



**Orange County
Board of Commissioners**

Agenda

Virtual Business Meeting

June 2, 2020

7:00 p.m.

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

Due to current public health concerns, the Board of Commissioners is conducting a Virtual Business meeting on June 2, 2020. Members of the Board of Commissioners will be participating in the meeting remotely. As in prior meetings, members of the public will be able to view and listen to the meeting via live streaming video at orangecountync.gov/967/Meeting-Videos and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

In this new virtual process, there are two methods for public comment.

- Written submittals by email
- Speaking during the virtual meeting

Detailed public comment instructions for each method are provided at the bottom of this agenda. (Pre-registration is required.)

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# 919-644-3045.

1. Additions or Changes to the Agenda

PUBLIC CHARGE

The Board of Commissioners pledges its respect to all present. The Board asks those attending this meeting to conduct themselves in a respectful, courteous manner toward each other, county staff and the commissioners. At any time should a member of the Board or the public fail to observe this charge, the Chair will take steps to restore order and decorum. Should it become impossible to restore order and continue the meeting, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed. The BOCC asks that all electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate. Please be kind to everyone.

Arts Moment – No Arts Moment will be available for this meeting.

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 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, Petitions and Comments by Board Members (Three Minute Limit Per Commissioner)

4. Proclamations/ Resolutions/ Special Presentations

5. Public Hearings

6. Regular Agenda

- a. Eviction Diversion Program and Approval of Budget Amendment #9-A
- b. Guidance for Future Climate Action Fund Project Eligibility and Scoring
- c. Amendments to the Advisory Board Policy
- d. Coronavirus Relief Funding Plan and Additional Emergency Small Business Grant Funds

7. Reports

8. 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. Extension of Little River Regional Park Interlocal Agreement
- e. Resolution of Support – Triangle Trails Initiative
- f. Orange County ABC Board Travel Policy

9. County Manager's Report

10. County Attorney's Report

11. *Appointments

- a. Workforce Development Board – Appointment Discussion

12. Information Items

- May 19, 2020 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
- 2021 Property Tax Revaluation Update

13. Closed Session



14. Adjournment

Note: Access the agenda through the County's web site, www.orangecountync.gov

***Subject to Being Moved to Earlier in the Meeting if Necessary**

Orange County Board of Commissioners' meetings and work sessions are available via live streaming video at orangecountync.gov/967/Meeting-Videos and Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

Public Comment Instructions

Public Comment – Written (for Items not on the Agenda, Agenda Items and Public Hearings)

Members of the public may provide written public comment by submitting it to the ocbocc@orangecountync.gov email address by 3:00 PM on the afternoon of the meeting.

When submitting the comment, include the following:

- The date of the meeting
- The agenda item (example: 6-a) you wish to comment on
- Your name, address, email and phone number

The Orange County Board of Commissioners, County Manager, County Attorney and Clerk to the Board, will be copied on all of the emails that are submitted.

Public Comment – Verbal (for Items not on the Agenda, Agenda Items and Public Hearings)

Members of the public will be asked to contact the Clerk to the Board using the email address ocpubliccomment@orangecountync.gov no later than 3:00 PM on the day of the meeting and indicate they wish to speak during the meeting.

When submitting the request to speak, include the following:

- The date of the meeting
- The agenda item (example: 6-a) you wish to speak on
- Your name, address, email and phone number
- The phone number must be the number you plan to call in from if participating by phone

Prior to the meeting, speakers will be emailed a participant link to be able to make comments during the live meeting. Speakers may use a computer (with camera and/or microphone) or phone to make comments. Speakers using the phone for comments must use the provided PIN/Password number.

The public speaker's audio and video will be muted until the BOCC gets to the respective agenda item(s). Individuals who have pre-registered will then be brought into the public portion of the meeting one at a time.

If a member of the public encounters any concerns prior to or during the meeting related to speaking, please contact Greg Wilder at 919-245-2314.

ORD-2020-011

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2020

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

SUBJECT: Eviction Diversion Program and Approval of Budget Amendment #9-A

DEPARTMENT: Human Rights and Relations,
Housing and Community
Development and Criminal
Justice Resources

ATTACHMENT(S):

None

INFORMATION CONTACT:

Annette Moore, (919) 245-2317
Emila Sutton, (919) 245-2490
Caitlin Fenhagen, (919) 245-2303

PURPOSE: To:

- 1) Approve the development of an Eviction Diversion Program in Orange County to help eligible Orange County residents avoid eviction, preserve tenancy, address substandard housing conditions and maintain the affordable rental housing supply;
- 2) Allocate funds to pay housing costs necessary to prevent imminent eviction and foreclosure, assist in securing affordable homes, and prevent homelessness;
- 3) Authorize staff to seek funding for the Eviction Diversion Program from the Towns, and donations from the communities and businesses; and
- 4) Approve Budget Amendment #9-A.

BACKGROUND: The COVID-19 Pandemic has had a devastating effect on the global economy. In February 2020, Orange County along with Buncombe County led the state with the lowest unemployment rate of 2.9%. Because of COVID-19, Orange County's unemployment rate in March 2020 increased to 3.4%. With the increase in unemployment, staff have seen an increase in requests for food and housing assistance, particularly in the communities that cannot receive government assistance. The Orange County Housing and Community Development Department (OCHCD) in particular has seen the number of requests for emergency housing assistance through the Housing Displacement Fund more than quadruple in April (table below) and calls to the Housing Helpline (aka Coordinated Entry) have increased sharply from 250 in April to more than 650 in May. The Housing Helpline receives approximately three to five calls per week from residents specifically seeking legal counsel for a housing issue, and this number is rising. Finally, the Clerk of Court's Office has seen a dramatic increase in eviction filings and is adding additional court hearing dates to address this increase.

Eviction destabilizes the lives of families and has consequences for the entire community. Those most affected by evictions are the most vulnerable populations. Numerous studies show the negative impact of eviction on health, child development and achievement, and well-being.¹ There is also research showing that preventing eviction can reduce costs to the health care system, lower costs and reduce the burden on shelter and other emergency housing programs, ease the administrative burden on the courts, reduce job loss, reduce negative educational outcomes, and prevent the decline of communities that occurs when people are displaced.² A 2018 study by the Philadelphia Bar Association found that if the City of Philadelphia allocated \$3.5 million per year to fund counsel for eligible low-income tenants facing eviction, the city would save \$45.2 million per year, a return of \$12 for every \$1 spent.³ Research also shows that housing assistance, such as that provided through the Risk Mitigation and Housing Displacement Fund, reduces hardship and increases economic opportunity for low-income families.⁴ The Risk Mitigation and Housing Displacement Fund currently, and the Eviction Diversion Program when in operation, will provide cost savings to the community, help stabilize and preserve the housing market in Orange County⁵, and most importantly help Orange County residents remain in their homes and avoid the negative impacts of eviction.

The Departments of Human Rights and Relations and Housing and Community Development have been working toward bringing forward a proposed Eviction Diversion Program to the Board of County Commissioners since last year. In light of the COVID-19 pandemic and its economic impact on the community, there is a critical need for this program now. Eviction diversion programs were started around 2010 to address the number of evictions from the recession.

The Human Rights and Relations, Housing and Community Development (HCD), and Criminal Justice Resource Departments, along with the Clerk of Court, the Chief Magistrate, Carolina Student Legal Services, NC Pro Bono Resource Center, Orange Chatham Legal Aid, Commissioner Mark Marcoplos and Jamie Paulen met to discuss the impending eviction crisis and potential solutions. The group determined an eviction diversion program would offer the best solution. The two most pressing issues are: (1) ensuring attorneys are available to meet the demand; and (2) identifying funds to enable tenants to stay in residence once they have demonstrated some financial capacity to meet rental obligations going forward and the landlord has agreed to let the tenant stay.

¹ Selected examples include:

- Desmond, M. and Tolbert Kimbro, R. (2015). Eviction's fallout: Housing, hardship, and health. *Social Forces*, 94(1): 295-324.
- Cookson, T., Diddams, M., Maykovich, X., and Witter, E. (2018, September). Losing home: The human cost of eviction in Seattle. Seattle Women's Commission and King County Bar Association. <https://www.kcba.org/Portals/0/pbs/pdf/Losing%20Home%202018.pdf>
- Butera, C. (2018, January 23). The burden of a late rent check can harm the health of both parents and kids. *Pacific Standard* <https://psmag.com/social-justice/late-rent-payments-family-health>

² Stout Risius Ross. (2018, November). Economic return on investment of providing counsel in Philadelphia eviction cases for low-income tenants. Philadelphia Bar Association. <https://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/PhiladelphiaEvictionsReport.pdf>.

³ *Ibid.*

⁴ Center for Budget and Policy Priorities (2019, December 5). Research Shows Rental Assistance Reduces Hardship and Provides Platform to Expand Opportunity for Low-Income Families. <https://www.cbpp.org/research/housing/research-shows-rental-assistance-reduces-hardship-and-provides-platform-to-expand>

⁵ Urban Institute. (2020, April 14). "The Future Is Shared": Why Supporting Renters during COVID-19 Is Critical for Housing Market Stability. <https://housingmatters.urban.org/feature/future-shared-why-supporting-renters-during-covid-19-critical-housing-market-stability>

The second aspect is currently being addressed by HCD's Risk Mitigation and Housing Displacement (RM-HD) fund in helping to pay for arrears so low-income renters stave off eviction and remain in their housing. In order to meet the first need, legal counsel needs to be made available to tenants facing eviction. In most cases, low-income renters either represent themselves in court, or don't show up for their hearing, most often resulting in an eviction moving forward. Providing legal support and counsel will enhance greatly the existing work of HCD and RM-HD fund in paying arrears and will ensure that tenants remain in housing by having legal representation. The Orange County Eviction Diversion Program would bring together an Orange County temporary employed bi-lingual attorney, Legal Aid of North Carolina ("Legal Aid"), and pro bono attorneys to represent tenants in court and to act as in court mediators to negotiate agreements between tenants and landlords to avoid eviction. County staff are working with the 18th Judicial District Bar and the NC Pro Bono Resource Center to assist with identifying local pro-bono attorneys, including bi-lingual attorneys, to meet additional community needs. Referrals to the program would come through the existing HCD and Orange County Partnership to End Homelessness' Housing Helpline (a.k.a "Coordinated Entry"). Every person who calls into the Housing Helpline goes through a needs assessment that is best practice and evidence based. In addition, outreach offering legal assistance will be made to every individual tenant with a summary ejection hearing date.

As noted, HCD staff will use funds the Board has already allocated for rental arrears for this project through the RM-HD Fund (the sub-fund called "Emergency Housing Assistance", formerly "Housing Stabilization Fund"). The Board approved a one-time transfer of funds (\$100,000) from the Local Rent Supplement Program into the RM-HD Fund on April 7, 2020. Since that time, approximately forty thousand (\$40,000) in emergency housing assistance has been utilized by Orange County residents experiencing a housing crisis through the Housing Helpline (a.k.a. "Coordinated Entry").

In FY19-20, over one hundred and fifty seven thousand dollars (\$157,000) in assistance has been funded. The table below illustrates the increase in funding since January 2020. There are approximately \$35,400* in Emergency Housing Assistance funds remaining, but with new requests coming in every day, this estimate changes daily – and sometimes dramatically. At this time, a large majority of requests are coming from low-income residents who have been out of work due to COVID-19 and business closures. The Urban Institute estimates that more than 5,000 Orange County residents lost employment due to COVID-19, and most of those jobs are in the food service, retail, and accommodation industries⁶, which make up a significant portion of the County's economic base.⁷

Current Emergency Housing Assistance fund criteria is as follows. Full policies can be found here: <https://www.orangecountync.gov/2359/Risk-Mitigation-and-Housing-Displacement>

Assistance is available to households in Orange County that (1) earn no more than 60% of the area median income (AMI)*, (2) can demonstrate urgent need for housing assistance, and (3) do not have adequate savings to cover their housing costs.

To be referred for assistance, households must either:

⁶ Urban Institute (2020, April 24). Where Low-Income Jobs Are Being Lost to COVID-19.

<https://www.urban.org/features/where-low-income-jobs-are-being-lost-covid-19>

⁷ Orange County Consolidated Plan. Market Analysis (MA-45): Non-Housing Community Development Assets.

<https://orangecountync.gov/DocumentCenter/View/10806/Orange-County-NC-Consolidated-Plan-Final-Draft?bidId=>

- Be assessed through Coordinated Entry as at risk of or currently experiencing homelessness and who have identified safe, decent, and affordable housing OR
- Referred by various Orange County Departments and local service providers (e.g., Aging, Health/Family Success Alliance, Criminal Justice Resource and Social Services, Community Empowerment Fund, Interfaith Council, Compass Center, etc.)

**Preference will be given to applicants earning under 50% of AMI*

The Towns and County streamlined application and policies in April so that all Orange County residents can be assessed through the Housing Helpline process, which uses a research-based Coordinated Assessment process to connect people with community resources. One of these resources is the Towns' and County's Emergency Housing Assistance. Hillsborough, Chapel Hill, and Carrboro each have funds for emergency housing assistance. Prior to the coordination of these funds, access to the separate funds was not systematized, resident requests were not tracked across the County/system, and eligibility for each fund was disparate. Now, there is a coordinated intake system for requests and eligibility criteria are streamlined. Before streamlining, there were instances of residents not being eligible for Town funds living in the Towns' jurisdictions, so the County would cover these costs. OCHCD has established a reimbursement process with the Towns for eligible costs incurred from residents residing within the respective Town's jurisdiction. The amount incurred from each jurisdiction is recorded and tracked. This has been a fully collaborative effort between Town and County staff with the goal of lowering barriers and increasing access to emergency housing assistance funds.

The fund offers one-time assistance per household, and there is a funding maximum of \$2,000 per household. The average amount of assistance the fund provides is \$1,297, so the additional \$130k allocation could serve approximately 100 people. Thus far, OCHCD has only had one person to request assistance for a second time. However, this could become more common as issues with affordability and job security are ongoing. While the emergency housing assistance can keep someone from eviction for now, that person may not be able to afford their dwelling six months from now depending on employment, rent stability of the current housing, and other factors. However, keeping an eviction off someone's record is a powerful way to help them access housing in the future, as an eviction record can bar people from housing for years into the future.

The need for ongoing flexible housing assistance is great. Based on the current data on cost-burdened renters, there are more than 12,000 Orange County residents in need of rental subsidy to keep their income to rent ratio affordable.

OCHCD, in partnership with the Orange County Partnership to End Homelessness (and through initial staffing support from DSS), is providing case management to eligible Orange County residents in need of ongoing rent assistance through the County's Housing Help Rapid Re-Housing program, which provides rent assistance and case management for roughly 20-25 Orange County residents. OCHCD is also leveraging the Housing Choice Voucher program by implementing existing Orange County Housing Authority preferences for people experiencing homelessness and people impacted by natural disaster (to include the pandemic) to obtain longer term rent assistance through a Housing Choice Voucher. This month OCHCD began mailing HCV applications to people meeting the preference definitions with the goal of issuing 75-130 additional vouchers in 2020. All of these programs will work in tandem with the Eviction Diversion Program to help address the growing need, exacerbated by this pandemic, for affordable housing in the County.

Emergency Housing Assistance (January 1 - May 27, 2020)

	Jan		Feb		Mar		Apr		May	
	Amount	Hhlds	Amount	Hhlds	Amount	Hhlds	Amount	Hhlds	Amount	Hhlds
Application and other Fees									\$300	1
Security Deposits	\$1,850	3	\$775	1	\$2,335	3			\$500	1
Utility Deposits	\$552	3							\$489	3
Rent	\$5,964	3	\$5,344	5	\$6,669	4	\$25,090	27	\$51,479	49
Utilities	\$11	1	\$691	3	\$215	1	\$1,335	5	\$1,140	4
Hotel Stays			\$1,241	3	\$1,999	9	\$22,307	11	\$2,003	2
Misc. Housing Costs*									\$100	1
TOTAL	\$8,376	**	\$8,050	**	\$11,219	**	\$48,732	**	\$56,012	**

*E.g., bed/mattress in order to move into a unit

**Some beneficiaries received multiple types of assistance, so the sum of the beneficiaries in the table above does not total number of unique households assisted. The total number of unique households assisted is 107. The average amount of assistance per household is \$1,237.

There are additional potential CARES Act allocations that can help replenish the fund to include Emergency Solutions Grant funding and Community Development Block Grant funding from the Town of Chapel Hill. The County Manager recommended to the Board CARES Act funds allocations for housing resources as follows:

Amount	Purpose
\$42,950	Eviction Diversion Temporary Legal Assistance
\$50,000	Housing Voucher Incentives
\$50,000	Short Term Rental Assistance
\$100,000	Risk Mitigation and Housing Stabilization fund
\$100,000	Foreclosure Prevention

The Personal Responsibility And Work Opportunity Act of 1996 ("PRWORA") (8 U.S.C. § 1621(b)(2)) precludes nonimmigrants and undocumented immigrants from receiving federal public benefits. These classifications of immigrants are eligible for public health benefits, emergency services, and program identified by the United States Attorney General as necessary for the protection of life and safety. An exception to the PRWORA nonimmigrants and undocumented immigrants is for "short term, non-cash, in-kind emergency disaster relief." Nonimmigrants and undocumented immigrants would be eligible for the eviction diversion programs legal resources under this exception. PRWORA prevented federal CARES Act from providing benefits to nonimmigrants and undocumented immigrants. Nonimmigrants and undocumented immigrants who pay taxes, using an individual taxpayer identification number ("ITIN") instead of a social security number, did not receive stimulus funds nor did they receive unemployment benefits. However, HUD has provided guidance that under the "protection of life and safety" exception Rapid Re-Housing funds are not subject to PRWORA Immigration-based restrictions. So any funds received for Rapid Re-housing could be used for nonimmigrants and undocumented immigrants. However, consideration must be given to providing Rapid Re-housing funds to undocumented immigrants seeking to obtain citizenship when it is not known the affect receipt of those funds may have on the Public Charge Test.

Staff is requesting the following:

1. An allocation of Social Justice Reserve funds to finance the Eviction Diversion Program – Funds allocated would pay for 50% of a one-year salary and benefits for a temporary bi-lingual attorney, trained in eviction diversion and pro bono legal services. (The other half of the salary and benefits would be paid by the CARES funds.) The attorney would not only assist with development the program, training of pro bono attorneys and case management, but also would perform bi-lingual legal services for the Eviction Diversion Program and mediation of Housing Helpline calls prior to residents reaching court proceedings. The hiring of a temporary bi-lingual attorney trained in eviction diversion would overcome the obstacle of not only Legal Aid’s income limit threshold but also its inability to serve undocumented persons.
2. An allocation of the Social Justice Reserve funds to the Risk Mitigation and Housing Displacement Fund to pay rent and mortgage arrears to assist nonimmigrants and undocumented immigrants and continue to prevent eviction and foreclosure.
3. An allocation of Social Justice Funds to Legal Aid of North Carolina for surge assistance with eviction cases and to assist with mediation in court proceedings.
4. Authorization to seek funding from the Towns, and donations from community residents and businesses to fund this Program – While the Towns have their own emergency housing assistance funds that are streamlined with the County’s emergency housing assistance fund to follow the same referral and application process, additional funds will be requested specifically to provide support to the Eviction Diversion Program. Donations from the private sector as well as from community residents could also help bolster existing resources and services provided through this program.

County staff is currently solidifying the details of this program. However, on June 1, 2020 when the Courts open, staff would like to have the resources in place to get started assisting people. Currently, there are about 90 evictions pending. OCHCD has already reached out to the tenants and landlords to try and avoid those evictions. Staff is receiving more calls each day, and with this program, the County can begin to allay some County residents’ fears of eviction.

FINANCIAL IMPACT: Budget Amendment #9-A provides for the appropriation of \$187,950 in available Social Justice Reserve funds in the following manner:

- Forty-Two Thousand Nine Hundred Fifty dollars (\$42,950) for Temporary Employment for a full time staff attorney to provide legal and case management services;
- One Hundred Thirty Thousand dollars (\$130,000) for the Risk Mitigation and Housing Displacement Fund, and
- Fifteen Thousand dollars (\$15,000) for Legal Aid of North Carolina to increase assistance during surge of cases.

With this appropriation, there would be \$12,050 funds remaining in the Social Justice Reserve for FY 2019-20.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are applicable to this item:

- **GOAL: FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY**

The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or

ethnic background; age; military service; disability; and familial, residential or economic status.

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**

The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

- **GOAL: CREATE A SAFE COMMUNITY**

The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

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

- 1) approve the development of an Eviction Diversion Program in Orange County;
- 2) approve Budget Amendment #9-A appropriating \$187,950 from the Social Justice Reserve for the Program; and
- 3) authorize staff to seek funding for the Eviction Diversion Program from the Towns, and donations from the communities and businesses.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2020

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

SUBJECT: Guidance for Future Climate Action Fund Project Eligibility and Scoring

DEPARTMENT: Asset Management Services

ATTACHMENT(S):

1. Climate Action Fund - Revised Eligibility and Scoring Guidelines for FY20-21

INFORMATION CONTACT:

Brennan Bouma, (919) 245-2626
Steven Arndt, (919) 245-2658

PURPOSE: To:

- 1) Receive recommendations from the Climate Mitigation Review Team updating and clarifying the eligibility and scoring for future Climate Action Fund projects; and
- 2) Approve the new guidance and provide it to the Orange County Commission for the Environment (CFE) for their use in soliciting and scoring project applications for the FY20-21 round of Climate Action Fund projects.

BACKGROUND: As part of the FY 2019-20 budget, the Board of Orange County Commissioners authorized an additional ¼ cent property tax to provide an estimated \$469,272 dedicated to accelerating climate change mitigation through the new Climate Change Mitigation Project in the Capital Investment Plan. Those funds have been awarded to a first round of projects, and the process for soliciting and selecting projects is being refined and clarified with the aim of creating a formal grant program.

In mid-April, Commissioner Penny Rich asked Commissioners Renee Price, Sally Greene, and Mark Marcoplos to serve as a Climate Action Review Team to review the first year's process and make recommendations to the full Board of Commissioners during the June 2nd Business meeting. Brennan Bouma was designated to serve as supporting staff, and both Steven Arndt and Travis Myren also participated to offer assistance.

The specific charge for this group was to:

1. Review the scoring process put in place by the CFE
2. Consider modifications
3. Make eligibility recommendations to clarify who can apply for the grant
4. Confirm the application process
5. Make recommendations for the project evaluation process for the CFE to use moving forward

The Climate Mitigation Review Team conducted three virtual meetings to discuss and agree on the attached guidance document that refines and clarifies the eligibility and scoring for Climate Action Fund grant projects beginning in the FY 2020-21 round.

The recommended eligibility and scoring criteria will clarify the project selection process and ensure that the funds continue to be allocated in alignment with the intentions of the Board of Commissioners.

FINANCIAL IMPACT: The Climate Action Tax is projected to generate \$478,657 in funds in FY 2020-21, and the Board of Commissioners intends to identify impactful projects and distribute these funds promptly to accelerate action on the urgent issue of climate change and help to further stimulate the local economy.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are applicable to this item:

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

Local investments in energy efficiency and renewable energy in Orange County provides direct reduction of monthly energy bills and supports jobs and investments in clean energy technologies.

- **GOAL: ESTABLISH SUSTAINABLE AND EQUITABLE LAND-USE AND ENVIRONMENTAL POLICIES**
The fair treatment and meaningful involvement of people of all races, cultures, incomes and educational levels with respect to the development and enforcement of environmental laws, regulations, policies, and decisions. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

Reducing energy usage from the electric grid improves air quality impacts. Improving local air quality helps to protect the health of vulnerable populations in Orange County whose health is disproportionately affected by ground-level ozone and other emissions.

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impacts are applicable to this item:

- **ENERGY EFFICIENCY AND WASTE REDUCTION**
Initiate policies and programs that: 1) conserve energy; 2) reduce resource consumption; 3) increase the use of recycled and renewable resources; and 4) minimize waste stream impacts on the environment.

Investing in local climate change mitigation actions will conserve energy, reduce resource consumption, and increase the use of renewable resources.

- **RESULTANT IMPACT ON NATURAL RESOURCES AND AIR QUALITY**

Assess and where possible mitigate adverse impacts created to the natural resources of the site and adjoining area. Minimize production of greenhouse gases.

The Climate Action Fund will continue to support high-impact projects will minimize the local production of greenhouse gases, reducing Orange County's contribution to the adverse impacts of climate change on human and natural resources both inside and outside of the County.

RECOMMENDATION(S): The Manager recommends that the Board

- 1) Receive recommendations from the Climate Mitigation Review Team updating and clarifying the eligibility and scoring for future Climate Action Fund projects; and
- 2) Approve the new guidance and provide it to the Orange County Commission for the Environment (CFE) for its use in soliciting and scoring project applications for the FY 2020-21 round of Climate Action Fund projects.



Orange County Climate Action Fund – Project Eligibility and Scoring FY 2020-21

Eligibility:

All public and non-profit entities are eligible to apply as well as small businesses whose gross revenues do not exceed \$3 million annually. All proposed projects must demonstrate a positive impact on Orange County's residents and environment as described in the scoring criteria. All funds awarded through this grant program should be spent in Orange County. Before funds can be distributed, successful applicants must have the legal standing to enter into a contractual funding agreement with Orange County. Such legal standing is not required at the time of application.

The Board of Orange County Commissioners (BOCC) intends to use the Climate Action Fund to support projects that would not be completed without funding assistance. Existing projects and programs may be eligible if the applicant can demonstrate that Climate Action Funding would significantly accelerate the pace or amplify the scope of the project or program. Projects that contain repairs and replacement of necessary technology or infrastructure must show both energy efficiency improvements and demonstrate that the project is unlikely to be funded through another funding mechanism within the next 5 years.

Scoring process:

For the FY 20-21 funding round, there will be a single open application period during the Fall of 2020 with project awards scheduled by the end of the calendar year, December 31st, 2020.

In addition to the guidance and online tools provided, the Orange County Commission for the Environment (CFE) and supporting staff will respond to applicants' requests for clarification or technical assistance if submitted before the posted deadline for questions. Applicants are encouraged to ask for clarification and technical assistance as early as possible.

Once the FY 2021 application period closes, the CFE will review and score all eligible projects using a formula that prioritizes social justice and racial equity. The CFE may consult with other experts or advisory boards on any or all submitted applications for the purposes of ensuring diversity and inclusion and to reinforce their scoring decisions. Upon request, comments from the reviewers on the relative merits of an application will be made available to the Board of Orange County Commissioners and/or to the party who submitted the application.

The CFE will deliver a rank-ordered list of their recommended projects to the Board of Orange County Commissioners who will make the final funding decisions.

Scoring criteria:

Projects will be assessed by the CFE based primarily on the following main criteria. Example metrics that can be used to assign scores under the main criteria are listed below each one. Not all example metrics will apply to each project.

1. Social Justice and Racial Equity (0 to 5pts):

Low-income households have fewer resources to help them avoid or adapt to the impacts of climate change, and communities of color are often most-heavily impacted by the disruptions of climate change. Both socio-economic status and racial identity are key factors that will be used to target and track the positive impacts of these programs. It should be noted that socio-economic status and race should be tracked separately since not all County residents below the poverty line are people of color.

- Low-income or marginalized communities/households were engaged in the creation of this project.
- Low-income or marginalized communities/households benefit most directly.
- Racial minorities will be hired and/or are essential to the completion of the project.
- Any negative side effects of the project do not impact any low-income or marginalized communities/households.

2. Emissions reduced (0 to 4 pts):

This criterion rewards projects which reduce the most emissions as well as those that reduce emissions within Orange County (e.g.- transportation, carbon farming), instead of at a power plant as all of these are outside of the County except for UNC's co-gen plant which regularly only powers a portion of the UNC campus.

- A significant amount of Greenhouse gas emissions will be reduced within Orange County as a result of this project.
- Greenhouse gas emissions reductions are directly attributable to the project.

3. Efficient use of Funds (0 to 4 pts):

This criterion measures the relative impact per dollar of investment from the Climate Action Fund, as well as how. Some example metrics include:

- Impact per grant dollar.
- Generated cost savings over a reasonable payback period.
- Acceleration or expansion of existing programs that already show positive impact.
- Leveraging other funding sources.
- The proposed project positions the applicant for future funding from other sources.

4. Capacity of Applicant (0 to 3 pts)

- Applicant has the expertise to complete the project, and shows understanding of what is needed to accomplish the project goals.
- Applicant has done similar projects or has collaborators with direct experience in the project field.

5. Local Economic Development (0 to 3 pts):

Reducing climate change impacts can also increase and diversify local economic development. Transitioning to renewable energy and clean technologies is a huge market opportunity and the County Commissioners want to reward projects that emphasize local investment. Some example metrics include:

- Number of Orange County residents employed by the applicant organization.
- % of project materials that are sourced within Orange County/The Triangle/North Carolina.

