural Buffer is further defined as land which, although adjacent to an Urban or Transition area, is rural in character and which will remain rural, contain low-density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses and not require urban services (public utilities and other town services). Agricultural support uses are those designated in the County's Unified Development ordinance as allowable in the RB (Rural Buffer) general use zoning district or those permitted through the ASE-CZ conditional zoning district.

H. Transition Area. That portion of the Joint Planning Area designated on the Joint Planning Area Land Use Map as such. This area is further defined as being in

- C. Orange County shall notify the respective towns and the towns shall notify Orange County as soon as practicable thereafter of any such claim, action or proceeding.

## Section 2.6 Text and Map Amendments

- A. Proposed amendments to the Joint Planning Area Land Use Plan and/or the Joint Planning Area Land Use Map may be initiated by (i) Orange County or (ii) the Towns or any other party by filing a request for such an amendment with Orange County. Any petition or request to amend the Joint Planning Area Land Use Plan received by the County shall be referred to the respective Towns. No such amendment may become effective until after it has been adopted by Orange County, Chapel Hill and Carrboro following a joint public hearing by all three governing bodies.
- B. Except as provided herein, proposed amendments to the text of the Orange County ~~Zoning and Subdivision Ordinances~~ Unified Development Ordinance<sup>3</sup> that are applicable within the Rural Buffer as well as proposed changes in zoning district classifications (i.e., zoning map changes) that affect property within the Rural Buffer shall be initiated and adopted in accordance with the procedures set forth in those County ordinances. All such proposals that affect the CHJDA shall be referred to Chapel Hill for review and recommendation, and all such proposed amendments that affect the CJDA shall be referred to Carrboro for review and recommendation. Orange County may not adopt such proposed amendments until the respective Towns have made their recommendations, or until the expiration of thirty (30) days following such referral, whichever occurs first.

*In the case of agricultural support uses, both the ASE-CZ conditional zoning districts and the agricultural support uses added to the RB (Rural Buffer) general use zoning district in*

<sup>3</sup> Since the County now uses a Unified Development Ordinance, the language in this section should be changed to reflect the current name of the County's land use regulations.

2014, Orange County shall not materially change the text of its Unified Development Ordinance, as it pertains to the Rural Buffer, unless the amendment is heard at a joint public hearing and adopted by Orange County, Chapel Hill, and Carrboro. Examples of material changes, in this case, are adding or deleting uses to/from the Table of Permitted Uses and/or adding, deleting, or changing the use-specific standards in Article 5 of the Unified Development Ordinance.<sup>4</sup>

- C. Whenever Chapel Hill proposes to amend the text of its Land Development Ordinance, and whenever Carrboro proposes to amend the text of its Land Use Ordinance, the respective towns shall deliver a copy of the full text of the proposed amendment to Orange County not later than thirty (30) days before the date of the public hearing on any such amendment. However, with the written consent of the Orange County Manager or his designate, this thirty (30) day period may be reduced to not less than ten (10) days. Unless Orange County files with the respective towns a written objection on or before the date of the public hearing on the proposed ordinance amendment, then adoption of the amendment by the respective town shall automatically effect a corresponding amendment to the applicable ordinance adopted by reference by Orange County as provided in Section 2.1C. Any such objection shall be based on a determination by Orange County that the proposed amendment is inconsistent with the adopted Joint Planning Area Land Use Plan. If a town adopts an amendment despite Orange County's objection, then it shall refer such amendment to Orange County with a request that the County make corresponding changes as expeditiously as reasonably possible so that the town may continue to enforce within its

<sup>4</sup> This text is proposed to be added to address concerns that Orange County could significantly change its Unified Development Ordinance after the Towns of Carrboro and Chapel Hill approve amendments to the Joint Planning documents and those changes would be subject only to a staff-level review by Town staff.

Excerpted Pages of Joint Planning Land Use Plan

**\*Suburban Residential Areas** are designated for housing densities ranging from one (1) to five (5) dwelling units per acre. Such areas are located where land is changing from rural to urban, suitable for urban densities, and to be provided with public utilities and services. Housing types range from single-family to duplexes to multi-family dwellings.

\*However, densities may be lower than one dwelling unit per acre in Suburban Residential Areas. Chapel Hill as part of its Southern Small Area Plan has identified certain areas in the Southern Triangle as being suitable for densities not exceeding one (1) unit per acre for areas immediately east of U.S. 15-501 and densities not exceeding one (1) unit per five (5) acres for areas immediately west of Old Lystra Road.

\*Amended 2/1/93

**Urban Residential Areas** are similar to Suburban Residential Area in terms of both housing types and public services availability. However, densities are higher, ranging from six (6) to thirteen (13) dwelling units per acre.

**Office-Institutional Areas** is a category consisting of establishments which offer an array of financial, insurance, real estate, legal, medical, and business services. Such areas generally have public utilities and services available and are located adjacent to heavily traveled streets.

**Future UNC Development** is a category established for lands owned by the University of North Carolina, including Horace Williams Airport and adjacent parcels. Such lands are contemplated for expansion of the UNC campus, provided the Airport is relocated.

**Retail Trade Areas** are limited in Transition Areas, including existing establishments at Starpoint and Calvander. Modest room for expansion was projected in Transition Areas.

**Light Industrial Areas** are singular, consisting of the Chapel Hill Industrial Park on Eubanks Road and the proposed site between Eubanks Road and Homestead Road are included in this category.

**Disposal Use Areas** consist of landfill sites, either existing or future. The existing landfill on Eubanks Road and the proposed site between Eubanks Road and Homestead Road are included in this category.

**\*Rural Buffer and Conservation**

\*Amended

4/2/90

2/3/92 (effective 2/24/92)

6/9/14

6/17/14

The basic categories of Rural Buffer and Conservation have been combined in the Joint Planning Area Land Use Plan to form a single land use classification – Rural Buffer.

The Rural Buffer is defined as being a low-density area consisting of single-family homes situated on large lots having a minimum size of two (2) acres. The Rural Buffer is further defined as land which, although adjacent to an Urban or Transition Area, is rural in character and which will remain rural and not require urban services (public utilities and other Town services). The Rural Buffer is expected to contain low density residential uses, ~~as well as~~ agricultural uses exempt from zoning regulations, and **low-intensity agricultural support uses** and consists of the following Joint Planning Area Land Use Plan categories: Rural Residential and Agricultural; Public-Private Open Space; Resource Conservation; New Hope Creek Corridor Open Space; Extractive Use; and the overlay category designated University Lake Watershed Area.