6. Amount and Duration of Engagement (0 to 3 pts):

This criterion measures the extent to which projects effectively educate on climate change impacts, mitigation, and/or resilience, and increase community awareness and engagement with climate change efforts. Some example metrics include:

- Number of people reached.
- Retention of new knowledge or attitude after project completion.
- Likelihood of impacted audience continuing engagement with climate change efforts.

7. Time to complete (0 to 3 pts):

- Project can be completed or show clear positive impacts within two years or less.

CFE Project Scoring Table:

<u>Project</u>	<u>Cost Estimate</u>	<u>Social Justice/Racial Equity (5 pts)</u>	<u>Emissions Reduced (4 pts)</u>	<u>Efficient use of Funds (4 pts)</u>	<u>Capacity of Applicant (3 pts)</u>	<u>Local Economic Development (3 pts):</u>	<u>Amount and Duration of Engagement (3 pts):</u>	<u>Time to Complete (3 pts):</u>	<u>Total</u>	<u>Rank*</u>
Total (Max for 2020-21: \$478,657)										

*All projects, including those that tied in their scoring and those that exceed the funding limit will be placed in rank order by CFE voting.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2020

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

SUBJECT: Amendments to the Advisory Board Policy

DEPARTMENT: Clerk to the Board/County
Attorney

ATTACHMENT(S):

Draft Policy

INFORMATION CONTACT:

John Roberts, County Attorney, 919-
245-2313

PURPOSE: To consider one clarification to the advisory board policy and potentially allow remote meetings of advisory boards.

BACKGROUND: On March 13, 2020 the Board Chair declared a State of Emergency in Orange County (“Declaration”) related to the national emergency created by the Corona Virus Disease 2019 pandemic. At that time the Chair directed all Orange County advisory and other boards to cease in-person meetings to reduce chances of virus transmission. The Orange County Board of Commissioners Advisory Board Policy (“Policy”) does not allow remote meetings. This restriction was included by the Board during the creation of the Policy to encourage members of advisory boards to actually attend meetings rather than attending by teleconference. Recently members of the Board have expressed an interest in removing this restriction.

There is also language included allowing individual members to attend meetings remotely when they are unable to be physically present for a regularly scheduled meeting. Further the County Attorney noticed a technical inconsistency in the Policy and made a minor change that specifically includes three quasi-judicial boards in the ethics and limitations sections of the Policy. These three boards are left out of the remote meetings sections based on due process concerns with conducting quasi-judicial hearings remotely.

All proposed language is included in the draft and the Board may change or reject all, including the technical correction mentioned above, and should discuss any other options the Board may wish to consider.

Option 1 – leave in place the restrictions on remote meetings.

Option 2 – leave the general restriction on remote meetings in place for advisory boards, but specifically authorize the Manager to allow a remote meeting for an advisory board when a meeting is immediately necessary to further County business.

Option 3 – only allow remote meetings during declared states of emergency and do so for all advisory boards whether or not authorized by the Manager.

Option 4 – allow remote meetings during declared states of emergency and allow individual members to attend remotely at any other time.

Option 5 – allow remote meetings at all times.

Remote meetings will need to be compliant with statutory notice provisions and with open meetings laws. All remote meetings must provide for access by the public and where applicable also comment by the public. Deputy Clerk David Hunt also indicates the Board should consider that a “hybrid meeting with some board members on-site and some at home will be technologically challenging. A conference call with a single phone in the meeting room would be the least complicated solution. Setting up a video conference is more complicated. (Think camera positions, sharing documents, view for members in the room, view for public in the room, etc.)”

FINANCIAL IMPACT: The financial impact associated with this action is dependent upon the number and type of remote meetings.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends the Board discuss the options and select an option to become effective July 1, 2020, or otherwise instruct staff how to proceed.

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS ADVISORY BOARD POLICY

SECTION I: SCOPE

A. Purpose

1. To establish a policy and procedures whereby the Orange County Board of Commissioners will make appointments to public advisory boards, committees, commissions, and councils (hereinafter “advisory boards”).

B. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards.
2. The Orange County Board of Commissioners may establish rules and regulations in reference to managing the interest and business of the County.
3. The Orange County Board of Commissioners has the responsibility to appoint residents to serve as members of advisory boards established by the Commissioners.
4. Orange County department directors and staff are responsible for providing support to the advisory boards.

C. Policy and Periodic Review

1. This Advisory Board Policy establishes some parameters for:
 - a. Appointments to state-mandated, regional, and/or county-developed advisory boards.
 - b. Removals from such advisory boards.
 - c. Quorum and voting standards.
 - d. A code of general conduct for advisory board members.
 - e. Other aspects of advisory board service the Orange County Board of Commissioners wishes to address.
2. Periodic Review
 - a. Periodic review of this Advisory Board Policy will be conducted every five (5) years by the Orange County Board of Commissioners.
 - b. This Advisory Board Policy may be changed or adjusted as deemed necessary by the Orange County Board of Commissioners regardless of whether it is scheduled for a review.

D. Applicability

1. To the extent it does not conflict with the statute or ordinance creating a specific advisory board, where applicable, this Advisory Board Policy applies to the following Orange County advisory boards, policies, commissions, and councils:
 - a. Adult Care Home Community Advisory Committee
 - b. Advisory Board on Aging
 - c. Affordable Housing Advisory Board
 - d. Agricultural Preservation Board
 - e. Animal Services Advisory Board
 - f. Arts Commission

- g. Commission for the Environment
- h. Economic Development Commission
- i. Historic Preservation Commission
- j. Human Relations Commission
- k. Nursing Home Community Advisory Committee
- l. Orange County Parks and Recreation Council
- m. Orange County Planning Board
- n. Orange Unified Transportation Board
- o. Visitor's Bureau

2. Except as otherwise provided herein or through a specific advisory board policy this Advisory Board Policy shall control the appointment, reporting, operation and other requirements of the advisory boards listed above except to the extent the same are controlled by a specific statute or ordinance. In those cases, as noted above, where a statute or ordinance controls the requirements of the advisory board and the terms of this Advisory Board Policy conflict with the terms of the statute or ordinance the statute or ordinance shall prevail.

2-3. Although not advisory boards the Board of Adjustment, Board of Equalization and Review, and Animal Services Hearing Panel shall comply with the terms of this Advisory Board Policy to the extent those boards are specifically addressed herein.

SECTION II: DUTIES

A. Community Contact

1. Advisory boards, through their membership and subcommittees, shall maintain contact with stakeholder groups. In this manner, the advisory board is kept apprised of current information related to matters under the jurisdiction of Orange County.

B. Primary Responsibilities

1. Individual advisory boards shall maintain awareness of their goals and objectives as those goals are related to the Orange County Board of Commissioners' adopted overall goals and objectives for Orange County.
2. All actions or recommendations of the advisory board shall be communicated to the Orange County Board of Commissioners as provided herein.

SECTION III: MEMBERSHIP

A. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.
 - a. All members of standing, statutory boards must meet the qualifications for the specific statutory requirements for an appointed position.

- b. All boards members must be eighteen (18) years of age or older unless applying for a youth-designated position.
- c. All board members shall be residents of Orange County and shall maintain their domicile in Orange County unless they are under eighteen (18) years of age and applying for a youth-designated position. The Clerk shall confirm applicants are residents of Orange County and maintain their domicile in Orange County.
 - i. Domicile is defined as one's permanent established home as distinguished from one's temporary although actual place of residence.
- d. All board members shall have good reputations for integrity and an interest in community service.
- e. No nominee to a board shall be currently employed by Orange County government and serve on a board that directly affects their work.
- f. No nominee may currently be a party to or be the actual legal representative in litigation against Orange County. The Clerk shall confirm nominees are not involved in such litigation.
- g. Each nominee must be prepared and committed to participate in advisory board work in a manner that enhances relationships between the county and the community.
- h. Advisory board members shall owe no outstanding taxes at the time of appointment.
- i. All board members are representatives of the Orange County Board of Commissioners and shall conduct themselves, both in their official actions and personal actions so as to be above reproach in their conduct and shall not bring disrepute to either the County or the Commissioners.
- j. The Orange County Board of Commissioners may waive any of the conditions within this section, with the exception of statutorily imposed conditions.

B. Composition

1. The Orange County Board of Commissioners shall appoint all voting and nonvoting ex officio members to advisory boards. The Orange County Board of Commissioners shall endeavor to appoint members who represent the ethnic, cultural, demographic, and geographic diversity of the community.

C. Selection Criteria

1. Appointed members, except for ex officio members, shall be qualified by the Clerk to the Board of County Commissioners.
2. Members shall be appointed from applicants whose properly filed and submitted applications were submitted to the Clerk to the Board of Orange County.

D. Appointment

1. All members of advisory boards serve at the pleasure of the Orange County Board of Commissioners.
2. Appointments to advisory boards will be initiated with a public application process from individuals, advisory boards, or community and professional organizations.

3. All appointments to advisory boards will be made by the Orange County Board of Commissioners.
 - a. The Orange County Board of Commissioners may elect to interview applicants to certain advisory boards.
 - b. In the event the Orange County Board of Commissioners conducts such interviews the advisory board to which the applicant seeks appointment may identify and suggest interview questions to the Orange County Board of Commissioners.
4. No person appointed to an Orange County advisory board shall serve on that board for more than two consecutive terms of three years each. Any appointment to a vacant position for less than a full three year term shall be considered a full term if the time of membership is 24 months or greater.
5. The Orange County Board of Commissioners may direct the Clerk to the Board of County Commissioners to establish an orientation program for certain advisory or other boards.
6. Extension of a member's term may be approved by the Orange County Board of Commissioners if it is determined that it is in the best interest of Orange County to allow an individual to continue to serve.

E. Term

1. Each appointed advisory board member shall hold office until the qualification and appointment of his or her successor or until one year has elapsed since the expiration of the term for which the member was appointed, whichever first occurs. No person shall serve as an appointed member of an advisory board for more than two consecutive terms of three years.
2. In order to establish staggered terms the original voting members of the advisory board shall be appointed as follows:
 - a. One- third for a one year term.
 - b. One-third for a two year term.
 - c. One third for a three year term.
 - d. Thereafter, each newly appointed voting member shall serve for a three year term.
3. Advisory board members whose terms are due to expire may request they be appointed to a second term or be asked to accept a second term appointment to the position.
4. Notwithstanding section III(E)(1) above the membership of any advisory board member whom the Orange County Board of Commissioners decline to appoint to a second term shall immediately terminate upon the expiration of their term.
5. Advisory board members may not serve concurrently on more than two (2) Orange County advisory boards. This restriction does not impact an individual's service on boards and commissions that are not Orange County advisory boards or short term task forces or work groups.

F. Resignation

1. If a member wishes to resign, the member shall submit the resignation in writing to the Chair of the advisory board on which the member serves and the Clerk to the Board of Orange County Commissioners, noting the effective date of the resignation.

2. The advisory board Chair will forward a copy of the resignation to the Clerk to the Board of Orange County Commissioners.
3. The Orange County Board of Commissioners may recognize the individual's service via a letter or certificate.
4. An announcement of the open seat will be made at the time the resignation becomes effective.

G. Vacancies

1. Upon the expiration of the term of service of members or should a vacancy otherwise occur, the Orange County Board of Commissioners shall have the responsibility of selecting and appointing new members to the advisory board.
2. Should any vacancy for which there is a board specific requirement that such vacancy be filled by a nominee of a municipal corporation or a resident of a specific Orange County township remain unfilled for six (6) consecutive months the board specific requirements may be set aside and the Orange County Board of Commissioners may fill the vacancy with any applicant otherwise qualified to serve.

H. Removal

1. Members of Orange County's advisory boards serve at the pleasure of the Orange County Board of Commissioners and may be removed for any reason or no reason with or without cause.
2. Members of Orange County's advisory boards are expected to abide by the highest ethical and professional standards.
3. In addition to Section III(H)(1) above, the Orange County Board of Commissioners shall remove any member of an advisory board for neglect of duty, nonparticipation that becomes problematic to the advisory board's functioning and purpose. Neglect of duty and nonparticipation are defined as follows:
 - a. Missing three (3) consecutive meetings; or
 - b. Missing twenty-five percent (25%) of meetings within any twelve (12) month period.
 - c. For this section III(H)(3) to apply, the missed meetings in question must be unexcused.
4. The advisory board Chair shall notify a member if the member is at risk of being removed pursuant to section III(H)(3).
5. The advisory board Chair shall notify the Clerk to the Board of Orange County Commissioners if a member has violated section III(H)(3).

I. Release from Service

1. When it is deemed necessary by the Orange County Board of Commissioners to release a member from his or her term of appointment on an advisory board, the affected individual shall be notified by the Clerk to the Board of County Commissioners by letter and/or electronic mail.
2. When an advisory board has completed its function, the members shall be informed of the completion of their service and the termination of the advisory board by letter and/or electronic mail.

SECTION IV. ROLES AND RESPONSIBILITIES

A. Members

1. Members shall attend meetings of the advisory board, serve on subcommittees, and perform other functions as assigned by the advisory board chair with the approval of the advisory board.
2. If a member is unable to attend a meeting the member shall contact the Chair or designated staff as much in advance of the scheduled meeting as possible.
3. Ex officio members may be appointed by the Orange County Board of Commissioners for the purpose of meeting subject matter expertise needs. Ex officio members are nonvoting members of the advisory board.
4. Upon review of the above matters, the Orange County advisory board shall address recommendations and concerns, if any, to the Orange County Board of Commissioners in writing.

B. Advisory Board

1. The Orange County Board of Commissioners will consider all advisory board recommendations and/or concerns.
 - a. Should any concerns remain unresolved after a response has been received from the advisory board, the Orange County Board of Commissioners may request that the matter be referred to the County Manager.
2. To enhance trust between Orange County Government and the community, Orange County advisory boards shall:
 - b. Assist the staff of Orange County in achieving a greater understanding of the nature and causes of community issues, with an emphasis on improving relations between the department and the residents.
 - c. Recommend methods to encourage and develop the advisory board's ability to accomplish their work.
 - d. Work throughout the community to gain relevant information about advisory board issues and communicate these to the staff of Orange County and the Orange County Board of Commissioners.
 - e. Promote public awareness of contemporary issues Orange County must address to achieve the Orange County Board of Commissioners' goals and priorities.

C. Chair, Vice Chair, Secretary

1. Selection
 - i. Election
 1. Chair, Vice Chair and Secretary shall be elected by the advisory board unless otherwise specified by the Board of Commissioners.
 2. Chair, Vice Chair and Secretary shall be elected to one-year terms.
 3. Chair, Vice Chair and Secretary shall serve no more than three consecutive one-year terms.
 4. Chair, Vice Chair and Secretary shall assume office on the date of their election. At the first advisory board meeting upon assuming office the advisory board Chair or department staff shall present members with a copy of the advisory board's charge, scope of authority, membership responsibilities, and code of conduct.
2. Responsibilities
 - i. The advisory board Chair:

1. Calls all meetings.
 2. Serves as the presiding officer and conducts advisory board meetings.
 3. Is the Authorized spokesperson for the advisory board.
 4. Assists staff in developing the advisory board meeting agenda.
 5. Appoints and dissolves subcommittees, and the Chair and members thereof, of the body in consultation and with approval of the advisory board.
 6. Sets goals for the advisory board in consultation with the Orange County Board of Commissioners.
 7. Carries out advisory board assignments as required by the Orange County Board of Commissioners.
 8. Reviews all advisory board minutes and proposed recommendations or assigns another member of the advisory board to do so.
 9. May excuse members from attending advisory board meetings up to two (2) times per twelve (12) month period.
- ii. The advisory board Vice Chair:
1. Serves as the presiding officer and conducts advisory board meetings in the absence of the Chair.
 2. Has all the responsibilities of the Chair in the Chair's absence.
- iii. The advisory board Secretary:
1. Takes (or oversees the taking of) minutes for all advisory board meetings.
 2. Submits minutes to the Chair to be distributed to advisory board members in advance of meetings.
 3. Submits approved advisory board minutes to the Clerk to the Orange County Board of Commissioners for retention and distribution to the Orange County Board of Commissioners.
 4. Assures that other records of the advisory board are kept as directed by the Chair or the Orange County Board of Commissioners.
- iv. Removal:
1. The Chair, Vice Chair and/or Secretary may be replaced at any time by the Orange County Board of Commissioners.

SECTION V. ORGANIZATION

A. Orientation and Training

1. Orange County will make available for advisory board members and department staff periodic training on state and/or county goals and priorities as well as relevant statutes and policies, including open meetings, public records, conflicts of interest and ethics.
2. Each member shall attend an orientation to familiarize the advisory board members with the operation of County government, applicable department rules, and the operating procedures of the advisory board.

- a. The Chair and Vice Chair, if newly elected, shall attend an additional orientation to familiarize themselves with the duties and responsibilities of the Chair and Vice Chair and the guidelines for conducting meetings.
 3. Each voting member will be encouraged to complete the orientation within the time frame established by the policy of the specific advisory board to which they have been appointed.
 4. Advisory board members will be issued a manual and should become familiar with its contents.
- B. Operating Expenses
1. Members, when in service on the board, are not employees of Orange County.
 2. Members serve in a voluntary capacity and shall receive monetary compensation or reimbursement only per standard county policy and with Orange County Board of Commissioners approval.
 3. Members shall receive no financial or employee benefits from the County unless authorized by another section of this policy and specifically approved by the Orange County Board of Commissioners.
 4. The County will provide office supplies and assume responsibility for other reasonable expenses necessary for the operation of the board.
- C. Confidentiality
1. The Chair shall serve as the spokesperson for the advisory board.
 2. Except for the Chair, no member of the advisory board shall make any written or oral statement of any confidential matter to any individual, business, or agency. A violation of this section will result in that member's immediate removal from the advisory board.
 3. Members of the advisory board may receive information regarding personnel matters and other information of a sensitive or confidential nature. It shall be the duty and responsibility of each member to respect and maintain the confidentiality of client issues presented before the board. Neither the advisory board nor any individual member shall disseminate confidential information received during advisory board meetings.
 4. Advisory board members may be required to sign confidentiality statements as necessary and will be removed from the advisory board upon violation of the confidentiality agreement.

SECTION VI. MEETINGS

- A. Regular Meetings
1. All meetings are to be open to the public as required by the applicable North Carolina General Statutes.
 2. Unless otherwise specified, public meetings will follow the standard rules of procedure defined by the Orange County Board of Commissioners.
 - 2.3. During a state of emergency declared by the Chair of the Board of Commissioners of Orange County the Orange County Manager may authorize any or all advisory

boards to meet remotely, as needed, pursuant to the remote meeting rules set out herein.

~~3.4.~~ The advisory board members shall determine the date, time, and place for each meeting, consistent with the guidelines below.

a. Regular advisory board and subcommittee meetings.

- i. The advisory board convenes upon call of the Chair and meets on schedule as established by the specific advisory board policy.
- ii. Subcommittee meeting dates shall be set by the subcommittee Chairs and shall be scheduled in conjunction with advisory board meetings.
- iii. A schedule of all meeting dates, times, and places shall be properly posted in accord with North Carolina Law and delivered to the Clerk to the Board.

B. Special Meetings

1. A majority of advisory board members or the Chair may call special meetings at any time for any specific business. Special meetings shall be convened at a location selected by the Chair.
2. All called special meetings shall be noticed in accord with North Carolina Law and delivered to the Clerk to the Board.

C. Emergency Meetings

1. A majority of advisory board members or the Chair may call a meeting in emergency circumstances by providing telephone notice to media outlets at least one hour prior to the meeting.
2. An emergency situation includes a disaster that severely impairs the public's health or safety. In the event telephone services are not working, notice that the meetings occurred must be given as soon as possible after the meeting in accord with North Carolina Law and by delivery to the Clerk to the Board.

D. Notice of Meetings Generally

1. Notice of advisory board meetings, including public hearings and appeals if applicable, and agendas shall be made available to all members and interested parties, and to any person who requests such notice, at least ten (10) days in advance of the meeting by e-mail and by posting on the Orange County government website.
2. All applicable notice requirements established by North Carolina law shall be followed.
3. Prior to January 5th of each calendar year the Board shall cause a schedule of its meetings to be posted in a readily accessible location. Such schedule shall be delivered to the Clerk to the Board of Commissioners for posting to the Orange County website.

~~3.4.~~ In the event of a state of emergency declared by the Chair of the Board of Commissioners of Orange County should advisory boards meet remotely, proper notice of the remote meeting(s) will be posted through the office of the Clerk to the Board of Commissioners.

E. Agendas

1. Board members and/or staff members shall submit agenda items to the Chair and staff for consideration at least fifteen (15) days prior to a scheduled meeting.
2. The agenda must provide a description of each item of business to be transacted or discussed so that interested members of the public will be capable of understanding the nature of each agenda item.
3. As a general rule, only those items appearing on the agenda will be discussed or voted on. However, if an item is raised by a member of the public, the advisory board may accept public comment and discuss the item so long as no action is taken until a subsequent meeting.
4. With the Chair's agreement, the designated staff will develop and distribute to each member an agenda listing the matters to be considered at upcoming advisory board meetings. Also, so far as practicable, copies of all written reports that are to be presented to the advisory board for members' review will be included in this package at least ten (10) days before the meeting.
5. All recommendations and reports of the advisory board, approved in the form of motions, shall be conveyed exclusively to the Orange County Board of Commissioners for consideration, approval or denial. Outcomes are reported back to the advisory board.

F. Minutes

1. Minutes shall be taken of all advisory board meetings and submitted to the Clerk to the Board of Orange County Commissioners for retention and distribution to the Orange County Board of Commissioners.

SECTION VII. SUBCOMMITTEES

A. Purpose and Formation

1. Subcommittees may be formed by the advisory board to research and make special recommendations on special issues or areas in order to carry out the duties of the advisory board.
2. All subcommittees shall be reviewed by the appointing body on an annual basis to determine continued need and realignment with the priorities of the advisory board.
3. Approved subcommittees must have documented goals, deliverables, and a timeline. The subcommittee will cease to meet when these are satisfied.
4. The advisory board Chair may request that the Orange County Board of Commissioners change the structure and/or operating procedures of the advisory board if he or she deems it essential for improving the board's productivity and effectiveness.
5. A subcommittee can be formed with the approval of the advisory board chair and majority vote of the advisory board.
6. Subcommittees shall operate as directed by the advisory board.

B. Procedure and Membership

1. A member of the subcommittee shall take responsibility for taking minutes of subcommittee meetings and shall report to the advisory board the subcommittee's progress toward its stated objectives, including dissenting viewpoints.

2. Subcommittees shall operate by majority vote.
3. Subcommittees may request a technical representative be approved by the County Manager.
4. Subcommittees shall operate openly as defined by applicable North Carolina State law and local ordinances and policies.
5. Membership on subcommittees shall be voluntary unless the specific advisory board policy dictates otherwise.

SECTION VIII. QUORUM AND VOTING

A. Quorum

1. A quorum for a meeting of an advisory board and any subcommittee thereof shall consist of a majority of the number of appointed members. Vacant positions are not counted when determining if a quorum is present.
2. Members who ~~teleconference into the~~ remotely attend a meeting may ~~not~~ be counted present for purposes of a quorum.

B. Voting

1. Unless otherwise required by law, all decisions shall be reached by a simple majority vote.
2. All voting will be conducted in open meetings, except when in closed session where such closed session is permitted by North Carolina law.
3. No issues can be voted upon unless a quorum is present.
4. Only appointed members can vote at advisory board meetings.
5. Appointed members shall not delegate their vote to another member.
6. The Chair of the advisory board may participate and vote on all issues.
7. Voting by proxy is not authorized and shall not be allowed.
8. Members may not abstain from voting but where a member has a conflict of interest the member may be excused by majority vote of the advisory board.
9. Members of advisory boards must be ~~physically~~ present to vote. Presence may be accomplished through remote attendance or physical attendance.
10. Individuals appointed as ex officio members of the advisory board are not authorized to vote on any issue before the advisory board.

SECTION IX. ETHICS

A. This section also applies to the Board of Adjustment, Board of Equalization and Review, and Animal Services Hearing Panel.

A-B. Conflict of Interest

1. During advisory board meetings, a member shall immediately disclose any potential conflict of interest and request to be excused from voting when he or she has a conflict of interest.
2. During appeal proceedings, the applicant has the right to question the interest of any voting member. The advisory board chair should consult with the County Attorney or staff attorney on any potential conflict of interest in appeal matters.
3. In determining from existing facts and circumstances whether a conflict of interest exists the determining party shall consider the facts and circumstances as would an

ordinary and reasonable person exercising prudence, discretion, intelligence, and due care.

B.C. Gifts

1. An advisory board member shall not directly or indirectly ask, accept, demand, exact, solicit, seek, assign, receive, or agree to receive any gift or honorarium for the advisory board member, or for another person, in return for being influenced in the discharge of the advisory board member's official responsibilities.
2. This section shall not apply to gifts or awards authorized by Orange County Policies, Resolutions, or Ordinances.

C.D. Code of Ethics

1. Advisory board members should act with integrity and with independence from improper influence as they exercise the functions of their offices. Characteristics and behaviors that are consistent with this standard are:
 - a. Adhering firmly to a code of sound values.
 - b. Behaving consistently and with respect towards everyone with whom they interact.
 - c. Exhibiting trustworthiness.
 - d. Living as if they are on duty as appointed officials regardless of where they are or what they are doing.
 - e. Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner.
 - f. Remaining incorruptible, self-governing, and not subject to improper influence, while at the same time being able to consider the opinions and ideas of others.
 - g. Disclosing contacts and information about issues that they receive outside of public meetings, and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves.
 - h. Treating other advisory boards and advisory board members and the public with respect, and honoring the opinions of others even when they disagree.
 - i. Being careful not to reach conclusions on issues until all sides have been heard.
 - j. Showing respect for their appointed office and not behaving in ways that reflect badly on the office, the advisory board, Orange County, or the Orange County Board of Commissioners.
 - k. Recognizing that they are part of a larger group and acting accordingly.
 - l. Recognizing that individual board members are not generally allowed to act on behalf of the board, but may only do so if the board specifically so authorizes, and that the board must take official action as a body.
 - m. Being faithful in the performance of the duties of their offices.
 - n. Acting as especially responsible residents whom others can trust and respect.
 - o. Faithfully attending and preparing for meetings.

- p. Carefully analyzing all credible information that is properly submitted to them, and when applicable, being mindful of the need not to engage in communications outside the meeting in quasi-judicial matters.
 - q. Being willing to bear their fair share of the board's workload.
 - r. To the extent appropriate, they should be willing to put the board's interests ahead of their own and shall avoid the appearance of a conflict of interest and shall, under no circumstances, use their position on any board for personal gain or profit.
2. Members of the Planning Board, Board of Adjustment, Economic Development Commission, and Board of Equalization and Review shall upon initial appointment, and prior to December 31 annually thereafter, disclose:
- a. Any interest he or she or his or her spouse or domestic partner has in real property situated in whole or in part in Orange County and the general description of that property.
 - b. Any legal, equitable, beneficial or contractual interest he or she or his or her spouse or domestic partner has in any business, firm or corporation, which is currently doing business with Orange County pursuant to contracts awarded by Orange County, or which is attempting, or has attempted in the past calendar year, to secure the award of a bid from Orange County or the approval of any Board or Agency of Orange County.
 - c. Failure to file a disclosure statement setting out the above required information shall result in immediate removal of the member from the applicable board.

SECTION X. COMPENSATION AND TRAVEL REIMBURSEMENT

A. Compensation

- 1. As a general rule advisory board service is voluntary and appointed members shall receive no form of compensation for their services.
- 2. However, should the Orange County Board of Commissioners determine, in its sole discretion, that an advisory board's members should be compensated, such compensation shall be addressed in that advisory board's specific policy and rules of procedure as adopted by the Commissioners.

B. Travel Expense Reimbursement

- 1. The Chair shall, to the extent practicable, schedule all hearings and advisory board meetings to minimize travel and per diem costs.
- 2. Payment of expenses to advisory board members shall occur only when travel has been approved by the County Manager prior to the time the expenses are incurred.
- 3. Orange County shall reimburse reasonable and necessary travel and incidental business expenses from pre-approved travel to advisory board members
- 4. Advisory board members shall be reimbursed in accordance with current local and/or state rules and regulations. Expense claims shall be submitted as required pursuant to the Orange County travel policy.
- 5. Transportation expense claims shall include charges essential for transportation to and from the meeting place. Reimbursement shall be made only for the local

government's standard mileage allowance. Travel should be via the shortest, most commonly traveled route.

6. Travel expense does not include hotel/motel expenses.

SECTION XI. LIMITATION OF POWER AND AUTHORITY

- A. Nothing contained in this Advisory Board Policy shall be construed to conflict with any North Carolina law or Orange County ordinance. Should there be an appearance of conflict, the appropriate North Carolina law or Orange County ordinance shall prevail.
- B. The activities of the advisory board shall, at all times, be conducted in accord with applicable Federal law, North Carolina law, and Orange County ordinances.
- C. Advisory Boards, the Board of Adjustment, Board of Equalization and Review, and Animal Services Hearing Panel, and any members thereof shall not (and shall not have the express or implied authority to):
 1. Incur expense or obligate Orange County in any manner.
 - a. Any expense incurred must have been pre-approved either through the department director overseeing the advisory board's budget, the Orange County Board of Commissioners, or the County Manager.
 - b. It is specifically acknowledged that no member of an advisory board has the authority, express or implied, to, contractually or otherwise, bind Orange County.
 2. Identify or release any draft document that has not been approved for release by the Orange County Board of Commissioners or County Manager.
 3. Take positions, in their capacity as an advisory board member, on any political issue or support or oppose any candidate for public office.
 4. Independently investigate resident complaints against Orange County, any department or any employee of a department.
 5. Conduct any activity that might constitute or be construed as an official governmental review of departmental or employee actions.
 6. Conduct any activity that might constitute or be construed as establishment of Orange County or departmental policy.
 7. Violate the confidentiality of any information related to matters involving pending or forthcoming civil or criminal litigation.
 8. Engage in any act to impose or attempt to impose discipline on any advisory board member, department, or employee.
 9. Interfere, attempt to interfere or involve themselves in any way in staff personnel matters regardless of the nature of the matter.

SECTION XII. REMOTE MEETINGS AND REMOTE ATTENDANCE PURSUANT TO NCGS §166A-19.24

A. Declared states of emergency.

1. Upon a declaration of a state of emergency in Orange County by the Chair of the Board of Commissioners advisory boards subject to this Advisory Board Policy may meet remotely.

2. A remote meeting is an official meeting, or any part thereof, with a majority or all of the members of the advisory board participating by simultaneous communication.
3. Simultaneous communication is any communication by conference telephone, conference video, or other electronic means.
4. Advisory Boards shall comply with open meetings laws.
5. Advisory Boards shall coordinate with the Clerk to the Board of Commissioners to notify the public of the remote meetings and the means by which the public may access the remote meetings.
6. If at any time during a remote meeting the number of members needed for a quorum is disrupted by a loss of simultaneous communication the meeting will not continue until simultaneous communication is restored and if simultaneous communication cannot be restored the meeting will be adjourned without further action.

B. Remote attendance at other times.

1. At all other times advisory boards shall meet in person at the time and location adopted in the board's meeting schedule and as set out herein.
2. Should a member be unable to physically attend a meeting the member may attend remotely so long as simultaneous communication is maintained for the remotely attending member(s) and only so long as the public has access to communications by the member(s).
3. Remote attendance involves a member(s) of the advisory board participating by simultaneous communication.
4. If the presence of a member(s) remotely attending a meeting is necessary for purposes of achieving a quorum and simultaneous communication with the member(s) is lost the meeting will not continue until simultaneous communication is restored and if simultaneous communication cannot be restored the meeting will be adjourned without further action.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2020

Action Agenda

Item No. 6-d

SUBJECT: Coronavirus Relief Funding Plan and Additional Emergency Small Business Grant Funds

DEPARTMENT(S): County Manager and Financial and Administrative Services

ATTACHMENT(S):

INFORMATION CONTACT:

Bonnie Hammersley, (919) 245-2300

Travis Myren, (919) 245-2300

Gary Donaldson, (919) 245-2453

Paul Laughton, (919) 245-2152

PURPOSE: To approve:

- 1) the appropriation of \$2,665,753 in Coronavirus Relief Funding (CRF) on a County-wide per capita basis;
- 2) the submittal of the County's CRF Plan by June 1, 2020; and
- 3) the appropriation of \$410,000 in Article 46 Sales Tax Small Business Loan Funds for Emergency Funding to small businesses.

BACKGROUND: The North Carolina General Assembly unanimously approved the Coronavirus Relief Funding (House Bill 1043) that was signed by the Governor on May 4, 2020. The CRF package includes relief measures related to public health and safety, education, small business assistance, and continuity of state government operations.

The Orange County State-wide per capita share is \$2,665,753 of the \$150 million allocated to NC counties. House Bill 1043 does not appropriate any funds directly to a city or town, but instead delegates that funding decision to counties. At the May 19, 2020 Virtual Business Meeting, the BOCC approved the CRF funding allocation detailed in the table below based on a per capita allocation.

Coronavirus Relief Fund	\$	Per Capita Allocation
	2,665,753.00	
ORANGE	\$ 1,546,136.74	58%
CARRBORO	\$ 266,575.30	10%
CHAPEL HILL	\$ 746,410.84	28%
DURHAM	\$ -	0%
HILLSBOROUGH	\$ 79,972.59	3%
MEBANE	\$ 26,657.53	1%
TOTAL	\$ 2,665,753.00	100%

COVID-19 Eligible Expenses:

- Support COVID-19 related expenditure for public health staff and program costs, personal protective equipment (PPE), public safety staff expense, medical expense, overtime or mandatory pay, distance learning and teleworking requirements
- Economic and Human Services support
- Expenses must be incurred between March 1, 2020 – December 30, 2020
- Funds cannot be used to replace lost local government revenue

The proposed County compiled CRF Funding Plan following requests from County departments is:

Categories	Planned Expenditures
Public Health Expenses; PPEs, Disinfectants	\$570,000
Personnel Support	\$350,000
Human Services including Housing Assistance and Food to vulnerable residents	\$456,136
Telework and Information Technology	\$145,000
Economic Development	\$25,000
Total	\$1,546,136

CRF Reporting Requirements

June 1, 2020 - Counties determine a funding plan

Beginning October 1 - Submit Quarterly Reporting of expenditures to the State

The Funding Plan categories due by June 1, 2020 are:

- 1) Medical expenses
- 2) Public health expenses
- 3) Payroll expenses
- 4) Expenses to facilitate compliance with COVID-19-related public health measures
- 5) Expenses associated with economic support including small businesses

Emergency Small Business Grants

Staff is separately proposing using \$410,000 from Article 46 Sales Tax Small Business Program funds to provide Round 2 Emergency Grants to small businesses based on a financial review of businesses April 2019 and April 2020 revenue. Grant Program eligibility requirements:

- Orange County based businesses
- A business must have not received Federal CARES Act, State or local funds
- Minimum of one year of operations
- Provide a public benefit in the form of job creation and tax base increase
- For-Profit business status
- All applicants are required to have been in business for a minimum of one-year, hold applicable 2019 business privilege licenses, and be registered with appropriate legal entities such as the North Carolina Secretary of State or Orange County Register of Deeds office
- Companies are not eligible if they have past-due tax liabilities or tax liens, delinquencies in Orange County property taxes, or were in bankruptcy (Corporate or Personal) prior to the pandemic

FINANCIAL IMPACT: The State has allocated \$2,665,753 to the County for eligible COVID-19 expenses and the use of \$410,000 of Article 46 Sales Tax Small Business Fund. There will be forthcoming Budget Amendments for both funding sources.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item.

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**

The creation and preservation of infrastructure, policies, programs, and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board approve the CRF Funding Plan for submittal to the State as stated herein, and approve the appropriation of \$410,000 from Article 46 Sales Tax Small Business Loan Program funds for Emergency Small Business grants.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT
Meeting Date: June 2, 2020

**Action Agenda
Item No. 8-a**

SUBJECT: Minutes

DEPARTMENT: Board of County
Commissioners

ATTACHMENT(S):
Draft Minutes (Under Separate Cover)

INFORMATION CONTACT:
Donna Baker, Clerk to the Board
919-245-2130

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

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.

May 5, 2020	BOCC Virtual Business Meeting
May 12, 2020	BOCC Virtual Budget Public Hearing
May 14, 2020	BOCC Virtual Budget Work Session

FINANCIAL IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

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

1
2
3 DRAFT

4 **MINUTES**
5 **BOARD OF COMMISSIONERS**
6 **VIRTUAL BUSINESS MEETING**
7 **May 5, 2020**
8 **7:00 p.m.**

9 The Orange County Board of Commissioners met for a Virtual Business Meeting on
10 Tuesday, May 5, 2020 at 7:00 p.m.

11
12 **COUNTY COMMISSIONERS PRESENT:** Chair Rich and Commissioners Jamezetta
13 Bedford, Mark Dorosin, Sally Greene, Earl McKee, Mark Marcoplos, and Renee Price

14 **COUNTY COMMISSIONERS ABSENT:**

15 **COUNTY ATTORNEYS PRESENT:** John Roberts

16 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy County
17 Manager Travis Myren and Clerk to the Board Donna Baker (All other staff members will
18 be identified appropriately below)

19
20 Chair Rich called the meeting to order at 7:00 p.m.

21
22 Due to current public health concerns, the Board of Commissioners conducted a Virtual
23 Business meeting on May 5, 2020. Members of the Board of Commissioners participated
24 in the meeting remotely. As in prior meetings, members of the public was able to view
25 and listen to the meeting via live streaming video at [orangecountync.gov/967/Meeting-](http://orangecountync.gov/967/Meeting-Videos)
26 [Videos](http://orangecountync.gov/967/Meeting-Videos) and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).
27

28 In this new virtual process, there are two methods for public comment.

- 29 • Written submittals by email
- 30 • Speaking during the virtual meeting

31
32 **Detailed public comment instructions for each method is provided at the bottom of**
33 **this agenda. (Pre-registration is required.)**
34

35
36 **1. Additions or Changes to the Agenda**

37 Chair Rich said she will be meeting with the Mayors tomorrow morning about
38 moving forward as it relates to Covid-19, and she will share an update with the Board of
39 County Commissioners (BOCC) regarding the next steps.
40

41 **PUBLIC CHARGE**

42 The Chair acknowledged the public charge.
43

44 **ARTS MOMENT**

45 No Arts Moment will be available for this meeting.
46

47 **2. Public Comments**

48
49 **a. Matters not on the Printed Agenda**

50
51 Tony Blake said he is concerned about the convenience centers severely limiting
52 the amount of household construction debris. He said if the Commissioners recall one of
53 the reasons for accepting the debris was to reduce the amount of local burning. He said

1 he fears the newly enforced limits will increase local burning, and as a result increase the
 2 possibility of unintentional woods fires and tension between neighbors. He said it may
 3 also increase roadside dumping.

4
 5 **b. Matters on the Printed Agenda**

6 (These matters will be considered when the Board addresses that item on the
 7 agenda below.)

8
 9 **3. Announcements, Petitions and Comments by Board Members**

10 Commissioner Price said Orange County is number 2 in the State with Census
 11 responses.

12 Commissioner Price asked if the BOCC can get a report on what is happening
 13 with residents that are behind on rent, and how the County is helping to avoid evictions.
 14 She asked if there is a plan going forward after the State starts opening up.

15 Commissioner Price said she would like an update on the small business loan
 16 grant program.

17 Commissioner Bedford said this is Mental Health Awareness Month and Week for
 18 Children, and Cardinal Innovations (CI) has an emergency crisis phone line for those are
 19 in need of help. She said this is **ask, and works best on cell phones.

20 Commissioner Bedford congratulated the Finance Department for its award that is
 21 on the consent agenda.

22 Commissioner Bedford expressed her gratitude to all teachers during this
 23 Teacher Appreciation Week.

24 Commissioner Marcoplos petitioned making quarterly reports from schools about
 25 repairs and maintenance projects a formal process.

26 Commissioner Marcoplos said he would like to get a full report on the Phillips
 27 Middle School issue. He said this has been ongoing, very public, and seems to have gone
 28 unaddressed.

29 Commissioner Marcoplos said Rani Dasi made a public claim that some students
 30 and teachers are unable to breathe in the Chapel Hill Carrboro City Schools (CHCCS)
 31 classrooms, and would like a report from the school systems, and possible medical
 32 information.

33 Commissioner Greene said she is the Board representative to the North Carolina
 34 Association of County Commissioners (NCACC) committee that is settling the opioid
 35 legislation. She said this committee has yet to meet, but will do so on Friday.

36 Commissioner Greene referred to an existing petition from James Williams, which
 37 was emailed to the BOCC, requesting the removal of the portrait and statue of Thomas
 38 Ruffin. She said Mr. Williams wrote a long, clear letter to Chief Justice Beasley, and she
 39 would petition the BOCC to write a letter endorsing Mr. Williams' letter to Chief Justice
 40 Beasley. She said she has written an essay about the topic, and Chair Rich may want to
 41 include a copy of this essay in the letter to Chief Beasley.

42 Chair Rich said James Williams is the Chair of the North Carolina Commission on
 43 Racial and Ethnic Disparities (NC CRED), and has sent an email petition request for
 44 Board consideration. She said NC-CRED has called upon the North Carolina Supreme
 45 Court to remove the life-sized portrait of Thomas Ruffin that dominates its courtroom and
 46 the life-sized statue of him that guards the entrance to the North Carolina Court of
 47 Appeals and has asked that the Board of Commissioners consider issuing a statement or
 48 resolution/letter in support of this.

49 Commissioner Dorosin endorsed Commissioner Greene's, Commissioner
 50 Marcoplos' and Commissioner Price's petitions.

51 Commissioner Dorosin petitioned about the issue of contracting out custodians at
 52 Chapel Hill Carrboro City Schools (CHCCS). He said this topic comes up around budget
 53 time for past few years, and he has questions about actual costs. He said there are

1 questions that remain about comparative costs and other policy issues, such as
 2 contracting out these employees. He said, given that CHCCS is getting ready to enter
 3 into a custodial contract, he would like to petition that the BOCC ask the school board to
 4 delay signing a multi-year contract for one year. He said he would like to use that one-
 5 year to establish a small task force with representatives from the County and both school
 6 districts and flush out the cost pros and cons.

7 Commissioner Dorosin said this committee could also look at the benefits of
 8 contracting out these services, from a policy perspective. He said he would recommend
 9 giving this task force a small window of time to return with information/recommendations,
 10 and it could be discussed by the schools prior to the schools' budget process.

11 Chair Rich said she did reach out to CHCCS, and is not sure if CHCCS signed a
 12 contract or not. She asked if staff would find out tomorrow.

13 Commissioner McKee said at the last meeting, he brought up the issue of the
 14 amount of C&D that could be dropped off at convenience centers, and the response he
 15 got back was not what he expected. He said he wanted this issue to be an agenda item,
 16 since this is a policy decision, and should have public engagement. He said the current
 17 practice is a radical change for the public, and if it continues there will most likely be
 18 more trash on the side of the road. He said reducing it to such a small amount is
 19 unacceptable, especially given the high fees residents pay for solid waste.

20 Chair Rich said she had no comments.

21 Commissioner Price said she also got the letter from James Williams, and there
 22 are options to move the picture of Ruffin to the right or to remove it altogether, and she
 23 would endorse removing both the portrait and the statue.

24 Commissioner Greene said the letter asks for removal of portrait and statue.

25 Commissioner Price said she would like to echo this request when Chair Rich
 26 writes her letter.

27 Commissioner Greene said her assumption would be that Chair Rich would write
 28 a letter endorsing NC-CRED's letter.

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

31 **a. Older Americans Month Proclamation**

32 The Board considered voting to approve a proclamation joining Federal and State
 33 governments in designating the month of May 2020 as Older Americans Month and a
 34 time to honor older adults for their contributions to the community and authorize the Chair
 35 to sign.
 36

37 Janice Tyler, Department on Aging Director, reviewed the following information:
 38

39 **BACKGROUND:**

40 May is Older Americans Month, a tradition dating back to 1963. For many years, the
 41 Board of Commissioners has issued a proclamation for Older Americans Month. This
 42 year's national theme is *Make Your Mark*. The theme highlights older adults' unique and
 43 lasting contributions to their communities – everything from sharing a story with
 44 grandchildren to leaving a legacy of community action.
 45

46 It also celebrates the many ways in which older adults make a difference in communities.
 47 It encompasses the idea that getting older does not mean what it used to. For many
 48 aging Americans, it is a phase of life where interests, goals and dreams can get a new
 49 and second start. Today, aging is about eliminating outdated perceptions and redefining
 50 the way you want to age.
 51

52 President Lyndon B. Johnson signed the Older Americans Act into law in July 1965.

53 Since that time, the Act has provided a nationwide aging services network and funding

1 that helps older adults live with dignity in the communities of their choice for as long as
 2 possible. These services include senior centers, daily lunch programs, caregiver support,
 3 community-based assistance, preventive health services, elder abuse prevention, and
 4 much more.

5
 6 While the Department on Aging offers outstanding programs and services to older adults
 7 year round, Older Americans Month offers an opportunity to emphasize how older adults
 8 can access the home- and community-based services they need to live independently in
 9 their communities.

10 It is also an occasion to highlight how older adults are engaging with and making a
 11 difference in their communities. In this era of COVID-19, there are shining examples of
 12 how older adults are making a mark on the community. Project EngAGE Senior Leaders
 13 are connecting with older adults in their communities to make sure their needs are being
 14 met during these difficult times. These Leaders are making phone calls, picking up food,
 15 delivering senior center lunches, sewing facial coverings, and pitching in wherever there
 16 is an unmet need. The End of Life Choices Senior Resource team saw an unmet need
 17 and created a document to aid in emergency planning during this COVID-19 health crisis.
 18 This new document is not intended to replace persons' advanced directives, but is to be
 19 used as a tool to provide additional information should an individual be diagnosed with
 20 COVID-19. Seymour Center tech volunteers put their skills and creativity to work and
 21 transitioned very quickly into offering computer classes in a virtual environment. And
 22 lastly, with COVID-19 occurring during tax season, VITA (Volunteer Income Tax
 23 Assistance) volunteers should be congratulated for developing a secure process for
 24 assisting persons with tax preparation that does not involve a face to face appointment.
 25

26 Today there are over 29,000 Orange County residents who are 60+ and of that group,
 27 over 1,800 who are over age 85. As large numbers of baby boomers reach retirement
 28 age, it is a goal to keep them physically and socially active through their 80s and beyond.
 29 Lifelong participation in community, social, creative and physical activities have proven
 30 health benefits, including retaining mobility, muscle mass and cognitive abilities. Older
 31 adults are not the only ones who benefit from their engagement in community life –
 32 studies show their interactions with family, friends, and neighbors across generations
 33 enrich the lives of everyone involved.
 34

35 With COVID-19, celebrations and activities honoring Older Americans Month are being
 36 curtailed, but staff and the Advisory Board on Aging still encourage older adults to “Make
 37 Your Mark.” With social distancing and the Seymour and Passmore Centers not being
 38 opened in the foreseeable future, everyone is encouraged to stay connected through
 39 phone calls, virtual gatherings, and participate in the on-line opportunities. This is a time
 40 for all of us to “Mark” on the community by remaining resilient; calling neighbors; saying
 41 thank you to frontline workers; and promote a willingness to help the community recover
 42 from this pandemic and prepare everyone for whatever the new normal is.
 43

44 Janice Tyler read the proclamation:
 45

46 **ORANGE COUNTY BOARD OF COMMISSIONERS**
 47 **PROCLAMATION**
 48 **Older Americans Month – May 2020**
 49 **Theme - “Make Your Mark”**
 50

51 **Whereas**, Orange County includes over 29,000 persons aged 60 and older who make
 52 countless contributors to our community every day; and
 53

1 **Whereas**, Orange County is committed to engaging and supporting older adults, their
2 families and caregivers; and
3

4 **Whereas**, Orange County is stronger when people of all ages, abilities, and backgrounds
5 are included and encouraged to make their mark; and
6

7 **Whereas**, Orange County recognizes the importance of the physical, mental, social and
8 emotional well-being of its residents; and
9

10 **Whereas**, Orange County can support our community members by:

- 11 • Promoting independence, inclusion, and participation;
- 12 • Engaging older adults through education, recreation and service; and
- 13 • Connecting people with opportunities to share their time, experience and talents.

14
15 **Now Therefore**, we, the Orange County Board of Commissioners, do hereby proclaim
16 May 2020 to be Older Americans Month, and urge every resident to recognize older
17 adults and the people who support them as essential members of our community.
18

19 This the 5th day of May, 2020.
20

21 A motion was made by Commissioner Price, seconded by Commissioner Greene
22 for the Board to approve the proclamation designating May 2020 as Older Americans
23 Month and authorize the Chair to sign the proclamation.
24

25 **VOTE: UNANIMOUS**
26

27 **b. Presentation of Manager's Recommended Fiscal Year 2020-21 Annual**
28 **Operating Budget**
29

30 The Board received the Manager's Recommended FY 2020-21 Annual Operating
31 Budget.
32

33 **BACKGROUND:**

34 Each year during the month of May, the County Manager presents the Board of County
35 Commissioners with a recommended spending plan for the next fiscal year. During the
36 meeting, the Manager will provide a brief presentation of the Recommended FY 2020-21
37 Annual Operating Budget.
38

39 The Board of County Commissioners will conduct two Budget Public Hearings – the first
40 at 7:00 p.m. on Tuesday, May 12, 2020, which will be a Virtual Budget Public Hearing,
41 and the second on Thursday, June 4, 2020 (Meeting Format or Location To Be
42 Determined). In addition, the Board has scheduled the following Budget Work Sessions:
43

- 44 • May 14, 2020 – Budget Work Session with Chapel Hill-Carrboro City Schools,
45 Orange County Schools, Durham Technical Community College, and Outside
46 Agencies.
47 ○ This will be a Virtual Budget Work Session.
- 48 • May 21, 2020 – Budget Work Session with Fire Districts, and County
49 Departments within the following **Functional Leadership Teams: Public Safety**
50 (Courts, Criminal Justice Resource Department, Emergency Services, and
51 Sheriff); **Support Services** (Asset Management Services, Community Relations,
52 Finance and Administrative Services, Human Resources, and Information
53 Technology); **General Government** (Board of County Commissioners, Board of

1 Elections, County Attorney, County Manager, Register of Deeds, and Tax
2 Administration); including Non-Departmental items.

3 ○ This will be a Virtual Budget Work Session.

- 4 ● May 28, 2020 – Budget Work Session with County Departments within the
5 following **Functional Leadership Teams: Human Services** (Child Support,
6 Department of Social Services, Department on Aging, Health, Housing and
7 Community Development, Human Rights and Relations, Library Services, and
8 Cardinal Innovations); **Community Services** (Animal Services, Cooperative
9 Extension, DEAPR, Economic Development, Orange Public Transportation,
10 Planning and Inspections, Solid Waste, and Sportsplex), including Non-
11 Departmental items.
12 ○ This will be a Virtual Budget Work Session.
- 13 ● June 9, 2020 – Budget Work Session for Board to review budget amendments
14 and finalize decisions (Resolution of Intent to Adopt) on the FY 2020-21 Annual
15 Operating Budget and the FY 2020-25 Capital Investment Plan.
16 ○ Meeting Format or Location to Be Determined.
- 17 ● June 16, 2020 – Regular Meeting for the Adoption of the FY 2020-21 Annual
18 Operating Budget and the FY 2020-25 Capital Investment Plan.
19 ○ Meeting Format or Location to Be Determined.

20
21 All meetings start at 7:00 p.m.

22
23 Bonnie Hammersley made the following PowerPoint presentation:

24
25 **FY2020-21**

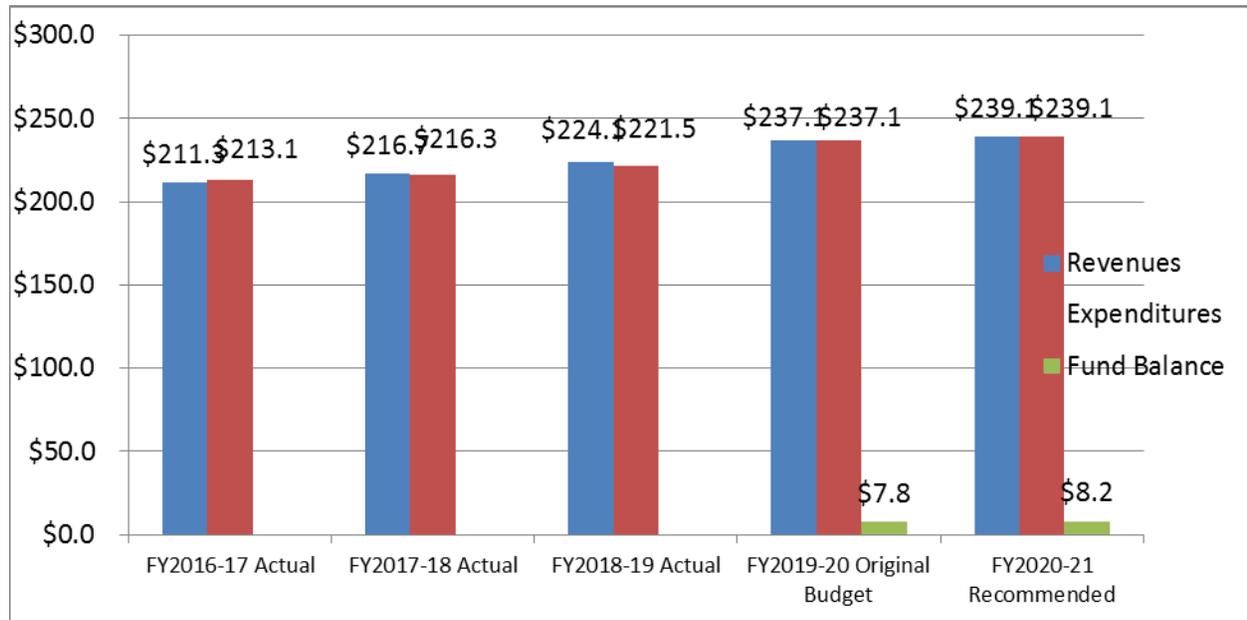
26 **COUNTY MANAGER RECOMMENDED BUDGET**

27 **May 5, 2020**

28
29 **BUDGET PRIORITIES**

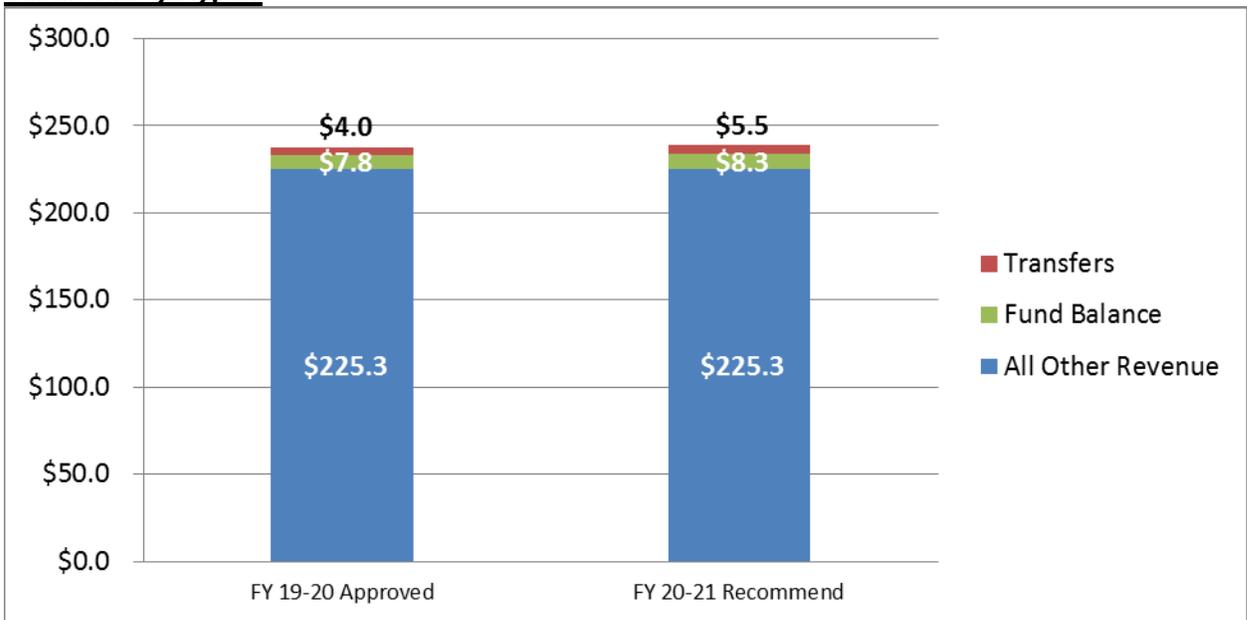
- 30 Pay Debt Service
31 Maintain current services/workforce
32 CHCCS and Orange County School Funding
33 Honor contract Obligations
34 Maintain general fund Reserve Level
35 ○ Property Tax Growth: 2.0% = \$2,460,550
36 ○ Sales Tax Growth: -10.0% = -\$2,814,151
37 ○ Tax Rate: \$0.8679
38 ○ General Fund Reserve: 16% = \$35.6 million