~~**Rural Residential and Agricultural Areas** are low-density areas consisting of single-family homes situated on large lots with a minimum lot size of two acres, except when part of a cluster subdivision and then adhering to a density limit of 1 unit for every 2 acres of property. Cluster subdivisions, reducing parcels to 1 acre in area, are allowed so long as established density limits for the entire subdivision are maintained. In~~

### \*University Lake Watershed Area

\*Amended  
4/2/90  
6/9/14

The University Lake Watershed Area includes all lands which drain into the University Lake Reservoir. Density within this area is limited to 1 dwelling unit for every 5 acres with a required minimum lot size of 2 acres. Based on a preferred watershed protections strategy of land use controls as recommended by Camp, Dresser and McKee in the University Lake Watershed Study, only low-density residential uses are permitted. Cluster subdivisions with lot sizes of not less than one (1) acre are also allowed so long as density limits are adhered to. There is an allowance for the creation of 5 lots at a density of 1 unit per 2 acres for property legally in existence as of October 2, 1989. Additional lots shall be allowed consistent with the 1 unit per 5 acre density as detailed herein.

### \*Rural Residential and Agricultural

\*Amended  
4/2/90  
6/9/14  
6/17/14

The Rural Residential category is a low-density area consisting of single-family homes situated on large lots with a minimum lot size of two acres, except when part of a cluster subdivision and then adhering to a density limit of 1 unit for every 2 acres of property. Cluster subdivisions, reducing parcels to 1 acre in area, are allowed as long as established density limits are maintained. The Rural Residential designation is identical to the Rural Buffer category contained in the current Orange County Land Use Plan. The Rural Buffer category is described in the Plan as land adjacent to an Urban or Transition area which is rural in character and which should remain rural; contain very low-density residential uses, **and** agricultural uses exempt from zoning regulations, **and low-intensity agricultural support uses**; and not require urban services (water and sewer) during the Plan period.

Agricultural areas existing within Transition Areas are expected to change from rural to urban uses as Chapel Hill and Carrboro continue to grow and as public water and sewer services are expanded. Agricultural areas are located principally in University Lake Watershed but are also prominent along the northern perimeter of the Planning Area boundary. As development occurs in these areas, it will be of very low-density in nature and will generally consist of farm dwelling and outbuildings in support of agricultural operations.

To the north of Chapel Hill and Carrboro in the New Hope Creek drainage basin, low-density residential development has taken place along Whitfield Road, Sunrise Road and Erwin Road. Residential developments similar to Sedgfield, Stoneridge, Oak Hills, Birchwood Lake Estates and Falls of the New Hope are expected to continue, relying on wells and septic tanks for water supply and sewer disposal.

To the west of Carrboro, Rural Residential development is also expected in University Lake Watershed. However, only low-density residential and agricultural uses are anticipated. Development will continue to rely on wells and septic tanks for water supply and sewage disposal.

~~agreement. However, it will only be changed as the Joint Planning Area Land Use Map is amended if the Map amendments change the location of either the CJDA or the CJJDA.~~

~~F. Joint Courtesy Review Area. A portion of the northern Rural Buffer Area bounded on the east by I-40 and shown as such on Exhibit A.~~

G. Rural Buffer. That portion of the Joint Planning Area designated on the Joint Planning Area Land Use Map as such and designated in the Joint Planning Area Land Use Plan as Rural Residential and Agricultural, Public/Private Open Space, Resource Conservation, Extractive/Disposal Use and the overlay district designated University Lake Watershed Area. This area is further defined as being a low-density area consisting of single-family homes situated on large lots having a minimum size of two (2) acres, unless the cluster subdivision option is used and density limits are maintained. The Rural Buffer is further defined as land which, although adjacent to an Urban or Transition area, is rural in character and which will remain rural, contain low-density residential uses, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses and not require urban services (public utilities and other town services). Agricultural support uses are those designated in the County's Unified Development Ordinance as allowable in the RB (Rural Buffer) general use zoning district or those permitted through the ASE-CZ conditional zoning district.

H. Transition Area. That portion of the Joint Planning Area designated on the Joint Planning Area Land Use Map as such. This area is further defined as being in

~~harmless, to the extent they can legally do so, Orange County, its Board of Commissioners, its advisory boards, its staff and all members of its boards and staffs, in their official and individual capacities, from any and all claims, actions, proceedings, expenses, damages or liabilities, including attorneys' fees and courts costs, resulting from the towns' administration of the ordinances specified in Sections 2.1(C).~~

- ~~C. Orange County shall notify the respective towns and the towns shall notify Orange County as soon as practicable thereafter of any such claim, action or proceeding.~~

## **Section 2.6 Text and Map Amendments**

- A. Proposed amendments to the Joint Planning Area Land Use Plan and/or the Joint Planning Area Land Use Map may be initiated by (i) Orange County or (ii) the Towns or any other party by filing a request for such an amendment with Orange County. Any petition or request to amend the Joint Planning Area Land Use Plan received by the County shall be referred to the respective Towns. No such amendment may become effective until after it has been adopted by Orange County, Chapel Hill and Carrboro following a joint public hearing by all three governing bodies.
- B. Except as provided herein, proposed amendments to the text of the Orange County **Zoning and Subdivision Ordinances Unified Development Ordinance**<sup>1</sup> that are applicable within the Rural Buffer as well as proposed changes in zoning district classifications (i.e., zoning map changes) that affect property within the Rural Buffer shall be initiated and adopted in accordance with the procedures set forth in those County ordinances. All such proposals that affect the CHJDA shall be referred to Chapel Hill for review and recommendation,

---

<sup>1</sup> Since the County now uses a Unified Development Ordinance, the language in this section should be changed to reflect the current name of the County's land use regulations.

and all such proposed amendments that affect the CJDA shall be referred to Carrboro for review and recommendation. Orange County may not adopt such proposed amendments until the respective Towns have made their recommendations, or until the expiration of thirty (30) days following such referral, whichever occurs first.

In the case of agricultural support uses, both the ASE-CZ conditional zoning districts and the agricultural support uses added to the RB (Rural Buffer) general use zoning district in 2015, Orange County shall not materially change the text of its Unified Development Ordinance, as it pertains to the Rural Buffer, unless the amendment is heard at a joint public hearing and adopted by Orange County, Chapel Hill, and Carrboro. Examples of material changes, in this case, are adding or deleting uses to/from the Table of Permitted Uses and/or adding, deleting, or changing the use-specific standards in Article 5 of the Unified Development Ordinance.<sup>2</sup>

- C. Whenever Chapel Hill proposes to amend the text of its Land Development Ordinance, and whenever Carrboro proposes to amend the text of its Land Use Ordinance, the respective towns shall deliver a copy of the full text of the proposed amendment to Orange County not later than thirty (30) days before the date of the public hearing on any such amendment. However, with the written consent of the Orange County Manager or his designate, this thirty (30) day period may be reduced to not less than ten (10) days. Unless Orange County files with the respective towns a written objection on or before the date of the public hearing on the proposed ordinance amendment, then adoption of the amendment

---

<sup>2</sup> This text was added to address concerns that Orange County could significantly change its Unified Development Ordinance after the Towns of Carrboro and Chapel Hill approve amendments to the Joint Planning documents and those changes would be subject only to a staff-level review by Town staff.