39
40 **Revenues and Expenditures**



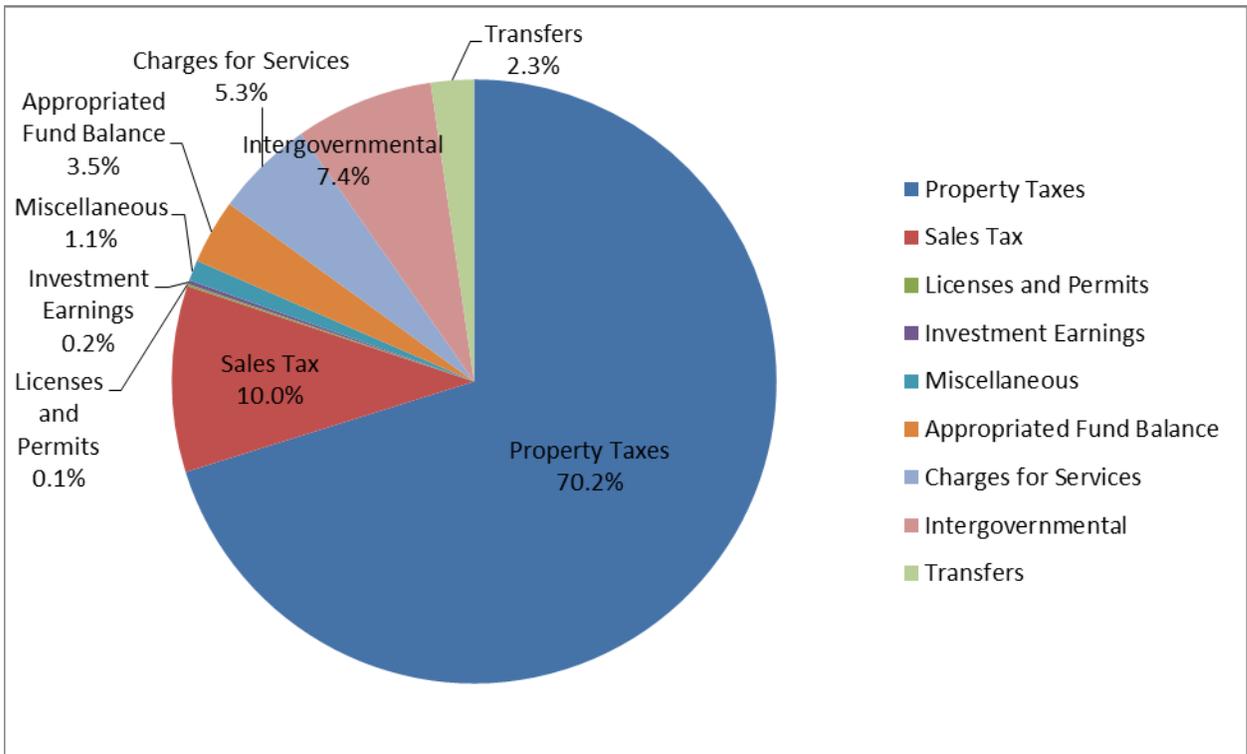
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Revenue By Types



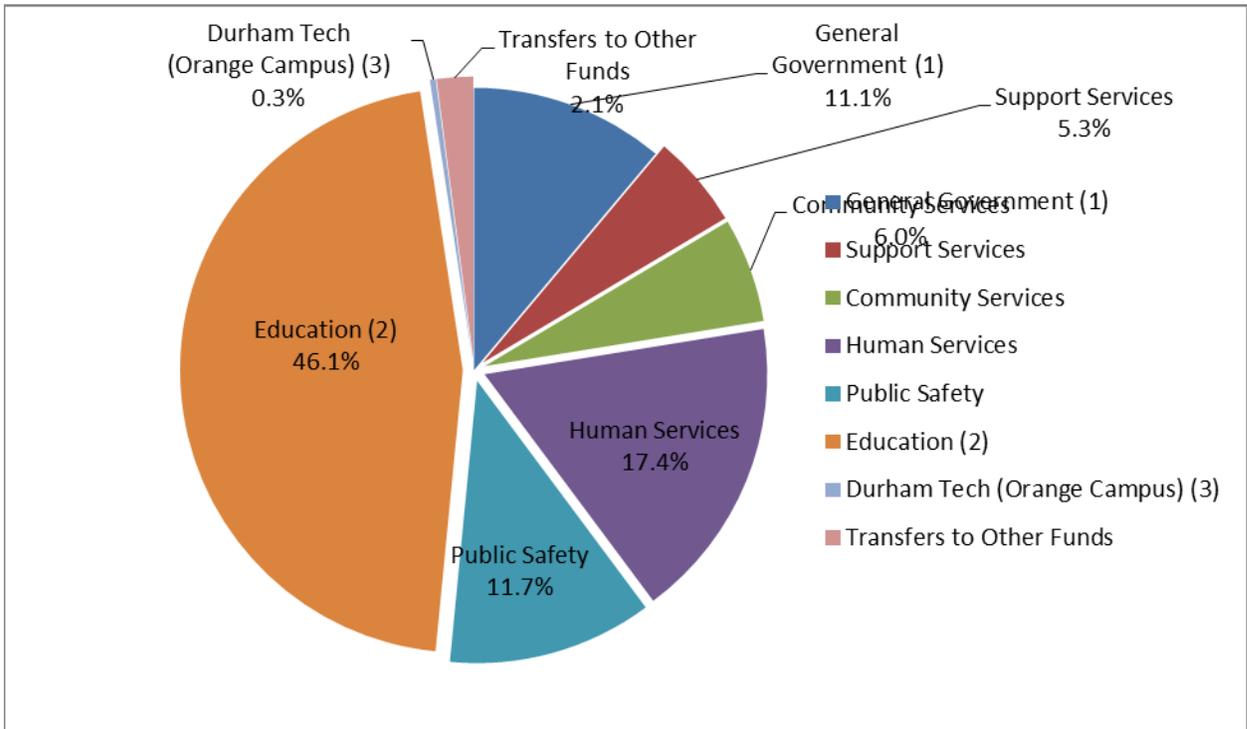
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BUDGET REVNUES



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4

BUDGETED EXPENDITURES



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6
7
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10
11

ASSUMPTIONS

- Property Tax Growth: 2.0% = \$2,460,550
- Sales Tax Growth: -10.0% = -\$2,814,151
- Tax Rate: \$0.8679

1 General Fund Reserve: 16% = \$35.6 million

2

3 **EDUCATION**

4

Chapel Hill Carrboro City Schools (CHCCS) Orange County Schools (OCS)			
Average Daily Membership (ADM)			
	CHCCS	OCS	TOTAL
Students (under roof)	12,312	7,381	19,693
Out of District	(251)	(110)	(361)
Charter Students	166	885	1,051
Total	12,227	8,156	20,383
%ADM	59.99%	40.01%	100%

5

6

CHCCS - OPERATIONS
Allocation
Current Expense
Charter Students
Health & Safety Contracts

OCS - OPERATIONS	Requested	Recommended	Recommended Increase
Allocation	38.81%	40.01%	.15%
Current Expense	\$33,663,526	\$31,687,018	-\$45,237
Charter Students	\$4,135,826	\$3,856,830	\$187,883
Health & Safety Contracts	\$1,520,801	\$1,520,801	\$0
Staff Bonuses	\$1,027,000	\$0	\$0
Total	\$40,347,153	\$36,864,649	\$142,646
Per Pupil	\$4,673	\$4,358	\$5.75
Total			
Per Pupil			

1

2

3 **DD**

A

CHCCS - CAPITAL	Requested Increase	Recommended Increase	Recommended Appropriation
Recurring Capital	(\$4,500)	(\$4,500)	\$1,799,700
Long Range Capital	\$42,120	\$42,120	\$2,455,016
Deferred Maintenance Plan	(\$4,500)	(\$4,500)	\$1,799,700
Supplemental Deferred Maintenance Plan	\$2,481,258	\$2,481,258	\$2,481,258
Total	\$2,514,378	\$2,514,378	\$8,535,674

4

5

OCS - CAPITAL	Requested Increase	Recommended Increase	Recommended Appropriation
Recurring Capital	\$4,500	\$4,500	\$1,200,300
Long Range Capital	\$38,123	\$38,123	\$1,637,359
Deferred Maintenance Plan	\$4,500	\$4,500	\$1,200,300
Supplemental Deferred Maintenance Plan	\$4,150,000	\$4,150,000	\$4,150,000
Total	\$4,197,123	\$4,197,123	\$8,187,959

6

1

YEAR	County Appropriation		% of General Fund Revenue
	Per Pupil	\$ Increase	
FY2016-17	\$3,868	\$170.50	50.6%
FY2017-18	\$3,991	\$123	49.7%
FY2018-19	\$4,165	\$174	50.1%
FY2019-20	\$4,352.25	\$187.25	49.5%
FY2020-21	\$4,358	\$5.75	49.4%

2

3

DURHAM TECHNICAL COMMUNITY COLLEGE	
Current Expense	\$723,256
Durham Tech Promise*	\$200,000
Capital Outlay	\$75,000

4

* Funded by Article 46 Sales Tax

5

6

OUTSIDE AGENCIES

7

8

Base Budget (FY2019-20) with the following exceptions that received increased funding:

9

10

✓ Compass Center for Women and Families: \$12,751

11

✓ Interfaith Council: \$69,937

12

✓ Meals on Wheels Chapel Hill: \$27,488

13

✓ OCIM: \$13,965

14

✓ Pathways to Change: \$4,351

15

(new Domestic Violence program for Orange County)

1 ✓ **\$1,541,974 is consistent with the target established by the BOCC to allocate**
 2 **1.2% of general fund expenses, not including education, to outside**
 3 **agencies.**

4
 5
 6

FIRE DISTRICTS

FIRE DISTRICT	CURRENT TAX RATE	REQUESTED TAX RATE INCREASE	RECOMMENDED TAX RATE
Cedar Grove	\$0.0810	\$0.00	\$0.0810
Chapel Hill	\$0.1491	\$0.00	\$0.1491
Damascus	\$0.1080	\$0.00	\$0.1080
Efland	\$0.0678	\$0.00	\$0.0678
Eno	\$0.0968	\$0.00	\$0.0968
Little River	\$0.0592	\$0.00	\$0.0592
New Hope	\$0.0994	\$0.073	\$0.1067
Orange Grove	\$0.0681	\$0.00	\$0.0681
Orange Rural	\$0.0915	\$0.033	\$0.0948
South Orange	\$0.0968	\$0.00	\$0.0968
Southern Triangle	\$0.1080	\$0.00	\$0.1080
White Cross	\$0.1237	\$0.00	\$0.1237

7

BUDGET STRATEGIES

8

EXPENDITURE REDUCTION STRATEGIES:

9

- No Wage or Salary Increase for County Employees – (\$1,600,000)
- Extend Hiring Freeze through FY20-21 – (\$1,000,000)
- Eliminate Travel and Training funds – (\$500,000)

10

11

12

SHORT-TERM EMERGENCY MEASURES:

13

- Transfer from Capital Reserves - \$1,000,000
- Transfer from Article 46 Sales Tax County Reserves - \$525,000
- Transfer from Health & Dental Insurance Reserves - \$475,000
- Transfer from Solid Waste Reserves - \$475,000

14

15

16

17

18

FUNCTIONAL LEADERSHIP TEAMS

19

COMMUNITY SERVICES

20

- ✓ Maintain Solid Waste Program Fee at \$142 per year

21

HUMAN SERVICES

22

- ✓ 3.625 FTE – Partnership to End Homelessness

23

- HUD Revenue & Reallocations

24

- ✓ \$25,600 Recurring Capital

25

- Partially Offset by Revenue

26

- 1 **PUBLIC SAFETY**
- 2 Recurring Capital - \$205,000 (Transfer from Health & Dental Fund
- 3 Reserve)

4
5
6

BUDGET TIMELINE

BUDGET TIMELINE	DATE
Recommended Budget Presentation	May 5
BUDGET PUBLIC HEARINGS	DATE
Budget and Capital Investment Plan (CIP)	May 12 & June 4
BUDGET WORK SESSION SCHEDULE	DATE
Schools and Outside Agencies	May 14
Fire District, Public Safety, Support Services and General Government	May 21
Human Services and Community Services	May 28
Budget Amendments and Resolution of Intent to Adopt	June 9
BOCC REGULAR MEETING	DATE
FY2020-21 Operating and CIP Budget Adoption	June 16

7
8
9

Budget Document Availability

- 10 **Clerk to Board of Commissioners**
- 11 **County Finance & Administrative Services Office**
- 12 **Orange County Website - <http://orangecountync.gov>**

13
14
15
16
17
18
19

The Board received the presentation of the Manager’s Recommended FY 2020-21 Annual Operating Budget.

Chair Rich thanked Bonnie Hammersley, and the staff, for creating two budgets in a matter of months.

Commissioner Dorosin referred to the CARE Funds that were just approved, and asked if it is known when these funds will be available.

1 Bonnie Hammersley said she does not know yet, but she has a call scheduled on
2 this issue tomorrow, and will share any updates with the Board.

3 Commissioner Dorosin asked if it is possible that the County may have this
4 money before the BOCC has to vote on the budget

5 Bonnie Hammersley said yes, that is possible. She said these are one-time
6 monies, and must be spent on Covid-19 related items.

7 Commissioner Dorosin asked if the County will also receive funds directly from
8 the federal government, or will any funds pass through the State.

9 Bonnie Hammersley referred this to John Roberts.

10 John Roberts said only 4 of the larger counties are getting funding directly from
11 the federal government, and the rest is going to through the State.

12 Commissioner Dorosin said he heard that some educational funding was going
13 straight to the Local Education Authorities (LEAs).

14 Commissioner Price said there has been an effort to get the second round of
15 monies to go directly to the counties/municipalities.

16 Commissioner Marcoplos asked Commissioner Dorosin to define LEA.

17 Commissioner Dorosin said Local Education Authority, which means the school
18 boards.

19 Commissioner Bedford said in 2017-18 the BOCC revisited the fund balance
20 policy for the schools. She said from 2008-2010 the BOEs were allowed to spend their
21 fund balance, if a clear plan existed as to how it would be spent. She said this allowed
22 more flexibility, and she asked if staff would dig up the policy language that allowed for
23 this flexibility, and share it with the BOEs as an option during this budget season.

24
25 **5. Public Hearings**

26 **NONE**

27
28 **6. Regular Agenda**

29
30 **a. Resolution Regarding a Lease Agreement between Chapel Hill-Carrboro**
31 **City Schools (CHCCS) and Trinity3 Technology to Provide Computers for**
32 **Students**

33
34 The Board will consider voting to adopt a resolution approving a lease agreement
35 between Chapel Hill-Carrboro City Schools (CHCCS) and Trinity3 Technology for the
36 leasing of computers for students for FY 2020-24 to replace outdated and out of warranty
37 equipment using a sustainable and predictable funding model and authorize the Chair to
38 sign.

39 Paul Laughton, Finance and Administrative Services, presented this item with
40 Dave Scott, CHCCS Technology Director:

41
42 **BACKGROUND:**

43 The CHCCS computing environment is multi-platform and has been for many years.
44 Teachers, administrators, instructional support staff, and central office employees all use
45 either a Windows or Apple based laptop (or desktop for some front office positions). In
46 almost all cases, teachers also (primarily at the elementary level) have an Apple iPad
47 tablet.

48
49 For the past 5-6 years, CHCCS began using Chromebooks and iPads to replace
50 Windows and Apple based computers for students. Apple iPads became (and are
51 presently) the standard student device for grades K-2 (although some 2nd grade schools
52 also use Chromebooks). For Grades 3-12, CHCCS standardized on Chromebooks for
53 students. This was done not only because these devices are significantly less expensive

1 and much easier to manage (than Windows and Apple OS devices), but also the
2 introduction of Chromebooks coincided with the adoption of the Google G-Suite for
3 Education platform at CHCCS. The District purchased Chromebooks in a staged
4 approach, replacing Windows/Apple OS based devices first at the high schools, then
5 middle schools, and eventually the Grade 3-5 ES school classrooms.

6
7 In 2018-19, through several years of incremental purchasing of Lenovo model
8 Chromebooks (11e, N21, N22, N23, 100e), the District achieved a 1:1 student to device
9 ratio for Grades 3-12. However, these devices were used in a shared cart system for all
10 grades. When needed, teachers scheduled the use of a cart. Students did not carry
11 devices between classrooms and did not carry devices between classrooms and did not
12 take them home.

13
14 Beginning in the 2019-20 school year (August 2019), the District shifted to a 1:1 Device
15 Take- Home program for Grades 6-12 (approximately 6,800 students). The CHCCS
16 Board of Education and administration decided in the spring of 2019 to use this current
17 year as a “bridge” while a formal Request for Proposals (RFP) with purchase and lease
18 options was published for bid (February 17, 2020). The RFP deadline was March 2,
19 2020, and sealed bids were opened the following day. Seven (7) bids were received from
20 the following vendors:

- 21
22 1. Applied Technologies
23 2. Virtucom
24 3. Trinity3
25 4. Insight
26 5. NWN Corp.
27 6. Howard Technologies
28 7. CDW-G
29

30 The RFP bid included hardware specifications for 7,650 Chromebooks for Grade 6-12
31 students (estimated middle and high school enrollment for 2020, plus 10% for spares).

32 *Note: At this time the District will continue the shared cart system for Grades 3-5
33 (Chromebooks).

34
35 Vendors were asked to provide purchase and lease pricing for (3) hardware options (with
36 varied specifications) to provide flexibility based upon instructional need(s), cost/value,
37 service/warranty, accessories (EMR pens, ruggedized cases) and other factors. All
38 proposals were required to provide full purchase cost and 4 year leasing option(s) pricing
39 for each hardware option specified in the RFP.
40

41 The lease agreement will allow the District to replace/retire approximately 7,000 5-6 year
42 old out of warranty devices that are currently being used by Grades 6-12 students. These
43 devices will soon become end of life for Google Chrome OS updates, hindering or
44 making unusable many instructional applications that our faculty utilize in the Google
45 application eco-systems.

46
47 The new devices are flip/touch Chromebooks with an on-board stylus and include a 4
48 year accidental damage and theft warranty and ruggedized case. The successful
49 proposal was chosen from a rigorous decision analysis performed by a team of
50 stakeholders (Information Technology staff, Finance, Instructional Technology staff, and
51 a classroom teacher) that evaluated various brands/models using numerous “must-have”
52 and weighted criteria. Bids that did not meet all must have criteria were eliminated. The

1 remaining proposals were evaluated based upon the weighted criteria and cumulative
2 scores were given based upon consensus discussion.

3
4 **FINANCIAL IMPACT:** The financial impact to the County is \$3,435,837.66 over the four
5 (4) year
6 lease program during the Fiscal Years of 2020-21 through 2023-24, at annual
7 installments of \$858,959.42. Article 46 Sales Tax proceeds would be used to cover the
8 required annual lease payments, and are included in the Chapel Hill-Carrboro City
9 Schools Technology Plan project within the County's Capital Investment Plan.

10
11 Commissioner Price referred to the 7 bids, and asked if there is any requirement
12 to go with the lowest bid.

13 Paul Laughton said the most reasonable bid, that also met all the specifications of
14 the school board, was the bid that was chosen.

15 Commissioner McKee referred to the financial impact, of \$859,000 per year for
16 the installment for the 4 years, and said the budget book has designated \$1.168 million
17 for CHCSS technology. He asked if the \$859,000 will come out of the \$1.168 million line
18 item.

19 Paul Laughton said yes, with the use of Article 46 tax funds.

20 Interim CHCCS Superintendent Abele thanked the BOCC for its investment in
21 technology for both school districts, and he provided some history about the one on one
22 technology program in CHCCS.

23 Interim CHCCS Superintendent Abele said if CHCCS is able to utilize other State
24 monies for technology, it can go back into its CIP and use Article 46 funds for other
25 purposes.

26 Chair Rich referred to the one to one take home computers, and asked if that
27 means every student is taking home a computer.

28 Interim CHCCS Superintendent Abele said yes.

29 Chair Rich asked if this is true even for students who may already have a
30 computer of their own. She asked if funds could be freed up if students already have
31 computers.

32 Interim CHCCS Superintendent Abele said it is easier to standardize the process,
33 hardware and software for both students and teachers when everyone has the same
34 devices. He said CHCCS does not charge a device fee, but families are allowed to
35 donate funds if they so choose.

36 Commissioner Dorosin said there are growing concerns about students' privacy
37 with the one to one computers, and asked if the district are providing policies or
38 information to parents, and are the students' online activities being monitored.

39 Interim CHCCS Superintendent Abele said he will follow up with more detailed
40 information, and there are certain requirements in many areas. He said the Chrome
41 books do not allow students to download things.

42 Commissioner Dorosin asked if the District uses software to scan what a student
43 is viewing.

44 Dave Scott, Interim CHCCS Technology Director, said CHCCS utilizes a web
45 filter, which extends to home with the Chrome books. He said Software called Securely
46 monitors for key words, such as those related to self-harm.

47 Chair Rich asked if a student's privacy is also protected.

48 Dave Scott said CHCCS does not actively monitor what a student is viewing or
49 using, unless requested by a teacher because a red flag has appeared.

50 Commissioner Dorosin said he would like to see any policies that may exist on
51 this. He asked if Securely monitors emails, social media, etc. for key words.

52 Dave Scott said CHCCS uses Securely to monitor the Google Suite.

53 Commissioner Price asked when these computers will arrive.

1 Dave Scott said the program is set to begin in August. He said students in
 2 grades 6-12 currently have devices, which they will keep for now, and turn in at the end
 3 of the summer. He said 2-5 graders also use chrome books, but there is not a one to
 4 one program for elementary school; however, during Covid-19 these younger grades
 5 have been provided devices, if needed.

6 Commissioner Marcoplos asked if CHCCS would include information about
 7 anything alarming or intriguing that has been detected on devices, when it sends its
 8 report to the Orange County Board of Commissioners.

9 Interim CHCCS Superintendent Abele said there are red flags that the word
 10 search software finds. He said suicide is one of the words that CHCCS would definitely
 11 follow up on.

12 Chair Rich asked if there is a plan in place to reallocate the monies for the 4
 13 years, should the state provide funding for this technology.

14 Paul Laughton said staff can adjust the CIP if the funds are received early
 15 enough; and otherwise, staff would re-purpose those funds, keep it in the technology line
 16 item, and come back to the Orange County Board of Commissioners to approve any
 17 reallocations.

18
 19 A motion was made by Commissioner Price, seconded by Commissioner
 20 Marcoplos to adopt the resolution approving the lease agreement and authorize the Chair
 21 to sign the resolution regarding the agreement between Chapel Hill-Carrboro City
 22 Schools and Trinity3 Technology.

23
 24 **VOTE: UNANIMOUS**

25
 26 **b. Discussion Regarding Election Method for Members of the Orange County**
 27 **Board of Commissioners**

28 The Board considered discussing the election method for members of the Orange
 29 County Board of Commissioners.

30 John Roberts reviewed the information below:

31
 32 **BACKGROUND:**

33 At the Board's April 7, 2020 Business meeting, a petition was voiced that the
 34 Board discuss and potentially change a portion of the process under which some or all
 35 Board members are elected. A summary of historical information, along with some
 36 current applicable information, is provided below as a basis for Board discussion on this
 37 topic.

38
 39 **HISTORY**
 40 **2005-2008**

41 At the Board of Commissioners' January 24, 2005 regular (now Business) meeting,
 42 representatives of a group of Orange County residents addressed the Board and
 43 submitted a 1,200-signature petition to the Board regarding the method by which the
 44 members of the Board of Commissioners were elected in Orange County. The
 45 representatives requested that the Board review the then current method of election for
 46 the members of the Board, which entailed all five members of the Board being nominated
 47 and elected to staggered four-year terms on an at-large basis.

48
 49 At the Board's direction, the County Manager and County staff reviewed the issue and
 50 the petition submitted and provided a report to the Board at the May 5, 2005 work
 51 session. The report provided an initial framework of information upon which the Board of
 52 Commissioners could deliberate and determine as appropriate any further steps in
 53 evaluating the issue and responding to the request and petition submitted.

1
2 The Board then pursued a series of meetings over the next thirteen months, including:
3 public hearings;

- 4 • Board discussions on possible draft district maps/plans for either a five or seven-
- 5 member
- 6 • Board; and
- 7 • decisions on specific map/plan issues.

8
9 The public hearings and discussions led to the development of a map/plan (for a seven-
10 member board that met all statutory requirements. The County Attorney prepared a draft
11 resolution calling for a November 2006 referendum and the Board approved that
12 resolution and the election plan/map at its June 27, 2006 regular meeting in preparation
13 for a voter referendum as required by the North Carolina General Statutes.

14
15 In the November 2006 referendum, the voters subsequently approved the election
16 plan/map with more than two-thirds of voters supporting the initiative. The election
17 plan/map was implemented with the May 2008 primary election and all Board members
18 since that time have qualified and been elected under the plan.

19
20 The election plan/map approved in 2006 established a district/at large system for electing
21 seven members of the Board of Commissioners, and includes two nominating districts.

- 22 • Three seats on the Board are filled, with staggered four-year terms, by individuals
23 residing in District 1 and nominated by the voters in District 1 during the primary
24 election.

25 These district-nominated candidates are then elected by all the voters in the
26 entire County during the general election.

- 27 • Two seats on the Board are filled, with staggered four-year terms, by individuals
28 residing in District 2 and nominated by the voters in District 2 during the primary
29 election. These district-nominated candidates are then elected by all the voters in
30 the entire County during the general election.

- 31 • The other two other seats on the Board are filled, with staggered four-year terms,
32 by individuals residing anywhere in the County and nominated by all voters in the
33 County during the primary election. These “at large” candidates are then elected
34 by all the voters in the entire County during the general election.

35
36 In summary, five district seats on the Board are filled based on district residency and
37 district nomination during the primary election, followed by countywide election in the
38 general election.

39 The two at large seats are filled based on countywide nomination and countywide
40 election.

41 42 **2011 - Review of District Elections Map Based on 2010 Census**

43 Final numbers for the 2010 Census were published in 2011 providing new population
44 numbers for Orange County as a whole as well as for the two current electoral districts.
45 North Carolina General Statute 153A-22 states, “*If a county is divided into electoral*
46 *districts for the purpose of nominating or electing persons to the board of commissioners,*
47 *the board of commissioners may find as a fact whether there is substantial inequality of*
48 *population among the districts.*”

49 Population growth or decline in districts can lead to significant deviations in the numbers
50 of residents between districts, thereby compromising the integrity of the districts and the
51 election plan as a whole. Staff’s review of the 2010 Census population totals in relation to
52 the election plan/map and district boundaries showed very minimal changes in the
53 population ratios for the districts. Staff prepared an agenda item for the Board, and, at its

1 June 7, 2011 meeting, the Board adopted a “Resolution Acknowledging the Results from
2 the 2010 Census Indicating Orange County Remains in Lawful Compliance with
3 Applicable Requirements for Board of County Commissioners’ Nominating Districts,”
4 thereby making no changes to the map/plan/method by which Board members were
5 elected.

6 7 **2016-2018**

8 In late 2016 and early 2017, members of the Board expressed an interest in discussing
9 and possibly amending the current election method for seats on the Board of
10 Commissioners. The Board discussed the topic at its March 28, 2017 Board work
11 session. However, no additional action occurred at that time.

12
13 In mid-2018, members of the Board expressed additional interest in discussing and
14 possibly amending the current election method for seats on the Board of Commissioners.
15 The Board discussed the topic at its September 6, 2018 Board work session. However,
16 no additional action occurred at that time.

17 18 **CURRENT CONSIDERATION**

19 As noted above, a recent Board petition expressed an interest in discussing and possibly
20 amending the current election method for seats on the Board of Commissioners. Several
21 related issues have been voiced regarding potentially amending the method. Staff has
22 addressed some of those issues below.

23 24 **If the Board chose to move forward with proposing an amendment to the current 25 election method, when could a voter referendum occur?**

- 26 • The North Carolina General Statutes require that counties schedule special voter
27 referenda only in even years when all the voting precincts in the County will be
28 open.
29 That limits this issue to the general election in 2020 and the primaries and
30 general elections in 2022 and 2024. Further, if the Board determines to change
31 the current election method and place that change on the November 2020 ballot
32 everything necessary to complete the change should be ready by July 24, 2020 in
33 order to allow elections staff adequate time to prepare ballots.

34 35 **What is the timeframe to place a proposed election method/plan on the ballot for 36 voter referendum?**

- 37 • As noted above if the general election in November 2020 is the desired election
38 on which to have a ballot question on the Board’s election method the Elections
39 Director has requested that all decisions be complete and the ballot language
40 submitted by July 24, 2020. This is due to an anticipated substantial increase in
41 absentee voting and will allow the Board of Elections’ staff ample time to prepare
42 the ballot.
- 43 • If the Board desires a similar level of public input as was obtained prior to the
44 2005/2006 change to the current method it is unlikely that can be achieved given
45 the current situation due to the stay-at-home orders and technological challenges.

46 47 **Depending on the Board’s potential interest related to the election method, will 48 population changes related to the 2020 Census need to be considered?**

- 49 • The 2010 Census is currently the basis for all population calculations. There may
50 have been changes related to Orange County’s population since 2010; however,
51 any changes as reflected in the 2020 Census are not yet available and likely will
52 not be available until 2021. If the Board acts now to alter districts, the 2020
53 Census data could require the Board to revisit election districts in the near future.

1
2 **PUBLIC COMMENT:**

3 Tony Blake said Commissioner Dorosin was kind enough to respond to his email, and
4 provided more current conversations that have taken place. He said he supports the
5 discussion and thinks improvements could be made, but he has the following concerns
6 about pushing this change through too quickly. He summarized his concerns:

- 7
- 8 • As is stands right now, the “voting method” agenda item 6-b lacks
9 definition and a suggested plan/model for discussion.
 - 10 • Discussion of changing the voting method is too important to be rushed.
 - 11 • Data is old and there is not enough time to collect/update the data, have
12 the discussion and get feedback before the 2020, election.
 - 13 • A target of 2020 would put a lot of pressure on staff who are already
14 dealing with emergency conditions and budget concerns.
 - 15 • Meeting “virtually” is still somewhat less effective than face to face.
 - 16 • Part of the BOCC is "lame duck", and it is important that the newly elected
17 commissioners be a part of driving this conversation.
 - 18 • The 2020 census results may change things and require a new look within
19 2 years, resulting in wasted efforts.

20 Commissioner Dorosin thanked Tony Blake for his comments, and others the
21 BOCC received.

22 Commissioner Dorosin said he does not have concerns about the 2020 primary,
23 but rather the primary illustrated some of the issues that have been discussed in Orange
24 County for the past few years.

25 Commissioner Dorosin summarized his comments, which are in the agenda. He
26 said he has been talking about this since 2016, and this is an on-going issue with the
27 Board but the Board has not made any decisions. He said November is the earliest
28 possible time to make changes, and that may be too soon, but if the majority of the
29 Board does not want to do anything, then it should vote as such, and move on. He said it
30 is his preference that the County moves to 7 single-member districts. He said the
31 primary highlighted that the district one presidential year race is the only seat on the
32 county commission that is a multimember election, and all others are single member
33 elections. He said the multimember seat is the only multimember seat on the ballot,
34 which is confusing to the public.

35 Commissioner Dorosin said they need an electoral system where commissioners
36 are all elected the same way, and that is by single member districts. He said another
37 important issue is that the County will have to draw the districts once the census comes
38 out, and it is important for the BOCC to make decisions now and do everything at one
39 time.

40 Commissioner Dorosin said there have been concerns that going to single
41 member districts will lead to dominance by the southern part of Orange County, i.e.:
42 Chapel Hill and Carrboro. He said he feels these concerns are overblown, and in the last
43 two at large elections residents have elected representatives that live in the Chapel Hill
44 area.

45 Commissioner Dorosin said one of the challenges with multi-member districts, is
46 that they encourage voters to do single shot voting. He said this is a legitimate strategy,
47 but not necessarily a fair one.

48 Commissioner Marcoplos said this is a complicated issue. He said in 1992 there
49 was a group who discussed this, and recommended cumulative voting. He said he
50 disagrees that single district is the most democratic way to go, and proportional
51 representation is used by a majority of countries around the world, and does not require
52 districts. He agreed it is important to not rush this discussion, and to engage the public.

1 Commissioner Price said schools board races are also multicandidate. She said
2 this is not the time to rush, especially as in person public hearings cannot currently
3 happen. She said this requires more work than the BOCC can accomplish in a short
4 amount of time.

5 Commissioner McKee asked John Roberts if the BOCC were to change the
6 districts, would this go back to the legislature.

7 John Roberts said no, changing the districts can be done by County voter
8 referendum.

9 Commissioner McKee said given the difficulty with virtual meetings, he does not
10 think the BOCC can go forward with this because the public cannot attend. He said it is
11 critical to hold off any of these discussions until face-to-face meetings resume.

12 Chair Rich said all the school boards are elected the same way, as are the
13 municipalities, but the County Commissioners only have one such election.

14 Chair Rich said after the primary, she had voters tell her that it was not a fair vote
15 due to people single shot voting. She said this is not the way to hold voting. She said
16 she believes that Commissioner Dorosin just wants to begin a discussion, and create a
17 committee or a sub-group to move the topic forward.

18 Commissioner Dorosin said he is not suggesting that this needs to be rushed, but
19 he wanted to know if there is a BOCC majority that wants to explore this further, and, if
20 so, move forward. He agreed that public input is important, and this meeting platform is
21 problematic. He said he finds cumulative voting interesting, but feels it is not within the
22 realm of possibilities until the general assembly changes. He said changing to single
23 member districts can be done without the legislature. He said there are ways to create
24 districts that do not carve the County up like a pizza.

25 Commissioner Dorosin said many voters told him that they were unaware they
26 could have voted for two candidates in District 1. He said he believed that the BOCC
27 could have something ready for the 2022 primary.

28 Commissioner McKee said he does not believe that people threw their votes away
29 by just voting for one candidate, but rather voters made a conscious decision to vote for
30 just one candidate. He said the ballot clearly tells the voter if it can vote for one or two
31 candidates. He said this discussion has come up over the years, and nothing has moved
32 forward, so it must be that people do not want to change the process.

33 Commissioner Price said she agreed with Commissioner McKee. She said this
34 election process has been going on for 12 years, and no one has challenged or changed
35 it. She said it is important to determine the problem that the BOCC is trying to solve.
36 She said she would support having a task force to look at this issue further, in
37 anticipation of the 2022 election. She said people have the right to do what they like with
38 their votes, and she is more concerned about guaranteeing voting rights, and access to
39 voting. She said this election was not unfair.

40 Chair Rich said she did not say it was unfair, but she said that there were
41 thousands of single shot votes. She said it is a different kind of race than the other
42 Orange County Board of Commissioners has to run.

43 Commissioner Price said that is correct, but the residents are exercising their
44 voting rights.

45 Commissioner Dorosin said he has brought this topic up for 4 years, and he
46 wanted to highlight the inequities that exist since changing to this district system. He
47 said this is not about the most recent election.

48 Commissioner Greene agreed there is not enough time to get it on the 2020
49 ballot, for all the reasons that have been stated. She said it is not just the BOCC that is
50 interested in discussing this issue, but rather the community is interested. She said the
51 BOCC owes it to itself and the community to have this discussion at length in the fall.

52 Commissioner Marcoplos said he agreed with Commissioners Greene and
53 Dorosin.

1 Commissioner Marcoplos said if one wins the Democratic primary, then one has
2 basically won the election. He said this leaves some residents feeling powerless, and
3 this is where cumulative voting, or rank choice voting, could come into play. He said one
4 of the benefits of moving ahead with a thorough and deliberate process is that the BOCC
5 will learn the type of legislature, with which it is dealing, in the meantime.

6 Commissioner Bedford agreed that the timeline of November 2020 is too soon.

7 Commissioner Bedford said this should not be the work of the Commissioners,
8 but rather the work of unbiased and independent individuals (e.g. NAACP, UNC School
9 of Government, League of Women Voters, etc.). She said she read the minutes from
10 previous years, and this issue is incredibly complex, and new issues arise in each
11 conversation.

12 Commissioner Bedford said she is not sure that March 2022 will be good either,
13 because the census data must be included. She said it is also important to include the
14 two new members of the BOCC.

15 Commissioner Bedford said she does not think Orange County needs the
16 attention of the legislature right now. She said she was concerned to educate herself on
17 Orange County election history, and it is very important to insure that all voices are
18 represented, and any new districts would have to be carefully considered to insure that.
19 She said she would not want to further exacerbate the rural/urban divide. She said she is
20 willing to tackle this, and 2021 may be a better time than this fall. She said it is important
21 to get out of the current crisis, so that staff can afford this proper attention.

22 Commissioner Dorosin said he disagrees that the BOCC needs to wait until the
23 census numbers come back, because whether or not the BOCC wants to change the
24 method is independent of the census data. He said the policy aspect of the conversation
25 can proceed while the data is pending.

26
27 A motion was made by Commissioner Dorosin, seconded by Commissioner
28 Greene establish a committee to study revising the electoral method for members of the
29 Orange County Board of Commissioners, and the committee should involve a broad
30 range of residents of the community, including UNC staff, with expertise in elections,
31 community-based non-profits. This committee could be charged to do its work in the fall
32 of 2020, depending on the pandemic. The goal of this committee is to have a report and
33 various options presented to the Orange County Board of Commissioners, who will hold
34 the public hearings, and put a proposal before the voters in March 2022 primary. And
35 talk with Board of Election as to when a decision would have to be made to get it on the
36 March 2022 primary.

37
38 Commissioner Greene seconded the motion, for the purpose of discussion. She
39 said she agrees, in whole, with the motion, but not with the make up of the committee.
40 She said she was thinking more of an independent/professional group. She said she is
41 not sure that the BOCC can decide on the make-up of the committee this evening.

42 Commissioner Dorosin said he would accept a friendly amendment.

43 Commissioner Dorosin proposed that the BOCC make a decision on the make-up
44 of the committee by December 1st.

45 Commissioner Price asked if it is clear who will determine the make up of the
46 committee. She said personally, she would want members of the local community to be
47 involved, and not just outside professionals.

48 Commissioner Dorosin said the BOCC would determine the make up of the
49 committee by December 1, 2020.

50 Commissioner McKee reiterated that this virtual platform does not provide
51 sufficient public input, and before the BOCC goes forward with any motion, it is important
52 to have this discussion again once face-to-face meetings resume.

1 Commissioner McKee said this discussion should occur in conjunction with the
2 census data. He said he will vote against this motion, as it is important to have public,
3 face to face discussion and then proceed with the formation of a committee.

4 Commissioner Marcoplos said he disagreed, and there is a lot of interest in
5 changing the way that commissioners are elected. He said waiting for face to face
6 discussions with the public will only lead to residents voicing opinions on the way they
7 want to be represented, not whether or not the BOCC should look into the issue in the
8 first place. He said having a date certain is important.

9 Commissioner Bedford said it is bad governance to have a motion on an issue
10 that was not on the agenda and to pass it tonight. She said Commissioner Dorosin could
11 write it up and bring it back at another time. She said if there will be a survey about the
12 district tax, then a question on this topic could also be included. She said if a date
13 certain is preferred, then she would recommend December 10th, so new BOCC members
14 could participate. She said she cannot vote for this motion tonight.

15 Commissioner McKee said having the public speak about what they want is
16 exactly what the BOCC needs to hear. He said the public's interest in this topic is not
17 going to wane by waiting for face-to-face meetings.

18 Commissioner Price asked Commissioner Dorosin if he would mind delaying this
19 vote and coming back with a more spelled out plan before the BOCC goes on summer
20 break. She said she is still unsure about the committee, how to select it, and who should
21 make these decisions. She said she does support the overall idea, but does not want to
22 rush.

23 Commissioner Greene said the BOCC would be better served if this motion were
24 made at a later meeting, before the summer break. She said this motion should not
25 clarify who would be on the committee. She said the BOCC does not know what will
26 happen with this pandemic, and if online meetings continue in the fall, then this is not a
27 good platform for this type of discussion.

28 Commissioner Dorosin amended his motion, which Commissioner Greene
29 seconded for purposes of discussion:

- 30
- 31 a. Establish a committee to consider alternatives methods to elect the Orange
 - 32 County Board of Commissioners.
 - 33 b. The Orange County Board of Commissioners will select members for this
 - 34 committee by January 31, 2021;
 - 35 c. The committee will meet to discuss alternative options and will bring their
 - 36 recommendations to the Orange County Board of Commissioners by July 31,
 - 37 2021;
 - 38 d. The Orange County Board of Commissioners will review the recommendations,
 - 39 conduct public hearings, seek public input, and, if need be, to make a decision in
 - 40 time to be included in a referendum on the March 2022 primary.

41

42 Commissioner McKee asked John Roberts if one can amend one's own motions.
43 John Roberts said yes.

44 Commissioner Greene said she liked the second motion much more, but
45 suggested changing "if needed" to "if possible".

46 Commissioner Dorosin said the BOCC could revise it at a later time, if need be.

47 John Roberts said the rules of procedure only allow two amendments, so
48 Commissioner Greene's amendment is moot.

49

50 **VOTE: Ayes, 6; Nays, 1 (Commissioner Bedford)**

51

52 **7. Reports**
53 **NONE**

1
2 **8. Consent Agenda**

- 3
4 • **Removal of Any Items from Consent Agenda**
5
6 • **Approval of Remaining Consent Agenda**
7

8 A motion was made by Commissioner Price, seconded by Commissioner Dorosin
9 to approve the remaining items on the Consent Agenda.

10
11 **VOTE: UNANIMOUS**

- 12
13 • **Discussion and Approval of the Items Removed from the Consent Agenda**
14

15 **a. Minutes**

16 The Board approved approving the minutes from April 14 and 21, 2020 as submitted by
17 the Clerk to the Board.

18 **b. Motor Vehicle Property Tax Releases/Refunds**

19 The Board adopted a resolution, which is incorporated by reference, to release motor
20 vehicle property tax values for five taxpayers with a total of five bills that will result in a
21 reduction of revenue in accordance with NCGS.

22 **c. Property Tax Releases/Refunds**

23 The Board adopted a resolution, which is incorporated by reference, to release property
24 tax values for one taxpayer with a total of one bill that will result in a reduction of revenue
25 in accordance with North Carolina General Statute 105-381.

26 **d. Arts Commission – Appointments**

27 The Board approved the Arts Commission appointments as reviewed and discussed
28 during the April 23, 2020 Work Session.

29 **e. Distinguished Budget Presentation Award**

30 The Board recognized the budget staff of the Orange County Finance and Administrative
31 Services Department for earning the Government Finance Officers' Association (GFOA)
32 Distinguished Budget Presentation Award for the 2019-20 fiscal year budget document.

33 **f. Fiscal Year 2019-20 Budget Amendment #9**

34 The Board approved budget and grant project ordinance amendments for fiscal year
35 2019-20 to Animal Services; Human Rights and Relations; and Criminal Justice
36 Resource Department.

37 **g. Approval of a Resolution Authorizing a Revision in the Orange County FY 2018-
38 2019 HOME Program Design**

39 The Board approved a revision in the resolution adopted May 1, 2018, as amended by
40 the resolution adopted December 2, 2019, which authorized the Orange County FY
41 2018-2019 HOME Program Design and authorize the Chair to sign.

42 **h. Duke Energy Easement for Northern Campus Project**

43 The Board approved and authorized the Chair to sign an easement to Duke Energy at
44 the site of the Northern Campus construction project, 1020 U.S. 70 West, Hillsborough,
45 NC.

46
47 **9. County Manager's Report**

48 Bonnie Hammersley said the Economic Development Department and the CFO
49 from the Finance Department worked with the committee on the emergency small loan
50 grant program, and will be giving a detailed report to the Orange County Board of
51 Commissioners at the May 19th meeting.

52
53 **10. County Attorney's Report**

1 John Roberts said he sent out a summary of the two Covid-19 response bills.

2 John Roberts referred to the eviction diversion program, and said an update will
3 be provided at the May 19th Business meeting. He said staff will be asking the BOCC to
4 approve an eviction diversion program.

5 John Roberts said he responded last week to Commissioner Dorosin's questions
6 about the possibility of war bonds in a recent meeting, and in his response he mentioned
7 the Community Investment Fund. He said Annette Moore, Human Rights and Relations
8 Director, is very interested in establishing something like this as an additional funding
9 opportunity for an eviction diversion program.

10 Commissioner Dorosin asked if it would be possible to get some general
11 information about the community investment fund program.

12 John Roberts said the County would have no authority over it, but fosters
13 community spirit and would be managed by an outside entity. He said it would be for
14 established for purposes such as eviction diversion, etc. He said something similar
15 exists for Animal Services, and Bob Jessup, Bond Counsel, would be happy to speak
16 with the BOCC about this idea.

17

18 **11. *Appointments**

19 **NONE**

20

21 **12. Information Items**

22

- 23 • April 21, 2020 BOCC Meeting Follow-up Actions List
- 24 • Tax Collector's Report – Numerical Analysis
- 25 • Tax Collector's Report – Measure of Enforced Collections
- 26 • Tax Assessor's Report – Releases/Refunds under \$100

27

28 **13. Closed Session**

29 **NONE**

30

31 **14. Adjournment**

32

33 A motion was made by Commissioner Greene, seconded by Commissioner
34 McKee to adjourn the meeting at 9:30 p.m.

35

36 **VOTE: UNANIMOUS**

37

38

39

Penny Rich,

40 Chair

41

42

43 Donna S. Baker

44 Clerk to the Board

45

1
2
3 DRAFT

4 **MINUTES**
5 **BOARD OF COMMISSIONERS**
6 **VIRTUAL BUDGET PUBLIC HEARING**
7 **May 12, 2020**
8 **7:00 p.m.**

9 The Orange County Board of Commissioners met for a Virtual Budget Public Hearing Meeting
10 on Tuesday, May 12, 2020 at 7:00 p.m.

11
12 **COUNTY COMMISSIONERS PRESENT:** Chair Rich and Commissioners Jamezetta Bedford,
13 Mark Dorosin, Sally Greene, Mark Marcoplos, and Renee Price

14 **COUNTY COMMISSIONERS ABSENT:** Commissioner McKee

15 **COUNTY ATTORNEYS PRESENT:** John Roberts

16 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy County Manager
17 Travis Myren and Clerk to the Board Donna Baker (All other staff members will be identified
18 appropriately below)

19
20 Chair Rich called the meeting to order at 7:00 p.m.

21
22 Due to current public health concerns, the Board of Commissioners conducted a Virtual Budget
23 Public Hearing on Tuesday, May 12, 2020. Members of the Board of Commissioners
24 participated in the meeting remotely. Members of the public were able to view and listen to the
25 meeting via live streaming video at <http://www.orangecountync.gov/967/Meeting-Videos> and on
26 Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

27
28 In this new virtual process, there are two methods for public comment.

- 29 • Written submittals by email
- 30 • Speaking during the virtual meeting

31
32 **1. Opening Remarks**

33
34 **PUBLIC CHARGE**

35 The Chair acknowledged the public charge.

36 **2. Presentation of County Manager's Recommended FY 20-21 Budget**

37 Bonnie Hammersley made the following PowerPoint presentation:

38
39 **FY2020-21**

40 **COUNTY MANAGER RECOMMENDED BUDGET**

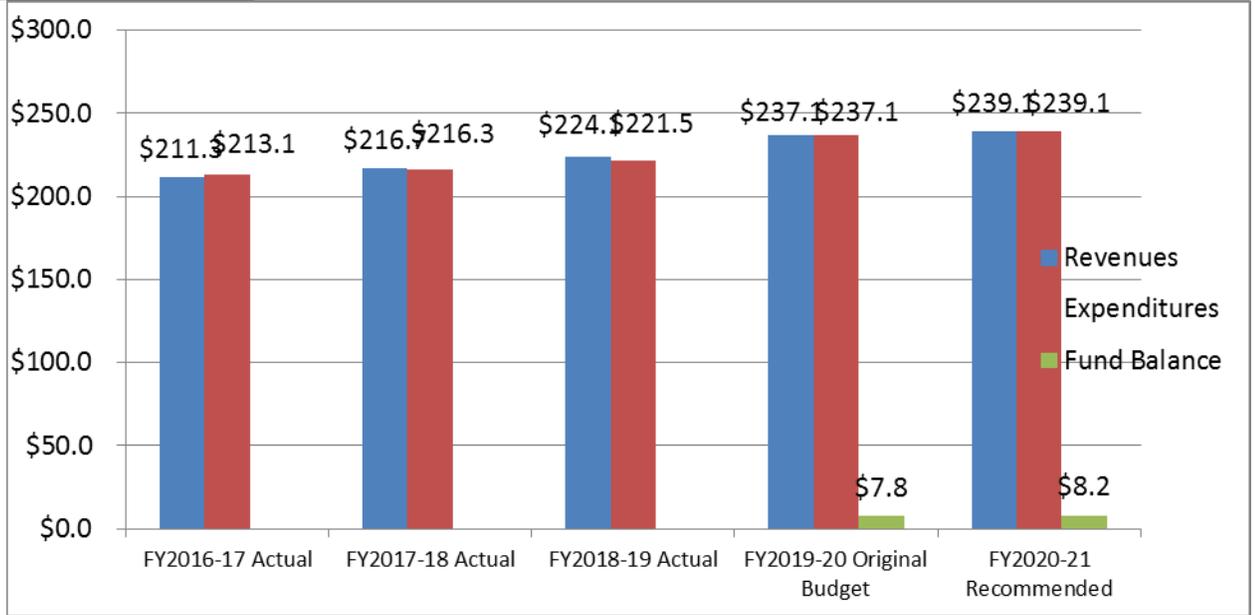
41 **May 5, 2020**

42
43 **BUDGET PRIORITIES**

- 44 Pay Debt Service
- 45 Maintain current services/workforce
- 46 CHCCS and Orange County School Funding
- 47 Honor contract Obligations
- 48 Maintain general fund Reserve Level
 - 49 ○ Property Tax Growth: 2.0% = \$2,460,550
 - 50 ○ Sales Tax Growth: -10.0% = -\$2,814,151

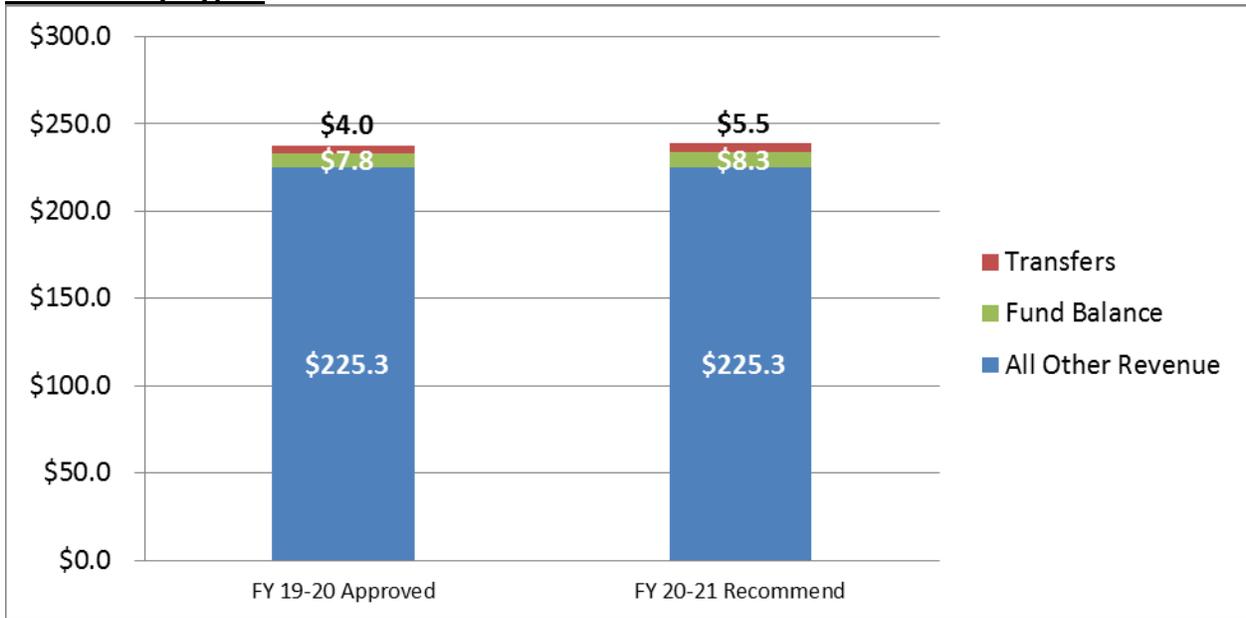
- 1 ○ Tax Rate: \$0.8679
- 2 ○ General Fund Reserve: 16% = \$35.6 million

3
4 **Revenues and Expenditures**



5
6

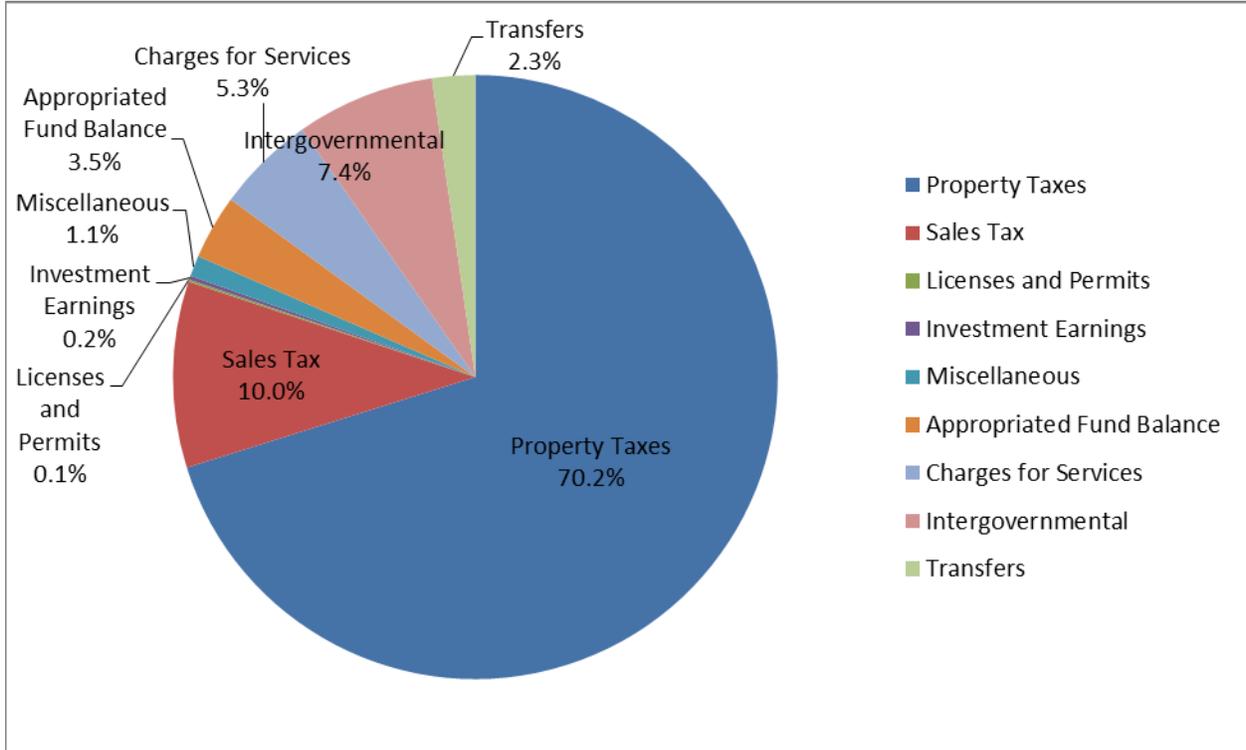
7 **Revenue By Types**



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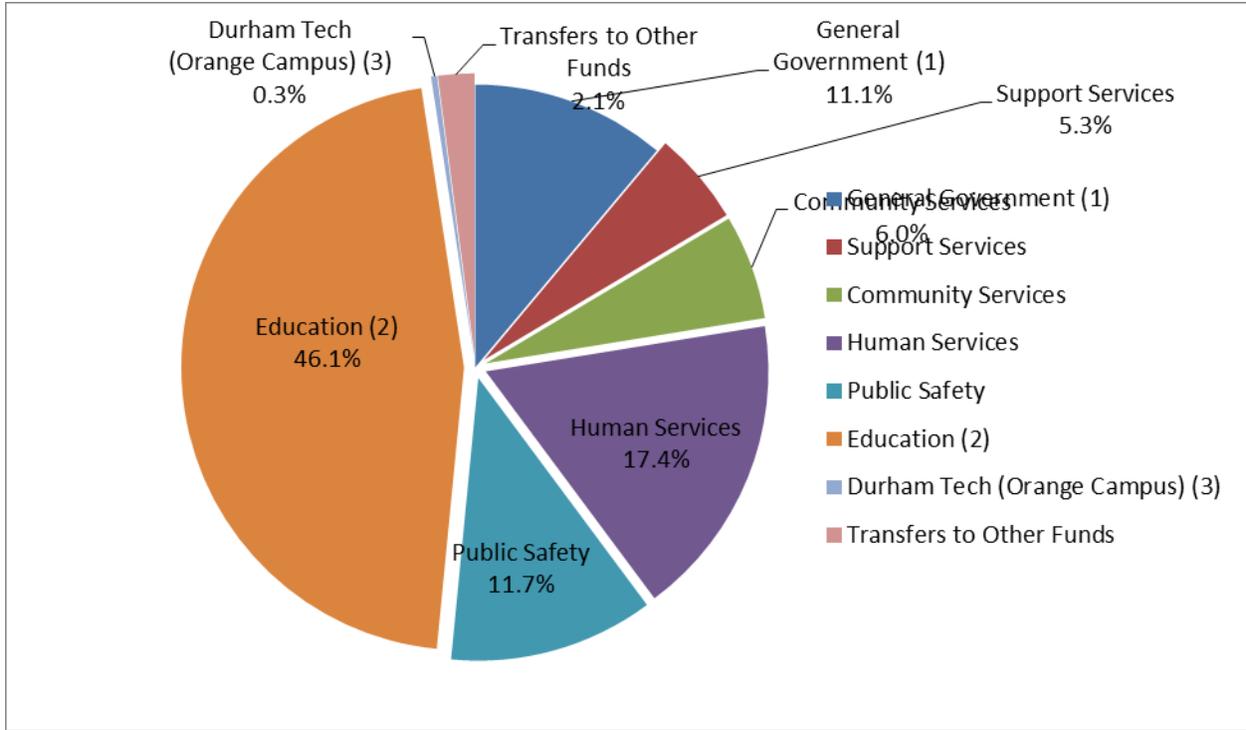
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BUDGET REVNUES