## Attachment 4

**Town Meeting Dates**

The proposed Joint Planning Land Use Plan & Agreement Amendments were on the following Town of Carrboro and Chapel Hill meeting agendas:

**Carrboro** (<http://www.ci.carrboro.nc.us/>)

June 3, 2014

June 17, 2014

September 9, 2014

October 7, 2014

October 14, 2014

January 13, 2015 (not discussed due to time constraints)

January 27, 2015

**Chapel Hill** (<http://www.ci.chapel-hill.nc.us/>)

June 9, 2014

November 10, 2014

January 26, 2015 (no discussion, consent item to continue public hearing)

February 23, 2015 (no discussion, consent item to continue public hearing)

March 9, 2015

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** April 7, 2015

**Action Agenda  
Item No.** 11-a

**SUBJECT:** Arts Commission – Appointments

**DEPARTMENT:** Board of Commissioners

**PUBLIC HEARING: (Y/N)**

No

**ATTACHMENT(S):** Under Separate Cover  
Membership Roster  
Recommendations  
Attendance Records  
Applications for Persons Recommended  
Interest List  
Applications of Persons on the Interest List

**INFORMATION CONTACT:**  
Clerk's Office, 245-2130

**PURPOSE:** To consider making appointments to the Arts Commission.

**BACKGROUND:** The following appointments are for Board consideration:

- Appointment to a second full term (position #1) At-Large for Ms. Katherine Dickson expiring 03/31/2018.
- Appointment to a first full term (position #2) At-Large for Mr. Tim Hoke expiring 03/31/2018.
- Appointment to a first full term (position #8) At-Large for Ms. Bronwyn Merritt expiring 03/31/2018.
- Appointment to a first full term (position #12) At-Large for Mr. Ian Bowater expiring 03/31/2018.
- Appointment to a first full term (position #15) At-Large for Ms. Kim Roberts expiring 03/31/2018.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
1	Katherine Dickson	At-Large	09/30/2018
2	Tim Hoke	At-Large	03/31/2018
8	Bronwyn Merritt	At-Large	03/31/2018
12	Ian Bowater	At-Large	03/31/2018
15	Kim Roberts	At-Large	03/31/2018

**NOTE - If the individuals listed above are appointed, the following vacancies remain:**

- Position #13--- “At-Large” position----- expiring 03/31/2018.

**FINANCIAL IMPACT:** None

**RECOMMENDATION(S):** The Board will consider making appointments to the Arts Commission.

# Board and Commission Members

## And Vacant Positions

### Arts Commission

Meeting Times: 6:00 p.m. second Monday of each month

Terms: 2

Contact Person: Martha Shannon

Meeting Place: Alternating

Positions: 15 Length: 3 years

Contact Phone: 919-968-2011

Description: The members of this commission are appointed by the Board of Commissioners. The Arts Commission is housed with the Economic Development Department. It recommends strategies to promote the artistic and cultural growth of Orange County, advises the Board of Commissioners on matters involving the arts, and acts as the granting panel for two annual funding programs available to individual artists and non-profit groups sponsoring arts projects in Orange County. To learn more, go to the following web address: [www.artsorange.org/](http://www.artsorange.org/)

1	<b>Ms. Katherine Dickson</b> Secretary 103B Todd Street Carrboro NC 27510	Day Phone: 919-265-7122 Evening Phone: FAX: E-mail: dickson.katherine@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 05/03/2011 Current Appointment: 03/22/2012 Expiration: 03/31/2015 Number of Terms: 1
2	<b>Mr. Tim Hoke</b> 100 Ironwood Place Chapel Hill NC 27514	Day Phone: 9193837426 Evening Phone: 9194893547 FAX: E-mail: tim@hnva.us	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/16/2014 Current Appointment: 09/16/2014 Expiration: 03/31/2015 Number of Terms:
3	<b>Dr. Brian Finch</b> 601 Porteur Point Cedar Grove NC 27231	Day Phone: 704-989-4886 Evening Phone: 704-989-4886 FAX: E-mail: roundunderpar@gmail.com	Sex: Male Race: Caucasian Township: Cedar Grove Resid/Spec Req: At-Large Special Repr:	First Appointed: 03/18/2014 Current Appointment: 03/18/2014 Expiration: 03/31/2017 Number of Terms: 1
4	<b>Mr. Geoffrey Hathaway</b> 605 Jones Ferry Rd., Apt. TT-10. Carrboro NC 27510	Day Phone: 919-270-1899 Evening Phone: 919-270-1899 FAX: E-mail: G_Lloyd_007@msn.com	Sex: Male Race: African American Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 11/08/2012 Current Appointment: 03/18/2014 Expiration: 03/31/2017 Number of Terms: 2
5	<b>Ms Tinka Jordy</b> 1902 Borland Rd Hillsborough NC 27278	Day Phone: 919 757 2181 Evening Phone: 919 757 2181 FAX: E-mail: tinkajordy@gmail.com	Sex: Female Race: Caucasian Township: Bingham Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/16/2014 Current Appointment: 09/16/2014 Expiration: 03/31/2017 Number of Terms: 1

# Board and Commission Members

## And Vacant Positions

### Arts Commission

Meeting Times: 6:00 p.m. second Monday of each month

Terms: 2

Contact Person: Martha Shannon

Meeting Place: Alternating

Positions: 15 Length: 3 years

Contact Phone: 919-968-2011

Description: The members of this commission are appointed by the Board of Commissioners. The Arts Commission is housed with the Economic Development Department. It recommends strategies to promote the artistic and cultural growth of Orange County, advises the Board of Commissioners on matters involving the arts, and acts as the granting panel for two annual funding programs available to individual artists and non-profit groups sponsoring arts projects in Orange County. To learn more, go to the following web address: [www.artsorange.org/](http://www.artsorange.org/)