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BUDGETED EXPENDITURES



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11

ASSUMPTIONS

- ❑ Property Tax Growth: 2.0% = \$2,460,550
- ❑ Sales Tax Growth: -10.0% = -\$2,814,151
- ❑ Tax Rate: \$0.8679
- ❑ General Fund Reserve: 16% = \$35.6 million

EDUCATION

Chapel Hill Carrboro City Schools (CHCCS)
Orange County Schools (OCS)

Average Daily Membership (ADM)

	CHCCS	OCS	TOTAL
Students (under roof)	12,312	7,381	19,693
Out of District	(251)	(110)	(361)
Charter Students	166	885	1,051
Total	12,227	8,156	20,383

%ADM	59.99%	40.01%	100%
-------------	---------------	---------------	-------------

1
2

CHCCS - OPERATIONS	Request	Recommended	Recommended Increase
Allocation	61.19%	59.99%	-.15%
Current Expense	\$58,778,923	\$52,561,838	-\$122,150
Charter Students	\$805,595	\$723,428	-\$12,102
Health & Safety Contracts	\$2,108,796	\$2,108,796	\$0
Total	\$61,693,314	\$55,394,062	-\$134,252
Per Pupil	\$4,853	\$4,358	\$5.75

3

OCS - OPERATIONS	Requested	Recommended	Recommended Increase
Allocation	38.81%	40.01%	.15%
Current Expense	\$33,663,526	\$31,687,018	-\$45,237
Charter Students	\$4,135,826	\$3,856,830	\$187,883
Health & Safety Contracts	\$1,520,801	\$1,520,801	\$0
Staff Bonuses	\$1,027,000	\$0	\$0
Total	\$40,347,153	\$36,864,649	\$142,646
Per Pupil	\$4,673	\$4,358	\$5.75

4

ADD

CHCCS - CAPITAL	Requested Increase	Recommended Increase	Recommended Appropriation
Recurring Capital	(\$4,500)	(\$4,500)	\$1,799,700
Long Range Capital	\$42,120	\$42,120	\$2,455,016
Deferred Maintenance Plan	(\$4,500)	(\$4,500)	\$1,799,700
Supplemental Deferred Maintenance Plan	\$2,481,258	\$2,481,258	\$2,481,258
Total	\$2,514,378	\$2,514,378	\$8,535,674

5

1

DCS - CAPITAL	Requested Increase	Recommended Increase	Recommended Appropriation
Recurring Capital	\$4,500	\$4,500	\$1,200,300
Long Range Capital	\$38,123	\$38,123	\$1,637,359
Deferred Maintenance Plan	\$4,500	\$4,500	\$1,200,300
Supplemental Deferred Maintenance Plan	\$4,150,000	\$4,150,000	\$4,150,000
Total	\$4,197,123	\$4,197,123	\$8,187,959

2

3

YEAR	County Appropriation		% of General Fund Revenue
	Per Pupil	\$ Increase	
FY2016-17	\$3,868	\$170.50	50.6%
FY2017-18	\$3,991	\$123	49.7%
FY2018-19	\$4,165	\$174	50.1%
FY2019-20	\$4,352.25	\$187.25	49.5%
FY2020-21	\$4,358	\$5.75	49.4%

4

5

DURHAM TECHNICAL COMMUNITY COLLEGE	
Current Expense	\$723,256

Durham Tech Promise*	\$200,000
Capital Outlay	\$75,000

1 * Funded by Article 46 Sales Tax
2

3 **OUTSIDE AGENCIES**
4

5 Base Budget (FY2019-20) with the following exceptions that received increased
6 funding:

- 7 ✓ Compass Center for Women and Families: \$12,751
- 8 ✓ Interfaith Council: \$69,937
- 9 ✓ Meals on Wheels Chapel Hill: \$27,488
- 10 ✓ OCIM: \$13,965
- 11 ✓ Pathways to Change: \$4,351

12 (new Domestic Violence program for Orange County)

- 13 ✓ ***\$1,541,974 is consistent with the target established by the BOCC to allocate 1.2%
14 of general fund expenses, not including education, to outside agencies.***

15 **Fire Districts**
16

FIRE DISTRICT	CURRENT TAX RATE	REQUESTED TAX RATE INCREASE	RECOMMENDED TAX RATE
Cedar Grove	\$0.0810	\$0.00	\$0.0810
Chapel Hill	\$0.1491	\$0.00	\$0.1491
Damascus	\$0.1080	\$0.00	\$0.1080
Efland	\$0.0678	\$0.00	\$0.0678
Eno	\$0.0968	\$0.00	\$0.0968
Little River	\$0.0592	\$0.00	\$0.0592
New Hope	\$0.0994	\$0.073	\$0.1067
Orange Grove	\$0.0681	\$0.00	\$0.0681
Orange Rural	\$0.0915	\$0.033	\$0.0948
South Orange	\$0.0968	\$0.00	\$0.0968
Southern Triangle	\$0.1080	\$0.00	\$0.1080
White Cross	\$0.1237	\$0.00	\$0.1237

1 **FIRE DISTRICTS**

2

3

4 **BUDGET STRATEGIES**

5 **EXPENDITURE REDUCTION STRATEGIES:**

- 6 No Wage or Salary Increase for County Employees – (\$1,600,000)
- 7 Extend Hiring Freeze through FY20-21 – (\$1,000,000)
- 8 Eliminate Travel and Training funds – (\$500,000)

9 **SHORT-TERM EMERGENCY MEASURES:**

- 10 Transfer from Capital Reserves - \$1,000,000
- 11 Transfer from Article 46 Sales Tax County Reserves - \$525,000
- 12 Transfer from Health & Dental Insurance Reserves - \$475,000
- 13 Transfer from Solid Waste Reserves - \$475,000
- 14

15 **FUNCTIONAL LEADERSHIP TEAMS**

16 **COMMUNITY SERVICES**

- 17 ✓ Maintain Solid Waste Program Fee at \$142 per year

18 **HUMAN SERVICES**

- 19 ✓ 3.625 FTE – Partnership to End Homelessness
- 20 • HUD Revenue & Reallocations
- 21 ✓ \$25,600 Recurring Capital
- 22 • Partially Offset by Revenue

23 **PUBLIC SAFETY**

- 24 ✓ Recurring Capital - \$205,000 (Transfer from Health & Dental Fund
- 25 Reserve)
- 26

27 **BUDGET TIMELINE**

28

BUDGET TIMELINE	DATE
Recommended Budget Presentation	May 5
BUDGET PUBLIC HEARINGS	DATE
Budget and Capital Investment Plan (CIP)	May 12 & June 4
BUDGET WORK SESSION SCHEDULE	DATE
Schools and Outside Agencies	May 14
Fire District, Public Safety, Support Services and General Government	May 21

Human Services and Community Services	May 28
Budget Amendments and Resolution of Intent to Adopt	June 9
BOCC REGULAR MEETING	DATE
FY2020-21 Operating and CIP Budget Adoption	June 16

1
2 **Budget Document Availability**

- 3
4 **Clerk to Board of Commissioners**
5 **County Finance & Administrative Services Office**
6 **Orange County Website - <http://orangecountync.gov>**

7
8 **Public Comment**

9 Sherry Appel, Chair, Orange County Historical Museum in Hillsborough, said the re-
10 opening of the County is critical in bringing more tourism into the area, and she supported the
11 request of the County Manager because they have a lot of things they are planning to do, and
12 they want to try and do more under this grant funding.

13 Cordelia Heaney, Executive Director Compass Center for Women and Families, read the
14 following comments:

15 Our focus is on empowering individuals and promoting equal access to opportunity,
16 regardless of gender or economic status. Our services include career and financial education,
17 domestic violence crisis and prevention programs, assistance with legal resources, and youth
18 health programs.

19 Our self-sufficiency programs offer help with career and financial education as well as
20 access to legal resources. Our empowerment programs offer health-related education for
21 middle school students, including bullying and dating violence prevention. We also offer
22 comprehensive services to adults and children who are experiencing emotional, physical or
23 sexual abuse in their personal relationships. On the crisis side, they provide domestic violence
24 counseling.

25 The support we receive from the Orange County helps us to leverage other funds such
26 as mental health services, and there is a potential decrease of 30% from their state funding in
27 their services across the state this next fiscal year. They are considered an essential service
28 provider and they do rely on this funding from Orange County.

29
30 Riley Ruske spoke, but did not have enough time, and thus submitted his full written
31 comments below:

32
33 Orange County Government Officials:

34
35 It is impossible to address a 500-page budget effectively in only 3 minutes so I was unable to
36 complete my comments tonight. Therefore, I am providing the text of my planned comments
37 below. It is my fervent hope that someone in the Orange County budget process will seriously
38 consider the impact of having the highest property and sales tax in the state on our citizens and

1 work to reduce spending and borrowing, especially on failed and potentially illegal activities.
2 Here is the text:

3
4 BOCC Public Hearing
5 2020 -2021 Budget Proposal
6 May 12, 2020
7 Public Comment
8

9 Orange County has the highest property and sales tax rates in the state. The 2020 – 2021
10 operating budget proposal is not an austerity budget – at \$273.6 million it continues to increase
11 spending resulting in a two year increase of \$15.0 million dollars. An austerity budget would at
12 the very least return spending to the 2018 – 2019 budget level of \$ 258.6 million. This budget
13 proposal is just more of the same increased spending with some window dressing like the
14 elimination of employee performance bonuses to make it look like some austerity measures are
15 being taken. These comments do not even get into the discussion of the capital budget and
16 borrowings that present great future risk for taxpayers.
17

18 One positive change would be to institute an immediate five year freeze on any spending on
19 light rail and transit programs. After the massive waste of over \$150 million dollars by Orange
20 County government and GoTriangle there is clearly a need to stop these failing programs. This
21 action should be followed by ending the County association with GoTriangle for more savings
22 for the taxpayers of Orange County. This should also lead to the elimination of the Article 43
23 Sales Tax adders.
24

25 Another change would be to immediately and permanently cease all funding of programs,
26 persons, entities and organizations that shield and shelter or aid and abet the massive foreign
27 criminal enterprise of illegal immigration. Orange County government departments should be
28 reduced to reflect this change to further reduce cost. Providing tax funds for illegal immigration
29 quite possibly is illegal under federal and state laws and should never have occurred in the first
30 place.
31

32 Also, the funds allocated to outside agencies should be cut rather than increased. Charity is the
33 responsibility of private citizens and organizations, not government. The budget of \$ 1.54
34 million dollars should, at the very least, be reduced to one half million dollars. The current
35 approach of making this a percentage of budget only guarantees increased cost every year with
36 no specifically identified need.
37

38 No where in any of these budget proposals is there any identification of cost reductions through
39 productivity improvements or the many expensive investments in technology. Costs should be
40 going down from the benefit of these actions.
41

42 All cost reduction actions should be used to reduce the sales and property tax rates—not to
43 increase government bloat.
44

45 While there are many other areas of potential reduction such as cancelling the recent half
46 million dollar transit study and the half million dollar unnecessary climate tax spending, there is
47 not enough time allocated for detailed review and analysis by private citizens to point out all
48 these opportunities. Someone in county government needs to start advocating for the
49 taxpayers and the thousands of citizens and businesses that have been financially damaged by
50 the Wuhan virus crisis and the bloated Orange County government.
51

1 Stop gouging our citizen taxpayers -- cut the spending and borrowing!!!!

2
3 Kimberly Sanchez, Executive Director, Community Home Trust (CHT), said she is so
4 appreciative and grateful for the Board of County Commissioners' (BOCC) support, and the
5 proposed budget that does include funding for the CHT. She said during Covid-19, CHT is still
6 selling homes. She said CHT has 270 homes in its inventory, and average family income of
7 CHT homebuyers' is \$40,000. She said they are also in the rental market as well, and she
8 reviewed some of the entities that CHT manages. She said CHT is looking for additional land to
9 be donated for future development.

10 Kevin Giff, Community Development Manager for Habitat for Humanity of Orange
11 County, thanked the Orange County Board of Commissioners for supporting its affordable
12 housing efforts, and its new ownership and preservation programs. He said Habitat has been
13 fortunate to be able to continue business during the pandemic. He reviewed Habitat's home
14 preservation program. He said over half of the owners are over age 65, and the average
15 homeowner income is \$20,000. He said Orange County's funding enables Habitat to support
16 these homeowners to age in place.

17 Donna Baker, Clerk to the Board, read the following public comment via email from Kari
18 Hamel of Chapel Hill:

19
20 Dear Board of County Commissioners,

21
22 Thank you to the Commissioners and to the county staff for your efforts during this pandemic.
23 Your accessibility - particularly in responding to questions, concerns, and suggestions -is noted
24 and appreciated.

25
26 My reasons for writing are two-fold: I am grateful to the current and former Commissioners for
27 your longtime support and encouragement toward all of the wonderful children in our community
28 through your generous funding of public education. This commitment continues to be critical
29 today as an increasing number of households (many with children) are reduced to one or zero
30 income sources due to this public health crisis.

31
32 I encourage you to continue to be forward thinking about generously allocating school-related
33 funds now as well as to lay the necessary foundation for future years. Certainly, continuing
34 conversations to ensure all CHCCS custodian are in-house so that they (and their loved ones)
35 realize the prosperity that comes from receiving a living wage and benefits from their public
36 employer has my full support.

37
38 Secondly, it is out of this same appreciation which I raise my good faith concerns that local
39 school funding provided by the county has been and remains *susceptible to unethical behavior*
40 *and misuse* as the county's oversight and governance structures may be vulnerable to
41 exploitation. The seeming design to utilize local funding on at least one problematic contract in
42 CHCCS known about by the public is just one example.

43
44 Perhaps, of some relevance, a county commissioner from another jurisdiction recently
45 referenced the obligation of the elected board to promote orderly and efficient administration of
46 county affairs.*

47
48 To that same end, here in Orange County, what specific ideas do the Commissioners have to
49 promote the efficient administration of county affairs **by ensuring that the generous local**
50 **dollars you allot to the schools are reaching the children and the professional human**

1 **workforce, as well as by lowering the risks that funds are unethically accessed, wasted,**
2 **and/or misused?**

3
4 Potential subjects of consideration:

- 5 - Consider creating an inspector general or internal auditor role within the county with
- 6 responsibilities related to school-related funds;
- 7 - Consider forming an audit committee with similar functions as adopted in another North
- 8 Carolina county in response to fiscal abuses;** and/or,
- 9 - Consider seeking for the school districts to create their own respective annual audit plans and
- 10 report on them quarterly to your body.
- 11 - Other ideas?

12
13 Thank you for considering my questions and remarks.

14 Regards, Kari Hamel
15 6718 Creek Wood Drive.
16 [Chapel Hill, NC 27514](#)

17
18 Commissioner Dorosin said he is looking to propose amendments to the CIP, and
19 wanted clarification that any amendments, which may result in cost savings in the CIP, cannot
20 be transferred as savings in the operating budget. He asked if this is correct.

21 Bonnie Hammersley answered yes.

22 Bonnie Hammersley said any amendments that come in would be published on the
23 website.

24
25 **4. Adjournment**

26
27 A motion was made by Commissioner Dorosin, seconded by Commissioner Marcoplos
28 to adjourn the meeting at 7:40 p.m.

29
30 **VOTE: UNANIMOUS**

31
32
33
34 Penny Rich, Chair

35
36
37 Donna S. Baker
38 Clerk to the Board

39
40

1
2
3 DRAFT

4 **MINUTES**
5 **BOARD OF COMMISSIONERS**
6 **VIRTUAL BUDGET WORK SESSION**
7 **May 14, 2020**
8 **7:00 p.m.**

9 The Orange County Board of Commissioners met for a Virtual Budget Work Session on
10 Thursday, May 14, 2020 at 7:00 p.m.

11
12 **COUNTY COMMISSIONERS PRESENT:** Chair Rich and Commissioners Jamezetta Bedford,
13 Mark Dorosin, Sally Greene, Earl McKee, Mark Marcoplos, and Renee Price

14 **COUNTY COMMISSIONERS ABSENT:**

15 **COUNTY ATTORNEYS PRESENT:**

16 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy County Manager
17 Travis Myren and Clerk to the Board Donna Baker (All other staff members will be identified
18 appropriately below)

19
20 Chair Rich called the meeting to order at 7:00 p.m.

21
22 Due to current public health concerns, the Board of Commissioners conducted a Virtual Budget
23 Work Session on May 14, 2020 utilizing Zoom. Members of the Board of Commissioners
24 participated in the meeting remotely. As in prior meetings, members of the public were able to
25 view and listen to the meeting via live streaming video at [orangecountync.gov/967/Meeting-](http://orangecountync.gov/967/Meeting-Videos)
26 [Videos](http://orangecountync.gov/967/Meeting-Videos) and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).
27
28

29 **1. FY 2020-21 Operating and CIP Budget Discussions, with:**

- 30 • Durham Technical Community College, Pg. 151 and Pgs. 195 – 199
- 31 • Chapel Hill-Carrboro City Schools, Pg. 151 and Pgs. 155 - 175
- 32 • Orange County Schools, Pg. 151 and Pgs. 176 – 194

33
34
35 **BACKGROUND:** The County Manager presented the FY 2020-21 recommended budget on
36 May 5, 2020. Since that time, the Board has conducted one public hearing to receive residents'
37 comments regarding the proposed funding plan. Tonight's work session is the first opportunity
38 the Board has had to discuss next years recommended funding plan related to Education
39 funding.
40

41 **County Support of Local Boards of Education**

42 The recommended funding level represents a total appropriation for both school districts of
43 \$113.9 million, which is 49.4 percent of General Fund revenues, 1.3 percent above the target of
44 48.1 percent established by the Board of County Commissioners. This includes funding for
45 current expense, school related debt service, school health and safety service contracts, and
46 schools deferred maintenance funds.
47

48 **Student Enrollment Projections for the Chapel Hill-Carrboro City Schools:**

49 Based on DPI projections, the Chapel Hill-Carrboro City School District enrollment for fiscal
50 year 2020-21 totals 12,312, reflecting a decrease of 43 students when compared to the March

1 2019 projections. The district has a current enrollment, as of March 2020, of 166 charter
2 students, which represents a decrease of 3 students from March 2019. Out of district students
3 are budgeted at 251, 1 more than budgeted in the current fiscal year. This brings the total
4 district enrollment to 12,227 for FY 2020-21.

5 6 **Student Enrollment Projections for the Orange County Schools:**

7 Based on DPI projections, the Orange County School district enrollment for fiscal year 2020-21
8 totals 7,381, a decrease of 7 students from the March 2019 projections. The district continues
9 to experience a growing number of charter students, with a current enrollment, as of March
10 2020, of 885 students, which represents an increase of 42 students from March 2019. Out of
11 district students are budgeted at 110 students; 13 more than budgeted in the current fiscal year.
12 This brings the total district enrollment to 8,156 for FY 2020-21.

13
14 The General Assembly requires school systems to pay a per pupil allotment to support charter
15 students within their district.

16 17 **Current Expense**

18 The recommended appropriations for Chapel Hill-Carrboro City and Orange County Schools
19 increases the current expense funding by \$8,394 in FY 2020-21. This includes an increase in
20 per pupil funding from \$4,352.25 to \$4,358, a \$5.75 increase for each of the 20,383 students in
21 the two school systems. Local Current Expense funding supplements State and Federal funds
22 received by each district for the day-to-day operation of schools. Examples of expenses paid
23 from these funds include salaries and benefits for locally paid teachers and utilities. North
24 Carolina statutes mandate boards of county commissioners to provide local current expense
25 monies to school districts. Counties having more than one school administrative unit, as is the
26 case in Orange County, are required to provide equal per pupil appropriations to each system.

27 28 **Recurring Capital**

29 Recurring capital for both School districts remains the same as the prior year appropriation of
30 \$3 million dollars. The recommended budget for FY 2020-21 includes \$1,799,700 for Chapel
31 Hill-Carrboro City Schools and \$1,200,300 for Orange County Schools. For FY 2020-21, as was
32 the case in FY 2019-20, debt financing will be utilized, instead of pay-as-you-go funding for
33 Recurring capital. Recurring capital pays for facility improvements, equipment, furnishings, and
34 vehicle and bus purchases. State statutes mandate counties to fund recurring capital. However,
35 the amount of money counties allocate to this function is discretionary and varies from county to
36 county.

37 38 **Long Range Capital**

39 The County plans and programs long-range school capital funding through the County's Capital
40 Investment Plan (CIP). The recommended budget for FY 2020-21 includes \$2,455,016 for
41 Chapel Hill-Carrboro City Schools and \$1,637,359 for Orange County Schools, for a total of
42 \$4,092,375, which represents an increase of \$80,243 from FY 2019-20. A 2% annual growth
43 rate is included throughout the years of the CIP related to Long Range Capital. For FY 2020-21,
44 as was the case in FY 2019-20, debt financing will be utilized, instead of pay-as-you-go funds
45 for Long Range Capital projects. Similar to Local Current Expense funding, the amount of
46 money counties allocate to long-range capital expenditures is discretionary and varies from
47 county to county.

48 49 **School Debt Service**

1 The recommended budget provides for \$18,507,336 in School Related Debt Service, which
 2 represents repayment of principal and interest on School related debt, including general
 3 obligation bonds and private placement loans. North Carolina statutes require counties to pay
 4 for school related capital items, such as acquisition and construction of facilities. In instances
 5 where counties borrow funds to pay for such items, the State mandates counties to repay the
 6 debt. The amount of money counties borrow for school related projects is discretionary and
 7 varies from county to county.

8 **Health and Safety Service Contracts**

9 The recommended budget includes \$3,629,597 for the Health and Safety Service Contracts for
 10 both school districts to cover the costs of School Resource Officers in every middle and high
 11 school, and a School Health Nurse in every elementary, middle, and high school in both school
 12 systems.
 13

14 **Deferred Maintenance Funds for School Capital Projects**

15 The recommended budget includes \$3,000,000 allocated by ADM towards deferred
 16 maintenance needs as addressed in both school districts' assessment of older facilities in the
 17 following amounts: Chapel Hill-Carrboro City Schools appropriation of \$1,799,700, and Orange
 18 County Schools appropriation of \$1,200,300.
 19

20 **Supplemental Deferred Maintenance Program**

21 The FY2020-21 CIP introduces a supplemental funding program for deferred maintenance and
 22 life and safety improvements in schools. The program would involve an expenditure of \$30
 23 million over the next three years to expedite each School District's backlog of deferred
 24 maintenance projects in anticipation of a potential general obligation bond referendum in future
 25 years.
 26

27 The total amount is divided between the Districts on the basis of average daily membership for
 28 this fiscal year. As a result, Chapel Hill-Carrboro City Schools is allocated 59.99% or
 29 \$17,997,000 of the \$30 million total while Orange County Schools is allocated 40.01% or
 30 \$12,003,000 of the total amount.
 31

32 Given this allocation, each District was asked to provide a three year plan for these
 33 expenditures. Chapel Hill-Carrboro City Schools requested \$1,800,000 in year 1, to upgrade
 34 security cameras radios and intercom systems in schools; and design and engineering services
 35 for large capital projects scheduled in years 2 and 3, \$10,000,000 in year 2 and \$6,197,000 in
 36 year 3. Orange County Schools requested \$4,150,000 in year 1, primarily for continuation of
 37 their district-wide Safety and Security Plan, and upgrades/renovations to restrooms and the
 38 main hall at Orange High School, \$3,600,000 in year 2, and \$4,253,000 in year 3.
 39

40 **School Districts Budget Requests**

41 Both School Districts requested increases in per pupil funding for FY 2020-21.
 42 Chapel Hill-Carrboro City Schools requested an increase of \$500.73. This requested increase
 43 in the local per pupil allocation for current expenses would increase the per pupil allocation to
 44 \$4,852.98. This funding level would represent an increase of \$6,165,000 in the current expense
 45 for Chapel Hill-Carrboro City Schools.
 46

47 Orange County Schools requested an increase of \$321. This requested increase in the local
 48 per pupil allocation for current expenses would increase the per pupil allocation to \$4,673.25.
 49 This funding level would represent an increase in the current expense for Orange County
 50

1 Schools of \$2,398,150. Orange County Schools also requested one-time funding of \$1,027,000
 2 for staff bonuses, outside of the current expense funding.
 3

4 **County Support of Orange County Campus of Durham Technical Community College**
 5 **(DTCC)**

6 The recommended funding for the Orange County Campus of Durham Technical Community
 7 College, located at the Waterstone Development in Hillsborough, provides current expense
 8 funding of \$723,256, recurring capital of \$75,000, and debt service payments of \$233,634. In
 9 addition, the recommended budget includes \$200,000 for 200 scholarships (student tuition for
 10 Orange County Residents), which will be paid from Article 46 Sales Tax proceeds instead of
 11 through Current Expenses.
 12

13 As with local school districts, counties in North Carolina are responsible for supplementing state
 14 and federal appropriations to community colleges. For the most part, counties are responsible
 15 for day-to-day operating costs such as utilities, security and custodial services. The Counties
 16 are not responsible for funding of teaching staff.
 17

18 **Capital Investment Plan**

19 The FY 2020-21 Manager Recommended Capital Investment Plan included funding of
 20 \$10,460,944 in FY 2020-21, and a 5-Year total of \$54,611,404, for Chapel Hill-Carrboro City
 21 Schools; and funding of \$9,926,369 in FY 2020-21, and a 5-Year total of \$46,526,909 for
 22 Orange County Schools. **Note:** these amounts have been revised from the Original
 23 Recommended Capital Investment Plan to reflect the revised ADM%, as included in the FY
 24 2020-21 Manager Recommended Operating Budget.
 25

26 The Manager Recommended Capital Investment Plan includes funding of \$26,547,911 for a
 27 new Academic Building and parking in Years 6-10 for Durham Technical Community College –
 28 Orange County Campus. Details regarding recommended funding levels for local school
 29 districts and Durham Technical Community College are located in the Education section of the
 30 budget document, beginning on Page 151.

31 During tonight's work session, Commissioners will have the opportunity to dialogue with the
 32 Durham Technical Community College, Chapel Hill-Carrboro City Schools, and Orange County
 33 Schools about county funding and anticipated State funding for schools next year.
 34

35 Travis Myren made the following PowerPoint presentation:
 36

37 **Budget Work Session #1**
 38 **Education and Outside Agencies**
 39 **May 14, 2020**
 40 **Virtual Meeting**
 41

42 **Durham Technical Community College (chart)**

- 43 • Operating Costs (non-instructional) – page 151
 44

45 **Durham Technical Community College (chart)**

- 46 • Durham Tech Promise – page 65
 - 47 ○ \$200,000 Recommended Appropriation for FY2020-21
 - 48 – Funded by Article 46 sales tax
 - 49 – Annual scholarship of \$1,000 per student
 - 50 – Open to recent high school graduates and GED recipients

1
2 **Durham Technical Community College (pie chart)**

- 3
4 • Durham Tech Promise – page 65
5 ○ Orange County Durham Tech Promise Students by Ethnicity

6 **Durham Technical Community College (pie chart)**

- 7 • Durham Tech Promise – page 65
8 ○ Orange County Durham Tech Promise Students by Gender

9
10 **Durham Technical Community College (pie chart)**

- 11 • Durham Tech Promise – page 65
12 ○ Orange County Durham Tech Promise Students by School

13
14 **Durham Technical Community College**

- 15 • Capital Investment Plan – page 135 of CIP
16 ○ New Academic Building Moved to Years 6-10
17 – \$26.6 million total estimated project costs
18 – Estimated at 40,000 – 45,000 square feet
19 – Additional 250 parking spaces
20 ○ Project Phasing
21 – Year One: Planning and Design - \$1 million
22 – Year Two: Site Preparation and Construction - \$14 million
23 – Year Three: Project Completion - \$11.6 million
24 ○ Current Debt Service Satisfied in FY2027

25
26 **Debt Service Projections - Projected Debt Service Schedule**

27
28 **Debt Service to General Fund Revenue Projection**

29
30 Commissioner Dorosin said he wanted clarification about the capital project, and he
31 would like to move this project out of years 6-10, and into years 1-5. He asked if the BOCC
32 were to bring this project forward, would it need to find offsetting funds, and how would that
33 look.