6	<b>Ms. Lynne Albert</b> 2700 Forest Creek Road Chapel Hill NC 27514	Day Phone: 9199695549 Evening Phone: 9199695549 FAX: E-mail: <a href="mailto:lynnalbert@hotmail.com">lynnalbert@hotmail.com</a>	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 01/22/2015 Current Appointment: 01/22/2015 Expiration: 09/30/2016 Number of Terms:
7	<b>Ms. Doris A. Friend</b> 5812 Dodson's Crossroads Hillsborough NC 27278	Day Phone: 919-968-1013 Evening Phone: FAX: E-mail: <a href="mailto:dfriend3@bellsouth.net">dfriend3@bellsouth.net</a>	Sex: Female Race: Caucasian Township: Bingham Resid/Spec Req: At-Large Special Repr:	First Appointed: 11/19/2013 Current Appointment: 11/19/2013 Expiration: 09/30/2016 Number of Terms: 1
8	<b>Ms. Bronwyn Merritt</b> 113 Creekview Circle Carrboro NC 27510	Day Phone: 919-923-1058 Evening Phone: 919-967-1486 FAX: E-mail: <a href="mailto:Bronwyn@BronwynMerritt.com">Bronwyn@BronwynMerritt.com</a>	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/16/2014 Current Appointment: 09/16/2014 Expiration: 03/31/2015 Number of Terms:
9	<b>Ms. Joy Salyers</b> 1563 Riverside Drive Hillsborough NC 27278	Day Phone: 919-383-6040 Evening Phone: 919-998-8041 FAX: E-mail: <a href="mailto:joysalyers@ncfolk.org">joysalyers@ncfolk.org</a>	Sex: Female Race: Caucasian Township: Hillsborough Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/16/2014 Current Appointment: 09/16/2014 Expiration: 03/31/2017 Number of Terms: 1
10	<b>Ms. Devra Thomas</b> <b>Chair</b> 2905 Ballpark Drive Efland NC 27243	Day Phone: 919-968-1515 Evening Phone: 919-619-0697 FAX: E-mail: <a href="mailto:Stubborndev@gmail.com">Stubborndev@gmail.com</a>	Sex: Female Race: Caucasian Township: Cheeks Resid/Spec Req: At-Large Special Repr:	First Appointed: 03/19/2013 Current Appointment: 03/18/2014 Expiration: 03/31/2017 Number of Terms: 1

# Board and Commission Members

## And Vacant Positions

### Arts Commission

Meeting Times: 6:00 p.m. second Monday of each month

Terms: 2

Contact Person: Martha Shannon

Meeting Place: Alternating

Positions: 15 Length: 3 years

Contact Phone: 919-968-2011

Description: The members of this commission are appointed by the Board of Commissioners. The Arts Commission is housed with the Economic Development Department. It recommends strategies to promote the artistic and cultural growth of Orange County, advises the Board of Commissioners on matters involving the arts, and acts as the granting panel for two annual funding programs available to individual artists and non-profit groups sponsoring arts projects in Orange County. To learn more, go to the following web address: [www.artsorange.org/](http://www.artsorange.org/)

11	<b>Mrs. Ashley Nissler</b> 2313 Woodbury Drive Hillsborough NC 27278	Day Phone: 919-245-3695 Evening Phone: FAX: E-mail: <a href="mailto:ranissler@mindspring.com">ranissler@mindspring.com</a>	Sex: Female Race: Caucasian Township: Hillsborough Resid/Spec Req: At-Large Special Repr:	First Appointed: 04/23/2013 Current Appointment: 03/18/2014 Expiration: 03/31/2017 Number of Terms: 1
12	<b>Mr. Ian Bowater</b> 125 Windsor Circle Chapel Hill NC 27516	Day Phone: 9192405839 Evening Phone: 9192405839 FAX: E-mail: <a href="mailto:ianbowater7@gmail.com">ianbowater7@gmail.com</a>	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 01/22/2015 Current Appointment: 01/22/2015 Expiration: 03/31/2015 Number of Terms:
13	<b>VACANT</b>	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: At-Large Special Repr:	First Appointed: Current Appointment: Expiration: 03/31/2015 Number of Terms:
14	<b>Dr. Scott Van Manen</b> 300 Orchard Ln Chapel Hill NC 27514	Day Phone: 9192372796 Evening Phone: 9192372796 FAX: E-mail: <a href="mailto:sfvanmanen@gmail.com">sfvanmanen@gmail.com</a>	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/16/2014 Current Appointment: 09/16/2014 Expiration: 09/30/2016 Number of Terms:
15	<b>Kim Roberts</b> 908 Grove Street Chapel Hill NC 27517	Day Phone: 919-240-7994 Evening Phone: 919-240-7994 FAX: E-mail: <a href="mailto:kimcusic@aol.com">kimcusic@aol.com</a>	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 01/22/2015 Current Appointment: 01/22/2015 Expiration: 03/31/2015 Number of Terms:

**Thom Freeman**

---

**From:** Martha Shannon - Orange County Arts Commission  
**Sent:** Tuesday, March 17, 2015 10:26 AM  
**To:** Thom Freeman  
**Cc:** Donna Baker  
**Subject:** 5 Arts Commission Members Seek Reappointment

**Importance:** High

Hi Thom,

These 5 Arts Commission board members - whose current terms expire March 31, 2015 - all want to be reappointed for another term:

Katherine Dickson  
Bronwyn Merritt  
Ian Bowater  
Tim Hoke  
Kim Roberts

Please submit their names for reappointment by the BOCC as soon as possible.

Thanks so much!

Martha

Martha Shannon  
Director  
Orange County Arts Commission  
**Celebrating 30 Years of Advancing the Arts in Orange County!**  
501 West Franklin Street  
Chapel Hill, NC 27516  
Phone: 919/968-2011  
FAX: 919/968-2062  
[mshannon@orangecountync.gov](mailto:mshannon@orangecountync.gov)  
[www.artsorange.org](http://www.artsorange.org)  
[www.ExploreChapelHillARTS.com](http://www.ExploreChapelHillARTS.com)

If you do not want to receive email from us, just reply to this email with REMOVE in the subject line.  
If you would like to UPDATE your contact information, please reply to this email with your new info.









## Volunteer Application Orange County Advisory Boards and Commissions

**Name:** Ms. Katherine Dickson  
**Name Called:**  
**Home Address:** 103B Todd Street  
 Carrboro NC 27510  
**Phone (Day):** 919-265-7122  
**Phone (Evening):**  
**Phone (Cell):**  
**Email:** dickson.katherine@gmail.com  
**Place of Employment:** Epting & Hackney  
**Job Title:** attorney  
**Year of OC Residence:** 1979  
**Township of Residence:** Chapel Hill  
**Zone of Residence:** . . .  
**Sex:** Female  
**Ethnic Background:** Caucasian

### Community Activities/Organizational Memberships:

### Past Service on Orange County Advisory Boards:

### Boards/Commissions applied for:

### Supplemental Questions:

Work Experience: Student Assistant, Maps Collection, Wilson Library, 1999-2001  
 Research Analyst, U.S. Department of State, 2001-2003  
 Attorney, Hogan & Hartson, LLP, Washington DC, 2006-2008  
 Attorney, Epting & Hackney, Chapel Hill, 2009-present

Volunteer Experience: UNC-CH: Alpha Phi Omega Service Fraternity (Red Cross Blood Drive Coordinator), Honors Program Student Advisory Board, APPLES Service Learning Program (Alternative Spring Break Coordinator, Public Relations Co-Chair)  
 UVA: Public Interest Law Association member  
 Hogan & Hartson: Community Services Department volunteer

Education: BA, Classics & Political Science, UNC-CH, 2001  
 JD, University of Virginia School of Law, 2006  
 MA, American History, University of Virginia, 2006

### Other Comments:

Having grown up in Chapel Hill, attended UNC, and recently moved back to town after attending law school and practicing law for a number of years out of state, I am very interested in volunteering for my home town. I am particularly excited about the arts commission because I participate in the Carrboro Arts Center's ceramics program and

---

would like to be further involved with arts in the area. STAFF COMMENTS: Originally applied for Arts Commission, Historic Preservation 1/4/2010. ADDRESS VERIFICATION: 103B Todd Street is Carrboro Jurisdiction, CH Township..

**This application was current on:** 1/4/2010 10:33:57 AM

**Date Printed:** 12/31/2013

**Volunteer Application  
Orange County Advisory Boards and Commissions**

**Name:** Mr. Tim Hoke  
**Name Called:**  
**Home Address:** 100 Ironwood Place  
Chapel Hill NC 27514  
**Phone (Day):** 9193837426  
**Phone (Evening):** 9194893547  
**Phone (Cell):** 9194719899  
**Email:** tim@hnva.us  
**Place of Employment:** Hoke/New Vision Architects  
**Job Title:** Owner/Architect  
**Year of OC Residence:** 1985  
**Township of Residence:** Chapel Hill  
**Zone of Residence:**  
**Sex:** Male  
**Ethnic Background:** Caucasian

**Community Activities/Organizational Memberships:**  
Durham Lions Club

**Past Service on Orange County Advisory Boards:**  
None

**Boards/Commissions applied for:**

**Arts Commission**

**Background, education and experience relevant to this board:**

I have been a resident of Durham or Orange County all of my life. Architecture education at NCSU and practicing in this region is the foundation for my interest. My profession as an architect is deeply rooted in the arts and improving our perceived environment. Besides the visual arts I cannot imagine my world without music.

**Reasons for wanting to serve on this board:**

As a volunteer I think this is where my talents would be best used.

**Conflict of Interest:**

My wife and I do have a son who has a doctorate in Classical Guitar. He is currently located in Wilmington, not in our county.

**Supplemental Questions:**

**Other Comments:**

This application was current on: 8/6/2014 2:04:58 PM

Date Printed: 8/6/2014

## Volunteer Application Orange County Advisory Boards and Commissions

**Name:** Ms. Bronwyn Merritt  
**Name Called:**  
**Home Address:** 113 Creekview Circle  
 Carrboro NC 27510  
**Phone (Day):** 919-923-1058  
**Phone (Evening):** 919-967-1486  
**Phone (Cell):**  
**Email:** Bronwyn@BronwynMerritt.com  
**Place of Employment:** Dwell Real Estate  
**Job Title:** Broker  
**Year of OC Residence:** 1991  
**Township of Residence:** Chapel Hill  
**Zone of Residence:** Carrboro City Limits  
**Sex:** Female  
**Ethnic Background:** Caucasian

### Community Activities/Organizational Memberships:

I am an Artist, and I maintain a studio in Carrboro. I show my work around the county and I teach art workshops and volunteer with school art projects. I am a former member of the board, and a former gallery owner.

### Past Service on Orange County Advisory Boards:

Orange County Arts Commission (former) and Board of Equalization and Review (current).

### Boards/Commissions applied for:

#### Arts Commission

##### Background, education and experience relevant to this board:

I have many years experience serving on the board, and would like to return. I have extensive education and experience in the arts as a teacher, artist, gallery owner and volunteer.

##### Reasons for wanting to serve on this board:

I enjoyed my time serving in the past, and I want to serve the artists as well as the educators, patrons, and volunteers in the arts to build community ties and increase economic development via the arts.

##### Conflict of Interest:

I am married to Orange County Commissioner Mark Dorosin, but that was determined previously to cause no conflict.

### Supplemental Questions:

Work Experience: I have worked in the Arts most of my adult life, mostly in museums and commercial galleries in this area. I owned a gallery in Downtown Carrboro for two years, I currently (12/03/01) own a Chapel hill night club and have recently become a realtor. I am

opening a new studio in Carrboro this summer. 12/03/01: Current Owner Bronwyn Merritt Gallery. I have worked in several art galleries and museums around the state over the past 15 years. Recently I have curated shows for the Artscenter in Carrboro as a volunteer and run my own commercial gallery as well. My focus has been on working with young artists and organizations that support them. My most valuable training comes from two years at the Weatherspoon Gallery in Greensboro and a year at Somerhill Gallery in Chapel Hill. I have extensive teaching experience through workshops and as an art instructor at Guilford Tech, and co-founded the now-defunct non-profit book arts group Hand-to-Eye, and the BOTA Arts Collective. 02/17/2012: I have owned and operated a few business in Orange County, and I am now a real estate agent in Carrboro. I am a homeowner and an investor with 6 years experience as a residential sales agent.

Volunteer Experience: I have worked with the Artscenter, the Durham groups Hand-to-Eye and Artomatic, I have written several arts-related articles for the Independent and I served previously on the Arts Commission. I work with the Artscenter to maintain and improve its main gallery by helping to bring in quality shows, curate and hang them. I also do some paperwork and publicity associated with those tasks. Artists often ask me to help them with hanging shows around town, which I enjoy, and I end up advising young artists on pricing, presentation, places to show and how to make connections with other artists. 02/17/2012: I have served on the Carrboro Planning Board and the Orange County Arts Commission. At times, I have worked with the Partnership for Young Children, the ChapelHill Downtown Commission and various local arts organizations. Through realtor partners, I have helped Habitat for Humanity and NC Table.