34 Travis Myren said this can be looked at on a yearly basis, but the cumulative effect on
35 debt service would be for the total 5 years.

36 Commissioner Dorosin asked Dr. Ingram if the BOCC did move this project up, so year
37 1 was next year, does Durham Tech have the capacity to execute that in that timeframe.

38 Dr. Ingram said yes, and the timeframe would include some planning.

39 Commissioner Price asked if capital costs would be included in the first year, versus
40 planning being in the first year.

41 Travis Myren said the first year would be \$1 million for planning and design, with
42 construction costs in years 2 and 3.

43 Commissioner Price asked if the County can borrow funds for the planning process.

44 Travis Myren said yes, as long as the funds are connected to a fairly certain capital
45 project.

46 Commissioner Price asked if this is the best time to start this project given that DTCC is
47 in search of a new President, and will be in a time of transition and a pandemic.

48 Dr. Ingram said DTCC has a high-level land use concept plan. He said the first year
49 would involve meeting with interested parties about what the programs would be. He said his

1 Board is interested in moving this project forward, and most of the expected growth is in
2 Orange County.

3 Commissioner Bedford asked Dr. Ingram if currently enrolled students are doing real
4 time online learning, or posted assignments.

5 Dr. Ingram said DTCC's online instruction is mostly asynchronous in nature, with posted
6 assignments. He said he is not aware of any synchronous instruction.

7 Commissioner Bedford asked if, with this pandemic, will the instruction model shift in
8 greater ways to more and more asynchronous learning. She wondered if it would be wise to
9 wait some period of time, and then reassess brick and mortar needs. She said next year might
10 be too soon, and asked if 18 months would be better.

11 Dr. Ingram said DTCC is ready to move forward when the Orange County Board of
12 Commissioners is ready. He said DTCC is restarting some face-to-face instruction in Orange
13 County next week, mostly due to the nature of the programs that are offered in Orange County.

14 Commissioner McKee asked Commissioner Dorosin if he is supporting the start of
15 planning in 2020-21.

16 Commissioner Dorosin said yes, potentially.

17 Commissioner McKee said given what the County is facing right now, he is reluctant to
18 move this forward. He said once this ball gets rolling the County would be looking at \$26 million
19 for this project.

20 Commissioner Dorosin said he would try to find offsetting funds in the CIP, for the entire
21 \$26 million.

22 Commissioner McKee said if that were possible, he would be open to further discussion.
23 He said his concern about starting a project of this cost is the many unknowns ahead.

24 Dr. Ingram said the project would have to be approved by the State Board of Community
25 Colleges, who would not so without a commitment from the County for the full price tag.

26 Commissioner Greene said she is not questioning the need for this project, but she is
27 wondering about the planning. She asked if stage would be \$1 million.

28 Travis Myren said yes.

29 Commissioner Greene said \$1 million seems low to properly accomplish the planning
30 stage.

31 Travis Myren said the total planning bill is about \$2 million, with \$1 million being the
32 County's part.

33 Dr. Ingram said the total price of the project is \$26 million, which includes planning.

34 Commissioner Price said, in response to Commissioner McKee, the reason she is in
35 agreement of moving up this project is that it needs to at least start, and not wait another 5
36 years. She said this is a piece of economic development in her opinion.

37 Travis Myren resumed the PowerPoint presentation:

38

39 **FY2020-21 Budget Recommendations**

40 **Chapel Hill-Carrboro City Schools**

41 **Orange County Schools**

42

43 **Total Funded Students (chart)**

44

45 **Chapel Hill-Carrboro Funded Students (chart)**

46

47 **Chapel Hill-Carrboro Funded Student History (chart)**

48

49 **Orange County Funded Students (chart)**

50

1 **Orange County Funded Student History (chart)**

2
3 Commissioner Marcoplos asked if there is any information about the charter school
4 freeze.

5 Travis Myren said he does not know why the freeze started, but the reality is that even
6 though these students are not in the districts' buildings, the districts are required to pay the per
7 pupil for the students. He said that is a cost that is being incurred by the Districts, as the
8 County funding stayed the same, but the Charter fees increased.

9 Bonnie Hammersley said in the 2015-16 budget, she phased in an increase of the
10 frozen number, plus half of the overage, and the next year they fully funded the overage. She
11 said this helped the schools to keep the funds they have, and be reimbursed by the County.
12 She said this has continued since that time.

13 Commissioner Marcoplos said the County is easing the burden the schools have to incur
14 for funding charter students.

15 Bonnie Hammersley said that is correct.

16 Travis Myren resumed the PowerPoint presentation:

17
18 **Recommended School Funding**

- 19 • Operating Budget School Funding – page 151
- | | |
|--|----------------|
| 20 • Current Expense | \$88,829,114 |
| 21 • Total Projected Students | 20,383 |
| 22 • Total Per Pupil Allocation | \$4,358 |

23
24 **Recommended School Funding**

- 25
26
27 • Operating Budget Funding Target
- 28 ○ Operating Budget Funding as a Percentage of General Fund Revenue

29
30 **Recommended School Funding (chart)**

- 31 • Capital Budget School Funding – page 101 CIP slide 16

32
33 **Recommended School Funding (bar graph)**

- 34 • Total Recommended School Funding History

35
36 **Recommended School Funding (bar graph)**

- 37 • Per Pupil Allocation History

38
39 **Recommended School Funding (bar graph)**

- 40 • CHCCS Per Pupil Allocation History with District Tax slide 19

41
42 **Recommended School Funding (bar graph)**

- 43 • Annual Changes in Per Pupil Allocation
- 44 ○ \$108 average annual increase since FY2008-09

45
46 **Recommended School Funding**

- 47 • Why a \$5.75 Per Pupil Increase slide 21
- 48 ○ Number of Students Decreased by 25
 - 49 ○ Per Pupil Rounded up by \$0.42
 - 50 ○ FY2020-21 Rounded Per Pupil \$4,358.00

1	○ FY2020-21 Students	20,383
2	○ FY2020-21 Current Expense	\$88,829,114

3
4 Commissioner Dorosin said the requested continuation budget form CHCCS was an
5 additional \$3.7 million, and he is unsure of OCS.

6 Travis Myren said the Superintendents can clarify this information, and compare
7 requested budgets to the Manager's recommended budget.

8 Commissioner Price referred to page 151, under other school related programs, and
9 asked if there will be social workers as well, or if this is covered by the schools separately.

10 Travis Myren said that is included in the local school district budgets, and he does not
11 know which proportion is County funded versus school funded.

12 Commissioner Price said Orange County takes care of the SROs and nurses, but social
13 workers are a different part of the budget.

14 Travis Myren said yes.

15 Commissioner Price said they have school equity training as zero, and there is an
16 indication of a footnote, but she does not see the footnote.

17 Bonnie Hammersley said that training was a one time cost requested by both school
18 districts last year, which is likely what the footnote should have said.

19 Superintendent Felder reminded the BOCC that education is the foundation of their
20 community.

21 Rhonda Rath, OCS Chief Financial Officer, made the following PowerPoint presentation:

22
23 **2020/2021 Orange County Schools**
24 **Budget Request**

25
26 **Orange County Schools FY2021 Budget Request**
27 **Updates since April 28, 2020**

- 28 ➤ We remain committed to our 3 FOIC: (1) Literacy (2) Culture/Climate and (3)
29 Stakeholder Engagement
- 30 ➤ Manager's Recommended Budget will not fund our Continuation budget request
31 particularly our known benefit increases (Slide 3)
- 32 ➤ The OCS Board of Education has reviewed the requested per pupil funding and stands
33 behind the requested \$4,673 per pupil.
- 34 ➤ We will share the State and Federal emergency allocation planned spending. These
35 additional funds cover basic needs of remote learning (Slides 4-5)
- 36 ➤ Post COVID-19 information we feel underscores our per pupil request (Slides 6-8)

37
38 **2020/2021 Recommended County Appropriation Shortfall (chart)**

39
40 COVID-19 State and Federal Emergency Allocation
41 Orange County Schools LEA 680

42 State – Governor Cooper's Emergency Funding	\$226,956
43 Federal CARES Act	\$940,689
44 Total One Time Emergency Funds	\$1,167,645

- 45
46
47 • Funds restricted and expire
48 • State funds only expended for school nutrition, school and community based child care,
49 cleaning and sanitizing schools and buses, protective equipment and remote learning.

- 1 ○ Expire June 30, 2020
- 2 • Federal funds released after local education agencies (LEA) apply.
- 3 • A little more flexibility in spending. (e.g. mental health services and supports, planning
- 4 and implementing summer learning, training and professional development pertaining to
- 5 sanitation and minimizing spread of virus)
- 6 ○ Expire September 21, 2020

7

8 **OCS COVID-19 State and Federal**

9 **Emergency Allocation Draft Spending Plan**

- 10
- 11 • **200,000** - 500 Hotspots to be distributed to families without internet
 - 12 • 825,000 – K-2 ipad devices for students to take home for remote learning
 - 13 • **100,000** - Telework stipends for teachers and teacher assistants utilizing
 - 14 personal cell phones, personal data plans and personal
 - 15 technology equipment to support student learning (~\$100K)
 - 16 • **43,000** – Printing and postage associated with remote learning packets

17

18 OCS Superintendent Felder presented this portion of the PowerPoint:

19

20 **Unfunded COVID-19 Expected Expenditures**

- 21 • Remote summer instruction
- 22 • Remote learning accessory equipment (i.e. headphones)
- 23 • Increased maintenance staff to address maximum cleaning, sanitizing and disinfecting
- 24 of school buildings and buses
- 25 • Staffing cost for potential increase in instruction hours to address learning loss (i.e.
- 26 before school, after school, Saturday)
- 27 • Temperature checking stations at every facility
- 28 • Personal Protection Equipment for students' in-person learning. Approx. \$81,000/month
- 29 • Remote learning Curriculum and necessary Staff professional development
- 30 • Transportation impacts for physical distancing
- 31 • Hot water in every school to promote proper hand washing

32

33 Chair Rich asked if the OCS continuation and expansion budgets could be identified.

34 Rhonda Rath said the OCS continuation budget is \$984,050 and the OCS expansion

35 budget is \$1,414,100. She said the per pupil allotment to fund the continuation budget would

36 be \$148.

37 Chair Rich asked if the OCS fund balance amount could be identified.

38 Rhonda Rath said there is \$2.6 million in unassigned funds.

39 Commissioner Dorosin said he wants to see if the County can fund the continuation

40 budget, and said the budget increase proposed by the Manager is \$142,646

41 Commissioner Dorosin said the difference between the continuation budget and the

42 Manager's recommendation is \$842,000.

43 Rhonda Rath said yes, and \$96,000 goes directly to the ADM growth

44 Commissioner Dorosin said OCS would need ~ \$842,000 to cover the continuation

45 request.

46 Commissioner Dorosin referred to the fund balance amount, and asked if all of that is

47 available to be reallocated.

48 Rhonda Rath said \$2.7 million is available, and has already factored in for any state

49 requirements, as well as any that has already been committed or assigned.

1 Commissioner Dorosin clarified that none of the money coming from the state and
2 federal government can go toward the continuation budget.

3 Rhonda Rath said that is correct.

4 Commissioner McKee asked Rhonda Rath if the fund balance would cover the OCS
5 continuation budget for 2.5 years.

6 Rhonda Rath said yes, if everything stays the same.

7 Commissioner McKee said if OCS were to use fund balance for this year only, it would
8 have \$1.7 million remaining in unassigned fund balance.

9 Rhonda Rath said yes.

10
11
12 CHCCS Superintendent Pam Baldwin made the following PowerPoint presentation:

13
14 **Chapel Hill – Carrboro City Schools**
15 **Board of Education’s Local County Appropriation**
16 **Funding Request Update**
17 **Presented to the Board of County Commissioners**
18 **5/14/2021**

19
20 **Strategic Plan Areas**

- 21 • Student Success
- 22 • Employee Experience
- 23 • Family and Community Engagement
- 24 • Organizational Effectiveness

25
26 **2020 – 2021 Fiscal Year 2020-21 Budget Request**
27 **Updates since April 28, 2020**

- 28 • CHCCS remains committed to our 4 Strategic Plan Areas: Student Success, Employee
29 Experience, Family and Community Engagement, and Organizational Effectiveness.
- 30 • CHCCS stands unwavering in our commitment to EQUITY and ensuring success for
31 EVERY child.
- 32 • Manager’s Recommended Budget will not fund our State mandated benefit increases in
33 our Continuation budget request.
- 34 • The CHCCS Board of Education reiterates the ongoing need for the original 2020-2021
35 budget request to support the strategic mission of the District.
- 36 • State and Federal emergency allocation planned spending. These additional funds have
37 already been spent or earmarked on emergency response.
- 38 • Post COVID-19 Re-entry and Recovery information that further illustrates the need for
39 increased funding.

40
41 Jonathan Scott, Interim CHCCS Chief Financial Officer, continued the PowerPoint
42 presentation:

43
44 **Summary Fiscal Year 2020-21 Budget Request (pie chart)**

- 45 • \$3,716,000 Continuation Funds
- 46 • \$2,674,000 Expansion Funds
- 47 • \$1,968,500 One-time Expenditures
- 48 • \$8,358,500 Total Local Operating Budget
- 49 • \$ 225,000 Increases in Other Revenues

- 1 • \$1,968,500 Fund Balance Appropriation
- 2 • \$6,165,000 Total Continuation, Expansion Budget, and One-time Request.
- 3 • Increase of \$501 per pupil
- 4 • Correlates to \$5.37 cents on the tax rate.

5

6 **Local Appropriation Budget Deficit:**

7	FY 2020 Appropriation	\$ 53,419,518
8	FY 2021 Recommended Appropriation	53,285,266
9	Net Budget Decrease	(134,252)
10	CHCCS BOE Budget Request	6,165,000
11	CHCCS BOE Budget Request Deficit	\$ (6,299,252)
12	Per Pupil Funding Deficit	\$ (512)

13

14 **Continuation Budget Living Wage and State Mandated Benefit Increases**

15	OC Living Wage Compliance	\$ 230,000
16	Matching Social Security and Medicare (7.65%)	17,595
17	Matching State Retirement (21.44%) (Fixed)	465,802
18	Premium Increase in Health Insurance Cost from \$6,306 to \$6,647 (Fixed)	279,500
19	Total Living Wage and State Mandated Increases	\$ 992,897

20

21 **COVID-19 State and Federal Emergency Allocation**

22	State – Gov. Cooper’s Emergency Funding	\$ 379,530
23	Federal CARES Act	862,621
24	Total One Time Emergency Funds	<u>\$ 1,242,151</u>

- 25
- 26 • \$226,000 of State Emergency Funds has been earmarked for Telework Stipends
 - 27 • The remaining \$153,500 will be used to partially cover local expenditures for emergency
 - 28 supplies, materials, food, and remote learning technology. CHCCS has identified over
 - 29 \$250,000 of Local funds already spent or encumbered since March.
 - 30 • CHCCS is incurring estimated additional costs of \$270,000 a month to offer hazard pay
 - 31 to Bus Drivers and Food Service workers while continuing to operate our emergency
 - 32 feeding program.

33

34 **Examples of COVID-19 Unfunded Anticipated Costs**

- 35 • Remote summer instruction
- 36 • Remote learning supplies, materials, software, and equipment
- 37 • Staff development costs to enhance remote learning instructional methodologies
- 38 • Personal Protection Equipment for students and staff supporting in person learning
- 39 • Increased costs of cleaning, sanitizing, and disinfecting school buildings and buses
- 40 • Social distancing requirements affecting instruction, transportation, and nutrition
- 41 • Lost revenues generated from enterprise related activities (Facility Rental and After
- 42 School Tuition)
- 43 • Additional costs to prepare for an immediate school re-closure

44

45 Chair Rich asked if CHCCS could identify its unassigned fund balance.

46 Jonathan Scott said \$11.1million, which is \$14.4%.

47 Chair Rich asked if the per pupil amount for the continuation budget is \$81.29, and \$501

48 for the expansion budget.

1 Jonathan Scott said the continuation, as presented, was \$80 per student, which only
2 covers state mandated increases to cover personnel costs.

3 Commissioner McKee said the CHCCS unassigned fund balance is \$11.1 million, and
4 the continuation request is \$3.7 million. He said based on these numbers CHCCS could
5 operate out of its fund balance for 2 ½ years.

6 Jonathan Scott said yes but CHCCS would probably run into some cash flow issues.

7 Commissioner McKee said he does not anticipate the schools having to burn all of its
8 fund balance, but it can cover its continuation budget, as Orange County does out of its own
9 fund balance.

10 Jonathan Scott said yes, and was present in the 2008 financial crisis, when this was
11 done.

12 Superintendent Felder said while OCS has a fund balance of \$2.2 million, OCS's
13 monthly payroll is roughly \$2.2 million. She said if there was any other crisis or incident, OCS
14 would not be able to make payroll.

15 Commissioner McKee said he understood that, but Orange County is the ultimate
16 backstop for the schools. He said he and the County are not going to let the schools run out of
17 money. He said there is a state requirement for fund balances, but using these funds for one
18 year does not burn out the fund balance, as there is excess above the required state mandate.
19 He said the salaries are covered through the per pupil appropriation, not fund balance.

20 Commissioner Price referred to the hazard pay to bus drivers, and said she thought
21 transportation was shared between the two schools. She asked if the pay for bus drivers could
22 be explained.

23 Jonathan Scott said the transportation allotment is split between the two districts, but
24 there is also local funding. He said the drivers are currently delivering meals to 30 sites, and
25 the CHCCS Board of Education (BOE) increased the drivers' rate of pay for hazard pay, as they
26 put themselves at risk during COVID-19. He said these funds are mutually exclusive to OCS
27 transportation funds.

28 Commissioner Price asked if there is a timeline for how long hazard pay will go on.

29 Jonathan Scott said the BOE committed to this pay through June 30.

30 Commissioner Dorosin asked if the actual dollar difference, between the continuation
31 budget and the Manager's recommended budget, could be identified.

32 Jonathan Scott said to fund the continuation budget would require \$3.8 million more
33 than what was allocated. He said CHCCS budgeted 2% and 5% increases.

34 Commissioner Dorosin said the CHCCS continuation request was \$3.6 million, but the
35 Manager has allotted \$135,000 less than last year. He said in order to fund the continuation
36 budget, it would take \$3.6 million plus \$135,000, which is not \$3.8 million.

37 Commissioner Dorosin referred to fund balances, and said this money is like a savings
38 account for emergencies. He said this is an emergency, and this is the time to dip into these
39 accounts. He asked if the schools agreed with this assessment.

40 CHCCS Superintendent Baldwin said the current situation is an emergency, but no one
41 knows how long it will last. She said it may be premature to use emergency funds immediately,
42 if it is possible to fund the continuation budget.

43 OCS Superintendent Felder agreed completely.

44 Commissioner Dorosin said he appreciates those comments, but he believes that this is
45 a critical time.

46 Rhonda Rath said it is important to keep in mind that the schools' federal budget is on a
47 different schedule, and is not typically approved until December or later. She said this can lead
48 to cash flow issues, as federal funds are not available at the start of the year. She said federal
49 employees have to continue to be paid without the funds.

1 Commissioner Marcoplos said it is confusing who is supposed to fund various positions
2 within the school systems, and asked if a list could of positions, and who is responsible for their
3 funding, could be provided to the BOCC.

4 Commissioner Marcoplos referred to CHCCS page 4, and said a \$5.37 tax increase
5 seems to be needed for both the continuation and expansion budgets. He said OCS needs a
6 \$2.90 tax increase. He said combined, these would amount to an \$8.33 tax increase.

7 Bonnie Hammersley said this is ADM allocation, and 59.99% goes to CHCCS and the
8 rest goes to OCS.

9 Commissioner Bedford said she asked for the fund balance policy to be included in the
10 BOCC agenda packet, and it does say schools can use fund balance for operating expenses in
11 emergencies. She said \$2 million was spent every year in 2008/09/10, and the schools should
12 plan to use the fund balance again over the next few years. She said there can be cash flow
13 issues, but the County has helped with this in the past. She said state cuts occurred back then
14 and everyone did less with less. She said she is very thankful for the federal dollars for some
15 of the COVID-19 related needs. She said having to address curriculum needs across the board
16 will be very expensive, and special needs children will face the most hardship. She said the
17 County is in the same boat as the schools, and there needs to be a one year plan that dips into
18 the fund balances, and have frequent communication between the schools and the County.
19 She said this is a hard time, and there will be much hardship ahead. She said the County
20 cannot raise taxes right now.

21 Commissioner McKee complimented both school boards and superintendents for their
22 dedication, but respectfully disagreed with the superintendents about the use of fund balance
23 monies. He said the fund balance is for emergencies, and Orange County is not going to let
24 schools fail. He said everyone is in this together and must work together.

25 Commissioner McKee said there is enough fund balance in both school districts to fund
26 their continuation budgets for this year. He said he is not going to ask taxpayers for a tax
27 increase knowing these fund balances are there. He said people are without employment and
28 losing their homes, and he will ask nothing of the residents.

29 Chair Rich thanked the schools for coming back for this discussion, and said the BOCC
30 has to have conversations about County's fund balance every year themselves.

31 Chair Rich said the Orange County Board of Commissioners has always supported
32 education, and when the public reports otherwise, it is simply untrue.

34 **2. Discussion of Outside Agencies Funding for FY 2020-21, Pgs. 298-309**

36 **BACKGROUND:**

37 Each fiscal year, non-profit organizations that deliver community services have the ability to
38 apply for program funding from Orange County. In December 2016, the Orange County Board
39 of Commissioners adopted a funding target of 1.2 percent of the county's general fund
40 expenditures, less the appropriation for education expenses, for the purpose of funding outside
41 agency operations. Historically, the county had a funding target of 1.0 percent.

42
43 Applications are reviewed by staff members for completeness and eligibility. The applications
44 are then presented to a specific advisory board, depending on the subject matter. Each
45 advisory board is responsible for scoring each application based on an application scorecard.
46 The application scorecard is comprised of three weighted categories with a total possible score
47 of 100. The three categories and the total possible points are: Customer Impact/Value (20
48 points), Results (40 points), and Plan for Implementation (40 points). A few of the application
49 questions and sections changed from the previous year. To accommodate changes to the

1 application, the point distribution was altered in each section. The County Manager presents
 2 recommendations to the Board of County Commissioners, which approves the final allocations.

3
 4 Recipients are required to submit written program reports that include: goals, description of
 5 activities/challenges, revisions of timelines/budgets, and other relevant information. Funded
 6 projects are monitored for progress and performance, financial and administrative
 7 management, and compliance with the terms of Performance/Development Agreement(s).
 8 Monitoring may involve site and/or office visit(s).

9
 10 For fiscal year 2020-21, Orange County received applications from 54 agencies. The requests
 11 totaled \$1,923,289, an increase of \$433,108 above fiscal year 2019-20. The FY 2020-21
 12 County Manager's Recommended budget includes funding awards for 49 agencies with a total
 13 of \$1,541,974; an increase of \$51,793 from FY 2019-20 Commissioner Approved Budget.

14
 15 Based on the theme of this year's budget, most outside agencies are recommended to receive
 16 the same funding as they did last year. The Budget recommends approving the additional
 17 funding requests for six agencies that will likely be involved in the response to or impact by
 18 COVID-19. Agencies that are recommended for an increase are:

- 19 • Compass Center for Women and Families – increase of \$12,751
- 20 • Community Home Trust – increase of \$3,108 based on an interlocal agreement formula
- 21 • Meals on Wheels of Orange County – increase of \$27,488 reallocated due to merger
 22 with Orange County Rural Alliance
- 23 • Interfaith Council – increase of \$69,397
- 24 • Orange Congregations in Missions – increase of \$13,965
- 25 • Pathways to Change – a new domestic violence program – increase of \$4,351

26
 27 Please refer to the Outside Agency section (Pages 298-309) of the FY 2020-21 Manager's
 28 Recommended budget for discussion of Outside Agency funding.

29
 30 The Board has historically received an *Outside Agencies Funding Request* booklet. Due to the
 31 current COVID19 restrictions on businesses, the production of this document did not occur in
 32 time for this budget work session discussion. The *Outside Agencies Funding Request* booklet
 33 will be provided to the Board in September 2020, along with the FY 2020-21 Commissioner
 34 Approved Annual Operating Budget and Capital Investment Plan.

35
 36 **FINANCIAL IMPACT:** There is no financial impact associated with the discussion of Outside
 37 Agencies. Decisions that the Board makes on Outside Agency funding, as part of its discussion
 38 of the Manager's Recommended FY 2020-21 Annual Operating Budget, will have financial
 39 impacts.

40
 41 Bonnie Hammersley made the following PowerPoint presentation:

42
 43 **FY2020-20 Budget Recommendations**
 44 **Outside agencies**

- 45
 46 Base Budget (FY2019-20) with the following exceptions that received increased
 47 funding:

- 48 Community Home Trust: \$3108 based on Interlocal Agreement
- 49 ✓ Compass Center for Women and Families: \$12,751
- 50 ✓ Interfaith Council: \$69,937

- 1 ✓ Meals on Wheels Chapel Hill: \$27,488
- 2 ✓ OCIM: \$13,965
- 3 ✓ Pathways to Change: \$4,351
- 4 (new Domestic Violence program for Orange County)
- 5 ***\$1,541,974 is consistent with the target established by the BOCC to allocate 1.2% of***
- 6 ***general fund expenses, not including education, to outside agencies***

7

8 **Schedule For Budget Consideration**

9

10 Budget Timeline	Date
11 Recommended Budget Presentation	May 5
12 Budget Public Hearing	Date
13 Budget and Capital Investment Plan (CIP)	May 12 & June 4
14 Budget Work Session Schedule	Date
15 Schools and Outside Agencies	May 14
16 Fire district, Public Safety, Support Services and	May 21
17 General Government	
18 Human Services and Community Services	May 28
19 Budget Amendments and Resolution of Intent to Adopt	June 9
20 BOCC Regular Meeting	Date
21 FY 2020-21 Operating and CIP Budget Adoption	June 16

22

23 Bonnie Hammersley reviewed the new meeting process for this year, due to the

24 pandemic.

25 Commissioner Price said there was one request that could not be fully funded, and

26 asked if staff could clarify.

27 Bonnie Hammersley said Meals on Wheels requested a significant increase, which the

28 County could not fully fund. She said took OCRA’s previously requested funds and moved

29 them into Meals on Wheel, as these two organizations recently merged into one.

30 Commissioner Price asked if combining the two amounts brought the monies up to the

31 requested amount.

32 Bonnie Hammersley said no, they requested an additional \$80,000, which would have

33 allowed them to expand services fully, at one time. She said phasing in was another option,

34 and the recommended amount will allow for this to occur. She said services have not been

35 cut, but rather will expand at a slower rate than originally hoped for.

36 Bonnie Hammersley said all outside agencies are being impacted by COVID-19, and

37 staff will continue to work with its agencies to help them succeed. She said agencies receive

38 funding on a quarterly basis, after submitting some documentation. She said in March, she

39 approved the pay to be distributed in advance of the required reporting, which is one way staff

40 can pivot to keep things moving.

41 Commissioner Marcoplos said he had one question about the schools, which he forgot

42 to mention previously. He said there is \$270,000/month in hazard pay, and he would like to

43 know more about this, such as projections for the future and details on what it is for.

44

45 **3. Adult Care Home Community Advisory Committee – Appointment Discussion**

46 The Board considered discussing appointments to the Adult Care Home Community

47 Advisory Committee.

48 Chair Rich said the Board can discuss if it wants to formally approve these tonight, or

49 wait until the June 2 Business meeting. She said the Clerk has asked if the BOCC would

50 approve these appointments tonight. She said there is also a question of whether the BOCC

1 wants to change its advisory policy to allow electronic meetings. She said currently the BOCC
2 meets electronically, but advisory boards are not meeting, unless they have a statutory
3 requirement to do so.

4 Commissioner Bedford said she is in favor of approving all of these appointments
5 tonight with one motion, unless a commissioner needs more information.

6 Commissioner Greene said she advocated for voting tonight, but would be fine with
7 waiting until June 2nd.

8 Commissioner Dorosin said since it is only two weeks until June 2nd he is happy to wait,
9 and as long as the Board preserves the conversation he is fine. He said he is willing to be
10 flexible and vote as needed, when needed.