Education: BA Psychology from Duke, 1987; MFA UNC-Greensboro, 1990. Certificate in Non-Profit Management Courses and several advanced real estate designations.

**Other Comments:**

I have close ties to the community right now because of the high visibility my gallery has given to me, and I feel that I am in a position to voice concerns of art. STAFF COMMENTS: Applied 12/03/01 for Arts Commission. Reapplied 06/27/2006 for Arts Commission. Applied 02/17/2012 for E&R Board. I hope to gain a better understanding of the board's role, and to address inequities where they exist. I believe my experience will be valuable, both from home sales and my work with various boards, groups and committees. ADDRESS VERIFICATION: 113 Creekview Circle is in the Carrboro City limits in Orange County.

## Volunteer Application Orange County Advisory Boards and Commissions

**Name:** Mr. Ian Bowater  
**Name Called:**  
**Home Address:** 125 Windsor Circle  
 Chapel Hill NC 27516  
**Phone (Day):** 9192405839  
**Phone (Evening):** 9192405839  
**Phone (Cell):** 3108713906  
**Email:** ianbowater7@gmail.com  
**Place of Employment:** Self  
**Job Title:** Writer/Theatre worker  
**Year of OC Residence:** 2012  
**Township of Residence:** Chapel Hill  
**Zone of Residence:**  
**Sex:** Male  
**Ethnic Background:** Caucasian

### Community Activities/Organizational Memberships:

ArtsCenter Friend and volunteer.

### Past Service on Orange County Advisory Boards:

None

### Boards/Commissions applied for:

#### Arts Commission

##### Background, education and experience relevant to this board:

I have worked in the Arts all my working life. While I was in London I was first an Associate Director of a theatre in the East End and for five years the director of a 500 seat venue in the center of London.

I was also a member of the Dance Panel and the Drama Panel of the Greater London Arts Association, the regional arts funding body. I was the founding director of an International Festival of Theatre-in-Education. I was an executive committee member of the National Association of Drama Advisors. I taught professional actors at the Equity Actor s Centre in London.

After moving to Los Angeles I worked in the film industry as a Development Executive and then as a freelance screenwriter. I also directed theatre on a freelance basis.

Since moving to Chapel Hill I have worked at the ArtsCenter in Carrboro both as a paid artist and a volunteer. Currently I have a play in production which is paid work and I am the director of their Variety Night season which I am taking no pay for.

I have also performed with Little Green Pig Theatrical concern.

##### Reasons for wanting to serve on this board:

---

At the age of 65 I have developed a career in the Arts which has served me well. I m at the stage in where I m more concerned in giving back. I can bring a wealth of professional and life experience in the arts which has involved both the creative and the practical administrative sides.

**Conflict of Interest:**

**Supplemental Questions:**

**Other Comments:**

This application was current on: 8/20/2014 4:41:08 PM

**Date Printed:** 8/21/2014

## Volunteer Application Orange County Advisory Boards and Commissions

**Name:** Kim Roberts  
**Name Called:**  
**Home Address:** 908 Grove Street  
 Chapel Hill NC 27517  
**Phone (Day):** 919-240-7994  
**Phone (Evening):** 919-240-7994  
**Phone (Cell):** 919-522-6481  
**Email:** kimcusic@aol.com  
**Place of Employment:** Total Rehabilitation, Inc.  
**Job Title:** Office Manager  
**Year of OC Residence:** 2010  
**Township of Residence:** Chapel Hill  
**Zone of Residence:**  
**Sex:** Female  
**Ethnic Background:** Caucasian

### Community Activities/Organizational Memberships:

MEMBER: of the UNC Alumni Association. Friend of the Artscenter -Carrboro, NC, US Tennis Association  
 Durham Performing Arts Center (Sponsor) and UNC Symphony (while student)  
 VOLUNTEER: Pines of Carolina Girl Scout Council (Raleigh, NC), Chowan Arts Council Event Planning and Staffing (Edenton, NC), Chapel Hill High School Class of 1985 (Continue to serve as lead organizer of all class reunions since 1990).

### Past Service on Orange County Advisory Boards:

None.

### Boards/Commissions applied for:

#### Arts Commission

##### Background, education and experience relevant to this board:

Education: Bachelor of Arts from UNC-Chapel Hill, NC  
 Experience: Total Rehabilitation, Inc (Chapel Hill, NC), Pediatric Coordinator.  
 Got Plans? (Raleigh, NC) Owner of an event planning company for singles aged 35-50 years old. Avenue Retail S: District Manager for 14 stores in N.C. and V.A. with \$2 million retail sales  
 Levi Strauss: Dockers Division: Branding, Marketing and Managing \$6 million in retail sales.  
 Great Mistakes, Inc: Director of Merchandising and Store Design: all 42 stores in GA, SC, NC and VA with \$9 million in retail sales.  
 UNC Student Arts Council (Chapel Hill, NC) Funds Development.

**Reasons for wanting to serve on this board:**

I grew up in Chapel Hill, attended its schools, and graduated from UNC with Bachelor of Arts in Studio Art. I have always been involved with creative initiatives in both professional and volunteer settings. I would welcome the chance to work with others to sustain and enhance the arts for the greater Orange County region.

My strengths include:

Strong organizational abilities

Problem solving

Effective interpersonal skills

Marketing

Negotiation ability

Event Planning

Recruiting and organizing volunteers

Web Design proficiency

Project/Grant development

**Conflict of Interest:**

**Supplemental Questions:****Other Comments:**

This application was current on: 8/25/2014 8:47:50 AM

Date Printed: 8/25/2014

# Applicant Interest Listing

by Board Name and by Applicant Name

---

## *Arts Commission*

Contact Person: Martha Shannon

Contact Phone: 919-968-2011

---

**Mr. Tony Kane**  
4425 New Hope Spring Dr  
Hillsborough NC 27278

Day Phone: 336-832-8214  
Evening Phone: 919-932-3634  
Cell Phone: 888-682-5261  
E-mail: tone@nc.rr.com

Sex: Male  
Race: Caucasian  
Township: Bingham  
Date Applied: 06/27/2014

Skills:

Also Serves On:

---

**Ms. Jilan Li**  
734 Providence Glen Drive  
Chapel Hill NC 27514

Day Phone: 919-806-5154  
Evening Phone: 919-806-5154  
Cell Phone: 919-317-2635  
E-mail: chulan46@hotmail.com

Sex: Female  
Race: Asian American  
Township: Chapel Hill  
Date Applied: 07/31/2014

Skills:

Also Serves On: Human Relations Commission

---

## Volunteer Application Orange County Advisory Boards and Commissions

**Name:** Mr. Tony Kane  
**Name Called:**  
**Home Address:** 4425 New Hope Spring Dr  
 Hillsborough NC 27278  
**Phone (Day):** 336-832-8214  
**Phone (Evening):** 919-932-3634  
**Phone (Cell):** 888-682-5261  
**Email:** tone@nc.rr.com  
**Place of Employment:** Greensboro Area Health Education Center  
**Job Title:** Director, Information Technology  
**Year of OC Residence:** 1993  
**Township of Residence:** Bingham  
**Zone of Residence:**  
**Sex:** Male  
**Ethnic Background:** Caucasian

### Community Activities/Organizational Memberships:

Former volunteer for music therapy programs with OPC Cross-Disability Services (prior to NC MH system divestiture).

### Past Service on Orange County Advisory Boards:

This would be my first.

### Boards/Commissions applied for:

#### Arts Commission

##### Background, education and experience relevant to this board:

As an amateur musician, I believe I have insights that would be of benefit to the Arts Commission. While I have little talent for visual arts myself, I do greatly appreciate and support its value and contributions to, as Barry Jacobs notes, what makes Orange County special. The fact that my daughter received a full scholarship for Art School at VCU may suggest the same even in my own home.

##### Reasons for wanting to serve on this board:

I would like to be more involved in my community and recognizing my passion for the arts, and the musical arts in particular, and even technical skills with respect to staging and several years of project management, after seeing the vacancies on the Arts Commission and the fact that regular meetings would fit easily with my work schedule, I was compelled to apply!

##### Conflict of Interest:

### Supplemental Questions:

### Other Comments:

---

**This application was current on:** 6/27/2014 11:02:02 AM

**Date Printed:** 6/30/2014

## Volunteer Application Orange County Advisory Boards and Commissions

**Name:** Ms. Jilan Li  
**Name Called:**  
**Home Address:** 734 Providence Glen Drive  
 Chapel Hill NC 27514  
**Phone (Day):** 919-806-5154  
**Phone (Evening):** 919-806-5154  
**Phone (Cell):** 919-317-2635  
**Email:** chulan46@hotmail.com  
**Place of Employment:** NCA&T  
**Job Title:** assistant professor  
**Year of OC Residence:** 2014  
**Township of Residence:** Chapel Hill  
**Zone of Residence:** Chapel Hill Township within C.H. city limits  
**Sex:** Female  
**Ethnic Background:** Asian American

### Community Activities/Organizational Memberships:

community activity: volunteer at summer camp for children adopted from China;  
 organizational membership: member of the society for social work research

### Past Service on Orange County Advisory Boards:

No.

### Boards/Commissions applied for:

#### Advisory Board on Aging

##### Background, education and experience relevant to this board:

I studied social work. I am currently doing research on issues related to aging.

##### Reasons for wanting to serve on this board:

My mom is 85. She is in China. Getting connected with elderly people in a certain way and being able to do things for them would make me feel good.

##### Conflict of Interest:

#### Arts Commission

##### Background, education and experience relevant to this board:

I have no formal education in arts but have been an art-lover and friends of artists.

##### Reasons for wanting to serve on this board:

I love arts and want to contribute to make our county more charming.

##### Conflict of Interest:

**Human Relations Commission****Background, education and experience relevant to this board:**

blank

**Reasons for wanting to serve on this board:**

blank

**Conflict of Interest:****Supplemental Questions:****Other Comments:**

This application was current on: 7/31/2014 9:57:47 PM

Date Printed: 9/15/2014

**BOCC Meeting Follow-up Actions**

(Individuals with a \* by their name are the lead facilitators for the group of individuals responsible for an item)

<b>Meeting Date</b>	<b>Task</b>	<b>Target Date</b>	<b>Person(s) Responsible</b>	<b>Status</b>
3/17/15	Evaluate the actual costs related to OPT ADA Plan and para-transit services and bring information back to the Board to discuss appropriate para-transit fares	4/21/2015	Craig Benedict Bret Martin	To be studied and information brought back to BOCC
3/17/15	Compile information on the demographics of OPT ridership and provide to BOCC	5/5/2015	Craig Benedict Bret Martin	To be compiled and information provided to BOCC
3/17/15	As part of the review and development process for potential impervious surface amendments, include consulting with the OWASA staff and Board of Directors and also with DEAPR and Commission for the Environment	5/26/2015	Craig Benedict Michael Harvey	Staff to consult with noted groups as well as with other County departments and interested stakeholders

**INFORMATION ITEM**

**Tax Collector's Report - Numerical Analysis**

<b>Effective Date of Report: March 20, 2015</b>						
<b>Tax Year 2014</b>	<b>Amount Charged in FY 14-15</b>	<b>Amount Collected</b>	<b>Accounts Receivable</b>	<b>Amount Budgeted in FY 14-15</b>	<b>Remaining Budget</b>	<b>% of Budget Collected</b>
Current Year Taxes	\$ 135,734,649.00	133,322,948.44	\$ 2,456,121.28	\$ 135,734,649.00	\$ 2,411,700.56	98.22%
Prior Year Taxes	\$ 3,764,940.44	1,172,842.61	\$ 2,559,678.08	\$ 994,130.00	\$ (178,712.61)	117.98%
<b>Total</b>	<b>\$ 139,499,589.44</b>	<b>134,495,791.05</b>	<b>\$ 5,015,799.36</b>	<b>\$ 136,728,779.00</b>	<b>\$ 2,232,987.95</b>	<b>98.37%</b>
<b>Tax Year 2013</b>	<b>Amount Charged in FY 13-14</b>	<b>Amount Collected</b>	<b>Accounts Receivable</b>	<b>Amount Budgeted in FY 13-14</b>	<b>Remaining Budget</b>	<b>% of Budget Collected</b>
Current Year Taxes	\$ 130,682,492.00	128,318,763.78	\$ 2,763,915.29	\$ 130,682,492.00	\$ 2,363,728.22	98.19%
Prior Year Taxes	\$ 4,163,721.00	1,474,722.49	\$ 2,562,776.15	\$ 994,130.00	\$ (480,592.49)	148.34%
<b>Total</b>	<b>\$ 134,846,213.00</b>	<b>129,793,486.27</b>	<b>\$ 5,326,691.44</b>	<b>\$ 131,676,622.00</b>	<b>\$ 1,883,135.73</b>	<b>98.57%</b>
Current Year Overall Collection Percentage Tax Year 2014			98.19%			
Current Year Overall Collection Percentage Tax Year 2013			97.89%			

## INFORMATION ITEM

### Tax Collector's Report - Measures of Enforced Collections

*Fiscal Year 2014-2015*

Effective Date of Report: February, 2015													
	July	August	September	October	November	December	January	February	March	April	May	June	YTD
Wage garnishments	76	67	77	90	28	38	13	46					435
Bank attachments	8	12	15	35	12	8	-	7					97
Certifications	-	-	-	-	-	1	-	1					2
Rent attachments	-	-	-	1	-		2	3					6
Housing/Escheats/Monies	81	46	32	47	47	1	37	1					292
Levies	4	4	3	19	8	9	-	-					47
Foreclosures initiated	4	8	2	6	-	-	-	-					20
NC Debt Setoff collections	\$ 971.64	\$ 1,057.80	\$ 140.00	\$ 1,426.97	\$ 2,217.83	\$ -	\$ -	\$ 4,026.48					\$ 9,840.72

**This report shows the Tax Collector's efforts to encourage and enforce payment of taxes for the fiscal year 2014-2015. It gives a breakdown of enforced collection actions by category, and it provides a year-to-date total.**

**The Tax Collector will update these figures once each month, after each month's reconciliation process.**

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	TAX	FEE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	TAX CLASSIFICATION	ACTION	Approved by CFO
Alexander, Herbert	16114922	2014	31,156	28,665	(40.12)		(40.12)	Condition (appraisal appeal)	RMV-VTS	Approved	3/11/2015
Brook, Nabethel	24359227	2014	9,700	500	(87.55)		(87.55)	Antique plate (appraisal appeal)	RMV-VTS	Approved	2/27/2015
Browning, Curtus	24959029	2014	6,300	500	(55.19)		(55.19)	Antique plate (appraisal appeal)	RMV-VTS	Approved	3/11/2015
Browning, Sue	24011817	2014	5,000	500	(42.82)		(42.82)	Antique plate (appraisal appeal)	RMV-VTS	Approved	3/5/2015
Colley, Anthony	22302897	2014	800	800	(5.83)	(30.00)	(35.83)	Situs error (illegal tax)	RMV-VTS	Approved	3/5/2015
Esser, Christopher	24538133	2013	8,590	8,590	(67.64)	(30.00)	(97.64)	Situs error (illegal tax)	RMV-VTS	Approved	3/5/2015
Forbes, Timothy	5728638	2014	3,781	863	(48.90)		(48.90)	Price paid (appraisal appeal)	RMV-VTS	Approved	3/19/2015
Forrest, John Watson	316800	2010	1,890	0	(19.16)		(19.16)	Assessed in error (illegal tax)	Personal	Approved	3/19/2015
Forrest, John Watson	316800	2011	1,890	0	(18.90)		(18.90)	Assessed in error (illegal tax)	Personal	Approved	3/19/2015
Forrest, John Watson	316800	2012	1,796	0	(19.70)		(19.70)	Assessed in error (illegal tax)	Personal	Approved	3/19/2015
Forrest, John Watson	316800	2013	1,706	0	(17.49)		(17.49)	Assessed in error (illegal tax)	Personal	Approved	3/19/2015
Forrest, John Watson	316800	2014	1,621	0	(16.96)		(16.96)	Assessed in error (illegal tax)	Personal	Approved	3/19/2015
Glenn, Norman	24122374	2014	3,000	500	(25.15)		(25.15)	Antique plate (appraisal appeal)	RMV-VTS	Approved	3/5/2015
Harrison, Charles	1019855	2013	1,069	0	(15.37)		(15.37)	Double billed (illegal tax)	Personal	Approved	3/19/2015
Harrison, Charles	1019855	2014	1,010	0	(12.39)		(12.39)	Double billed (illegal tax)	Personal	Approved	3/19/2015
Holton Rentals	270771	2014	594	0	(10.95)		(10.95)	Double billed (illegal tax)	Personal	Approved	3/11/2015
Holton Rentals	270770	2014	4,414	0	(81.37)		(81.37)	Double billed (illegal tax)	Personal	Approved	3/11/2015
Jeffries, Miriam	590320	2014	9,330	7,464	(19.09)		(19.09)	High mileage (appraisal appeal)	RMV	Approved	3/19/2015
Joffe, Zalman	1050501	2014	851	0	(15.62)		(15.62)	Double billed (illegal tax)	Personal	Approved	3/19/2015
Latta, Frank	65389	2014	2,630	0	(25.03)		(25.03)	Double billed (illegal tax)	Personal	Approved	3/19/2015
Lee, William	23764223	2014	3,450	500	(27.67)		(27.67)	Antique plate (appraisal appeal)	RMV-VTS	Approved	3/11/2015
McAllister, J. Gray	1050504	2014	700	0	(12.85)		(12.85)	Assessed in error (illegal tax)	Personal	Approved	3/19/2015
Moize, James	23459952	2014	2,560	450	(38.63)		(38.63)	Price paid (appraisal appeal)	RMV-VTS	Approved	3/19/2015
Nesbeth, Alesha	1050052	2013	3,730	0	(69.55)	(30.00)	(99.55)	County changed to Durham (Illegal tax)	RMV	Approved	3/5/2015
Poague, Judy Ann	25019540	2014	2,350	2,350	(17.10)	(30.00)	(47.10)	Situs error (illegal tax)	RMV-VTS	Approved	3/19/2015
Resendiz, Angel	1051694	2014	950	0	(12.83)		(12.83)	Double billed (illegal tax)	Personal	Approved	3/19/2015
Roberson, Sharon	19774245	2013	5,620	5,620	(93.05)	(30.00)	(123.05)	County changed to Chatham (illegal tax)	RMV-VTS	Approved	2/27/2015
Rodriguez, Andrian Sandez	316686	2014	950	0	(17.42)		(17.42)	Assessed in error (illegal tax)	Personal	Approved	3/19/2015
Smith, William	982169	2014	11,190	6,714	(43.91)		(43.91)	High mileage (appraisal appeal)	RMV	Approved	3/19/2015
Sykes, David Bruce	24960093	2014	7,490	7,490	(54.52)	(30.00)	(84.52)	Situs error (illegal tax)	RMV-VTS	Approved	3/19/2015
Tucker, Jerry	23845480	2014	48,420	43,578	(46.09)		(46.09)	Purchase price (appraisal appeal)	RMV-VTS	Approved	3/5/2015
Ward, Cedric	1049476	2013	930	0	(17.46)	(30.00)	(47.46)	Assessed in error (illegal tax)	RMV	Approved	3/19/2015
							<b>(1,306.31)</b>	<b>Total</b>			