11 Commissioner Marcoplos supported voting tonight, and the desire was to be able to
12 have conversations, which the Board has accomplished. He said voting the same night as the
13 discussions seems efficient and speeds things up. He said he would support always doing this.

14 Commissioner McKee said the Orange County Board of Commissioners can do what it
15 wants to do with its own procedures. He said he is happy either way.

16 Commissioner Price said as long as there are no controversies, she is fine to vote at a
17 work session. She said voting at a regular meeting is only a formality.

18 Chair Rich said the desire seems to be to leave the procedure in place for the future, so
19 discussions can take place, but to vote on these appointments tonight.

20 Commissioner Dorosin referred to the electronic meeting policy, and said he fully
21 supports changing it to allow advisory boards to meet electronically.

22 John Roberts said, at the time the policy was created, the Board was concerned that
23 appointees would not show up, but just call in. He said this could be addressed by allowing
24 electronic meetings to occur only during declared states of emergency.

25 Commissioner Dorosin said it has become apparent in recent weeks that a lot can be
26 done without face-to-face participation. He said he would encourage people to meet in person,
27 but if not, other means should be acceptable.

28 Chair Rich asked if this policy were to change, on whom would the responsibility fall to
29 set up the electronic meetings.

30 Donna baker said the staff liaison and the advisory board chair would work together.
31 She said some standardized guidelines might help to insure that open meeting laws are being
32 met.

33 John Roberts said the meeting being open is the most important element.

34 Thom Freeman said meeting electronically may broaden the pool of willing volunteers,
35 as those who cannot physically attend meetings, may now be willing to serve.

36 Commissioner Greene said it may also get younger people, with children, to be willing to
37 serve.

38 Commissioner Bedford said when the policy was created it is likely that video
39 capabilities were not what they are now. She said these are different times, and virtual
40 meetings allow real participation. She said the only issue may be access to stable/reliable
41 Internet.

42 Commissioner Dorosin said there are 2 questions: 1.) whether the entire board meets
43 virtually during an emergency, and 2.) post crisis, does virtual attendance continue to be
44 permissible. He said he would say yes to both questions, for the valid reasons already outlined.
45 He said face-to-face meetings are preferred, but virtual participation is effective, and this should
46 be maximized.

47 Chair Rich said this sounds like two policies: one for a state of emergency, where all
48 meetings would be virtual, with staff helping with technology needs. She said the second policy
49 would allow for members to be able to meet virtually, while encouraging in person meetings as
50 a preference. She asked if the public would be able to attend in only person and also virtually.

1 John Roberts said he could create some proposed rules for the BOCC to consider.

2 Chair Rich asked if staff could accomplish that before the summer break.

3 John Roberts said yes.

4 Commissioner Price said virtual meetings work, and once the crisis is over, allow board
5 members to attend virtually, but mandate a physical meeting for the public to be able to attend.
6 She said the policy should also cover whether board members can vote electronically.

7 John Roberts said the advisory board policy does not apply to some statutory boards
8 (Board of Health, Social Services, etc.), and this potential policy would only apply to advisory
9 boards.

10 Commissioner Marcoplos moved to allow advisory boards to meet virtually during this,
11 and any future crisis, and come up with a policy thereafter.

12 Chair Rich said the policy is needed, and voting now would be too broad and without
13 guidelines on how to meet.

14 Donna Baker said the BOCC is meeting virtually through June, and the policy could take
15 effect from July 1 onwards, which would allow guidance and help to those who have not done
16 these types of meetings before.

17 Thom Freeman said the boards really want to meet, and it would be good to allow them
18 to do so in the near future.

19 Commissioner McKee said none of these boards need the BOCC to act on anything
20 right now, and it can be discussed as an agenda item in an upcoming meeting. He said this
21 should be handled properly.

22 Bonnie Hammersley agreed with Commissioner McKee, and said staff could bring this
23 back on June 2nd.

24 Commissioner McKee said a lot of people might have problems accessing virtual
25 meetings, like he has.

26 Commissioner Price said she is in favor of giving the go ahead to staff to draft some
27 language.

28 Commissioner Dorosin asked if the BOCC has a post-COVID policy, as to whether
29 Commissioners can participate remotely.

30 John Roberts said he believed so, but will research.

31 Commissioner McKee asked staff to please double check on that because he could not
32 do that 6 years ago, per state law.

33
34 A motion was made by Commissioner Price, seconded by Commissioner Bedford to
35 appoint the following to the Adult Care Home Community Advisory Committee:

- 36
37 • Position 2 Jack Ramsey At-Large - One Year Preliminary Term Expiring 03/24/2021

38
39 **VOTE: UNANIMOUS**

40
41 Commissioner Greene asked if she could be provided some information about this
42 committee and the BOCC's roles and responsibilities regarding oversight of these homes.

43 Chair Rich said this committee has asked for more help, and it is important to continue
44 conversations, especially given the impact of COVID-19.

45 Commissioner Price said this committee is seeing inadequacies in adult care homes,
46 but are unsure how to address them. She said she would also like more information on how
47 follow up can occur.

48
49 **4. Alcoholic Beverage Control Board – Appointment Discussion**

50 The Board considered discussing appointments to the ABC Board.

1
2 A motion was made Commissioner Bedford, seconded by Commissioner McKee to
3 appoint the following to the ABC Board:

- 4
5 • Position 3 Mike Zito - At-Large - First Full Term Expiring 06/30/2023
6 • Position 4 Alice Mahood - At-Large - First Full Term Expiring 06/30/2023
7

8 **VOTE: UNANIMOUS**
9

10 A motion was made by Commissioner Dorosin, seconded by Commissioner McKee to
11 appoint Patrick Burns as Chair of ABC Board.
12

13 **VOTE: UNANIMOUS**
14

15 **5. Board of Health – Appointment Discussion**

16 The Board considered discussing appointments to the Board of Health:
17

18 A motion was made by Commissioner McKee, seconded by Commissioner Bedford to
19 appoint the following to the Board of Health.
20

- 21 • Position 1 Dr. Lee Pickett - Veterinarian - First Full Term Expiring 06/30/2023
22 • Position 2 Jessica Frega - Citizen BOCC Appointment - Second Full Term Expiring
23 06/30/2023
24 • Position 4 Dr. Sheilda Rodgers - At-Large Nurse - First Full Term Expiring 06/30/2020
25

26 **VOTE: UNANIMOUS**
27

28 **6. Carrboro Northern Transition Area Advisory Committee – Appointment Discussion**

29 The Board considered discussing appointments to the Carrboro Northern Transition
30 Area Advisory Committee.
31

32 A motion was made by Commissioner McKee, seconded by Commissioner Dorosin to
33 appoint the following to the Carrboro Northern Transition Area Advisory Committee:
34

- 35 • Position 1 Edward Witkin - N. Transition Area BOCC Appointee - First Full Term
36 Expiring 01/31/2023
37 • Position 3 Deborah Eaker-Rich - N. Transition Area BOCC Appointee- Second Full Term
38 Expiring 01/31/2021
39

40 **VOTE: UNANIMOUS**
41

42 **7. Chapel Hill Orange County Visitors Bureau – Appointment Discussion**

43 The Board considered discussing appointments to the Chapel Hill Visitors Bureau.
44

45 A motion was made by Commissioner Bedford, seconded by Commissioner Greene to
46 appoint the following to the Chapel Hill Visitors Bureau:
47

- 48 • Position 14 Elizabeth (Betsy) Bertram Interim – Ex- Officio-Economic Development Staff
49 – Town of Carrboro- First Full Term Expiring 06/30/2023

1
2 **VOTE: UNANIMOUS**

3
4 **8. Historic Preservation Commission – Appointment Discussion**

5 The Board considered discussing appointments to the Historic Preservation
6 Commission.

7
8 A motion was made by Commissioner Price, seconded by Commissioner Bedford to
9 appoint the following to the Historic Preservation Commission:

- 10
11 • Position 4 Stephen Peck - At-Large - Second Full Term Expiring 05/19/2020
12

13 **VOTE: UNANIMOUS**

14
15 **9. Nursing Home Community Advisory Committee – Appointment Discussion**

16 The Board considered discussing appointments to the Nursing Home Community
17 Advisory Committee.

18
19 A motion was made by Commissioner Greene, seconded by Commissioner Dorosin to
20 appoint the following to the Nursing Home Community Advisory Committee:

- 21
22 • Position 2 Diane Stoy - At-Large – One-Year Preliminary Term Expiring 03/24/2021
23

24 **VOTE: UNANIMOUS**

25
26 **10. Orange County Parks and Recreation Council – Appointment Discussion**

27 The Board considered discussing appointments to the Orange County Parks and
28 Recreation Council.

29
30 A motion was made by Commissioner Bedford, seconded by Commissioner McKee to
31 appoint the following to the Orange County Parks and Recreation Council:

- 32
33 • Position 3 Bruce Chinery Cedar Grove Township (this applicant lives in Hillsborough see
34 recommendation information) Partial Term Expiring 03/31/2021
35 • Position 4 Xilong Zhao Chapel Hill City Limits First Full Term Expiring 03/31/2023
36 • Position 6 Mikki Fleming Cheeks Township Partial Term Expiring 03/31/2021
37 • Position 7 Cecily Kritz Chapel Hill Township (reappointment) First Full Term Expiring
38 03/31/2023
39 • Position 9 Tim Tippin Bingham Township (reappointment) Second Full Term Expiring
40 03/31/2023
41 • Position 10 Andrew Landstrom Hillsborough Town Limits First Full Term Expiring
42 09/30/2022
43

44 **VOTE: UNANIMOUS**

45
46 **11. Orange Water & Sewer Authority Board of Directors – Appointment Discussion**

47 The Board considered discussing an appointment to the OWASA Board of Directors.

48
49 A motion was made by Commissioner Dorosin, seconded by Commissioner Price to
50 appoint Quintin Harper.

1
2 Commissioner Bedford said Quintin Harper previously served on the OWASA board, but
3 had to step down.

4 Commissioner Greene said if one is a good member, and is up for a second term, one
5 would have to have done something very wrong not to get reappointed. She asked if it is not
6 expected to be able to serve a second term.

7 Chair Rich said she served on the OWASA Board for two terms, and expected the
8 second term to automatically follow the first, but Commissioner Dorosin is allowed to nominate
9 anyone he wants.

10 Commissioner Dorosin said OWASA has not made a candidate recommendation to the
11 BOCC.

12 Commissioner Greene said when she has served on boards previously, any member in
13 good standing expected to be able to serve a second term.

14 Commissioner Dorosin asked if this would be different if there is a better candidate. He
15 said it is no offense to the person who has previously served.

16 Commissioner Greene said not appointing someone for a second term, for willy-nilly
17 reasons, may deter people from serving.

18 Commissioner Dorosin said willy-nilly is a mischaracterization, and Quintin Harper has
19 served on this board before, is African American, and would bring diversity. He said Quintin
20 Harper is very active in the community.

21 Commissioner Greene said he does have qualifications.

22 Commissioner Price said the BOCC is having these discussions, and going through
23 these applications, specifically to look for more diversity. She said the current appointee has
24 demonstrated excellent service

25 Commissioner McKee said he would endorse Commissioner Greene's concerns. He
26 said if he served faithfully on any board and was not reappointed, without due cause, he would
27 consider it a slap in the face. He said Commissioners can certainly put forth other candidates
28 for consideration, but the BOCC should respect Raymond DuBose's service with a second
29 term.

30 Commissioner Greene apologized for her willy-nilly comment.

31 Commissioner Marcoplos said he met Ray Dubose in the early 2000s when they were
32 working on droughts, and he is a dedicated appointee. He said he deserves another term.

33 Commissioner Bedford said she would like to know how many of the OWASA board
34 members have the expertise that Ray DuBose has.

35 Commissioner Dorosin said he read the OWASA website, which says the board is made
36 up of people "just like yourself." He said it is a mischaracterization for his nomination, who he
37 deems to be the best candidate, to be considered a diss to Ray Dubose.

38 Commissioner Dorosin said the OWASA board is a clique that needs to be broken open.
39

40 **VOTE: Ayes, 2 (Commissioner Price and Commissioner Dorosin); Nays, 5**
41 **(Commissioner McKee, Commissioner Greene, Commissioner Bedford, Commissioner**
42 **Marcoplos, Chair Rich)**

43
44 A motion was made by Commissioner McKee, seconded by Commissioner Bedford to
45 appoint the following to the OWASA Board of Directors:

- 47 • Position 2 Raymond (Ray) DuBose County BOCC Appointment Second Full Term
- 48 Expiring 06/30/2023

49
50 **VOTE: Ayes, 6; Nays, 1 (Commissioner Dorosin)**

1
2 A motion was made by Commissioner Dorosin, seconded by Commissioner Marcoplos
3 to adjourn the meeting at 9:47 p.m.

4
5 **VOTE: UNANIMOUS**

6
7
8 Penny Rich, Chair

9
10
11 Donna S. Baker
12 Clerk to the Board

13
14
15

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2020

**Action Agenda
Item No. 8-b**

SUBJECT: Motor Vehicle Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Resolution
Releases/Refunds Data Spreadsheet
Reason for Adjustment Summary

INFORMATION CONTACT:

Nancy T. Freeman, Tax Administrator,
(919) 245-2735

PURPOSE: To consider adoption of a resolution to release motor vehicle property tax values for three taxpayers with a total of six 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 \$2,681.80 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2019-2020 is \$22,909.44.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

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-2020-032

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 business 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 _____, 2020.

Clerk to the Board of Commissioners

BOCC REPORT - REGISTERED MOTOR VEHICLES
JUNE 2, 2020

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	ADDITIONAL EXPLANATION
Koban, Donald Daniel	42169172	2018	11,360	0	(217.05)	Military exemption (illegal tax)	
Mattison, Brett	26658574	2018	15,060	0	(173.43)	Military exemption (illegal tax)	
Mattison, Brett	26658574	2017	17,580	0	(200.22)	Military exemption (illegal tax)	
Mattison, Brett	26658574	2016	20,820	0	(247.95)	Military exemption (illegal tax)	
Mattison, Brett	26658574	2015	24,150	0	(286.40)	Military exemption (illegal tax)	
Somers, Clayton	52798670	2019	91,471	0	(1,556.75)	County changed to Durham (illegal tax)	
					(2,681.80)	TOTAL	

Adjustment Descriptions
<i>Clerical error G.S. 105-381(a)(1)(a): e.g. when there is an actual error in mathematical calculation</i>
<i>Illegal tax G.S. 105-381(a)(1)(b): e.g. when the vehicle should have been billed in another county, an incorrect name was used, or an incorrect rate code was used</i>
<i>Tax levied for an illegal purpose G.S. 105-381(a)(1)(c): e.g. charging a tax that was later deemed to be impermissible under State law</i>
<i>Appraisal appeal G.S. 105-330.2(b): e.g. reduction in value due to excessive mileage or vehicle damage</i>
<i>*Situs error: An incorrect rate code was used to calculate bill. Value remains constant but bill amount changes due to the change in specific tax rates applied to that physical location</i>
<i>Classification GS 105-330-9(b): e.g. Antique automobiles are designated a special class of property under the NC Constitution.</i>
The spreadsheet represents the financial impact that approval of the requested release or refund would have on the principal amount of taxes.
Approval of the release or refund of the principal tax amount also constitutes approval of the release or refund of all associated interest, penalties, fees, and costs appurtenant to the released or refunded principal tax amount

Military Leave and Earning Statement (LES): Is a document given on a monthly basis to members of the United States military which reports their pay, home of record and service status. The LES is required when applying for exemption from Motor Vehicle Property Taxes. Active duty, non-resident military personnel may be exempt from North Carolina motor vehicle property tax as allowed by United States Code, Title 50, Service members' Civil Relief Act of 1940. (Amended in 2009 by The Military Spouse's Residency Relief Act)

Titles and Brands: Section 1, Chapter 7

NCDMV Title Manual 14th Edition Revised January 2016

Title: Document that records the ownership of vehicles and the liens against them.

Custom-Built: A vehicle that is completely reconstructed or assembled from new or used parts. Will be branded "Specially Constructed Vehicle"

Flood Vehicles: A motor vehicle that has been submerged or practically submerged in water to the extent that damage to the body, engine, transmission or differential has occurred.

Reconstructed Vehicles: A motor vehicle required to be registered that has been materially altered from original construction due to the removal addition or substitution of essential parts.

Salvaged Motor Vehicles: Is a vehicle that has been damaged by collision or other occurrence to the extent that the cost of repairs exceeds 75% of fair market value, whether or not the motor vehicle has been declared a total loss by an insurer. Repairs shall include the cost of parts and labor, or a vehicle for which an insurance company has paid a claim that exceeds 75% of the Fair Market Value. If the salvaged vehicle is six model years old or newer, an Anti-Theft Inspection by the License and Theft Bureau is required.

Salvage Rebuilt Vehicle: A salvaged vehicle that has been rebuilt for title and registration.

Junk Vehicle: A motor vehicle which is incapable of operation or use upon the highways and has no resale value except as scrap or parts. The vehicle shall not be titled.

Antique Vehicle: A motor vehicle manufactured in 1980 and prior

Commercial Trucking (IRP): The International Registration Plan is a registration reciprocity agreement among jurisdictions in the US and Canada which provides for payment of license fee on the basis of fleet miles operated in various jurisdictions.

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 Destruction: NC DMV will not register this type of vehicle. It is not fit for North Carolina roads.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2020

**Action Agenda
Item No. 8-c**

SUBJECT: Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Resolution
Releases/Refunds Data Spreadsheet

INFORMATION CONTACT:

Nancy T. Freeman, Tax Administrator,
(919) 245-2735

PURPOSE: To consider adoption of a resolution to release property tax values for two taxpayers with a total of four bills that will result in a reduction of revenue.

BACKGROUND: The Tax Administration Office has received two 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 \$560.89 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.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that 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-2020-033

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 business 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 _____, 2020.

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
 JUNE 2, 2020**

NAME	NUMBER	YEAR	VALUE	VALUE	IMPACT	REASON FOR ADJUSTMENT	ADDITIONAL INFORMATION
Caron, Keith	289139	2011	28,388	-	(263.44)	Assessed in error (illegal tax)	Did not own property as of January 1, 2011
Jones, Danny R.	1055549	2019	10,100	-	(94.51)	Assessed in error (illegal tax)	Mobile home was not on the land in 2017
Jones, Danny R.	1055549	2018	10,770	-	(98.80)	Assessed in error (illegal tax)	Mobile home was not on the land in 2018
Jones, Danny R.	1055549	2017	11,500	-	(104.14)	Assessed in error (illegal tax)	Mobile home was not on the land in 2019
				Total	(560.89)		
Gap Bill: A property tax bill that covers the months between the expiration of a vehicle's registration and the renewal of that registration or the issuance of a new registration.							
The spreadsheet represents the financial impact that approval of the requested release or refund would have on the principal amount of taxes.							
Approval of the release or refund of the principal tax amount also constitutes approval of the release or							
refund of all associated interest, penalties, fees, and costs appurtenant to the released or refunded principal tax amount.							

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2020

**Action Agenda
Item No.** 8-d

SUBJECT: Extension of Little River Regional Park Interlocal Agreement

DEPARTMENT: Environment, Agriculture, Parks
and Recreation (DEAPR)

ATTACHMENT(S):
Proposed Extension
Current Interlocal Agreement

INFORMATION CONTACT:
David Stancil, 919-245-2510

PURPOSE: To adopt and authorize the Manager to sign a one-year extension of the current interlocal agreement between Orange County and Durham County for the operation of Little River Regional Park and Natural Area. The current agreement term expires on June 30, 2020.

BACKGROUND: In 2000, Orange County and Durham County jointly purchased 391 acres straddling the Orange/Durham county line east of Guess Road for the purpose of a joint regional park and natural area. The two counties were named Local Government Conservationists of the Year by the Conservation Trust for NC for this effort. Orange County owns 136 acres on its side of the county line, and Durham County owns 255 acres on its side.

In 2004, the two counties opened Little River Regional Park and Natural Area, under an interlocal agreement that addressed master planning, a management plan and operating guidelines for the park, as well as budget and operating provisions. Orange County operates the park on behalf of both counties (Durham County did not have a parks system), and the two counties each fund 50% of the cost of the park's capital, personnel and operating needs.

The interlocal agreement for the park was last adopted in the spring of 2014. Some of the plans and internal working documents for the park were not developed in the park's early years, and then other pressing matters kept those components from creation and adoption.

For the last 18 months, staff from the two counties have been working to complete the master plan (only a site plan for the developed area of the park was created and adopted at the time of park opening), management plan and operating guidelines, as well as operating principles to clarify means of communication and decision-making. While much progress has been made on these items (a draft master plan is completed and the management plan and guidelines are in initial draft form), the onset of the COVID-19 pandemic this spring has delayed completion of these documents and the needed changes to the interlocal agreement, such that the June 30, 2020 deadline cannot be met.

The attached extension would continue the existing interlocal agreement in place through June 30, 2021. Staff expects to have the necessary documents and agreements ready before that time, but a June 2021 date allows for time for any unforeseen complications or delays to be addressed. The park has been and continues to operate under the existing agreement, and would be able to do so during the upcoming 12-month extension without difficulty.

FINANCIAL IMPACT: There is no financial impact associated with the adoption of the proposed interlocal agreement extension. The park operates under an annual budget approved and funded by the two counties (50% each), and this would continue to be the case under the extension. The proposed FY 2020-21 budget for the park is included in the Manager-recommended budgets from both counties.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goals impact associated with the proposed agreement extension.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with the extension of the interlocal agreement. It is worth noting that the 391-acre park includes many areas of natural resource significance that are protected by the park.

RECOMMENDATION(S): The Manager recommends that the Board adopt the one-year extension of the interlocal agreement between Orange County and Durham County for Little River Regional Park and Natural Area, and authorize the Manager to sign.

EXTENSION OF INTERLOCAL AGREEMENT

This Extension of the interlocal agreement between Orange County, North Carolina and Durham County, North Carolina (both corporate entities of the state of North Carolina), governing Little River Regional Park and Natural Area, serves to extend the expiration of the existing Agreement by twelve (12) months, to a new termination date of June 30, 2021.

The Agreement referenced herein for extension (provided here as Attachment 1) is formally titled "INTERLOCAL AGREEMENT FOR THE OPERATION AND MAINTENANCE OF LITTLE RIVER REGIONAL PARK AND NATURAL AREA," last adopted by Orange County on May 20, 2014, and by Durham County on June 23, 2014.

A. For the purposes of Notice, the addresses of the parties to this Extension are:

DURHAM COUNTY:

Durham County Attorney's Office
200 East Main Street
Durham, NC 27701

ORANGE COUNTY:

Orange County DEAPR
P. O. Box 8181
Hillsborough, NC 27278

B. The parties referenced above wish to extend the term of the said Interlocal Agreement (Attachment 1) for the purposes of additions and modifications of the Agreement, to be completed between this date and June 30, 2021.

C. For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby agree to extend the duration of the "INTERLOCAL AGREEMENT FOR THE OPERATION AND MAINTENANCE OF LITTLE RIVER REGIONAL PARK AND NATURAL AREA" by twelve (12) months, with a modified termination date of said Agreement of June 30, 2021.

D. All other terms and conditions of the Interlocal Agreement referenced herein remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the Parties have hereunto set their hands and seal, or if corporate, have caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its duly elected Board, the day and year first above written.

DURHAM COUNTY:

By: _____
Title

Date: _____

ORANGE COUNTY:

By: _____
Title

Date: _____

ATTEST:

STATE OF NORTH CAROLINA
 COUNTY OF ORANGE
 and
 COUNTY OF DURHAM

INTERLOCAL AGREEMENT FOR THE
 OPERATION AND MAINTENANCE OF
 LITTLE RIVER REGIONAL PARK AND
 NATURAL AREA

This INTERLOCAL AGREEMENT, hereinafter referred to as “Agreement,” is hereby made and entered into this the 23rd day of June 2014 , by and between ORANGE COUNTY, hereinafter referred to as “Orange County,” and DURHAM COUNTY, hereinafter referred to as “Durham County,” pursuant to N.C. Gen. Statute 160A-460 *et seq.*, and other applicable laws.

WITNESSETH:

WHEREAS, Orange County and Durham County own certain adjacent property known collectively as Little River Regional Park and Natural Area, (hereinafter referred to as “Park”), of which 136 acres are located in Orange County and 255 acres are located in Durham County, a map of which property is attached hereto as Exhibit A; and

WHEREAS, Orange County and Durham County have agreed to make the Park available for low-impact outdoor recreational purposes, including picnic areas, play meadows, nature study, walking trails, and other recreational uses; and

WHEREAS, Orange County and Durham County have agreed to monitor and protect sensitive natural and cultural resources known to exist on the Park property; and

WHEREAS, Orange County and Durham County desire to share revenues and expenses equally for the joint use and mutual benefit of the citizens of both counties; and

WHEREAS, Orange County and Durham County agree that Orange County should operate and maintain the park to the mutual benefit of citizens of both counties during the term of this Agreement and any subsequent extended term thereof, pursuant to N.C. Gen. Statute 160A-355, N.C. Gen. Statute 160A-460 *et seq.*, and other applicable law.

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements contain herein, the parties hereto agree as follows:

I. General

1. Park Name. The official name of the Park shall be “Little River Regional Park and Natural Area.” Orange County will install a prominent sign, consistent with Orange County zoning regulations, at the entrance to the park indicating that name as approved by both counties and included in the Park Master Plan. In some instances, the name may be shortened to the “Little River Park”.

2. Master Plan. A park Master Plan shall be developed jointly by Orange and Durham counties so as to incorporate all property and facilities within the Park, both existing and proposed. The Master Plan, when amended shall be presented to both boards of county commissioners (hereinafter collectively referred to as “Boards”) for approval.

The Master Plan shall include adopted functional uses, a general land use map that depicts existing site constraints and locations for proposed phasing of Park improvements and general programming. The Master Plan shall acknowledge and incorporate existing park development.

3. Management Plan. A Management Plan will be developed jointly by Orange and Durham counties. This document will accompany the Master Plan and will also be presented to both Boards for approval.

The Management Plan is a long-term stewardship and general programmatic usage document detailing management of the natural, biological, cultural and man-made features of the park, in keeping with the Master Plan goals.

4. Names on Park Facilities. Any formal naming of park amenities (e.g., trails, shelters, etc.) or acknowledgment of people or entities on signage (e.g., project partners, monetary contributors, etc.) will be in accordance with a joint naming policy to be developed and approved by both Boards as a part of the Management Plan.
5. Ownership. The land shall continue to be owned as separate parcels with Orange County owning the 136 acres located in Orange County and Durham County owning the 255 acres located in Durham County.

- a) Conservation Easements. Both counties recognize that the Park was acquired with grants from the NC Clean Water Management Trust Fund and NC Parks and Recreation Trust Fund and that there are conservation easements in place encumbering the property as a result of those grants. The conservation easements are recorded at the Orange County Register of Deeds, Book 2198 Page 256 and at the Durham County Register of Deeds, Book 3027 Page 194.
- b) Access Easements. Any access easements acquired for the public use of adjacent private property shall be approved by both Boards.
- c) Additional Land. As opportunities develop in the future, additional land areas may be considered by the two counties for potential acquisition to expand the park boundaries. Amendments to the Master Plan to include the additional land will be initiated through the joint county staff with recommendations to both Boards for approval. If the proposed additional land requires additional costs for maintenance and/or operations, then the additional cost shall be negotiated and approved by both Boards. If, however, the additional land is located in only one of the counties, and its acquisition would have no financial impact on costs associated with Park operations and maintenance, then the purchase of the proposed land may be made by the county in which the land is located. If the land

is located in both counties, both Boards must approve the purchase and must approve the manner in which title to the land is conveyed.

II. Park Management

1. Allowed Uses. The Park shall be open and available to the general public regardless of race, gender, color, creed, age, disability, familial status, marital status, veteran status, political or religious affiliation or national origin. Orange County and Durham County, through their respective Boards, with input from a citizen advisory committee and other members of the public, have agreed on what uses will and will not be allowed in the Park. Modification of the approved uses will be considered through the joint county staff and recommended for consideration and approval by the Boards.
2. Annual Objectives. Operations at the Park shall be guided by a jointly approved set of priorities and actions developed by fiscal year in conjunction with the annual budget. The Annual Objectives may be modified as needed throughout the year based on agreement from both counties. The Annual Objectives should specify major new capital projects, major maintenance or operational issues, general programming and other activities. Orange and Durham staff will meet twice annually to discuss the budget and objectives. Annual objectives shall be consistent with the approved Management Plan and park Master Plan.
3. Park Policies and Regulations. Orange County and Durham County, through their Boards, shall approve all rules, regulations, ordinances, policies, and fees, contained in Operational Guidelines to be implemented by Orange County and where necessary by Orange County and Durham County in the operation and management of the Park, unless specifically otherwise provided for in this Agreement. The policies and regulations may be amended from time to time by mutual agreement and approval of the Boards.
4. Budget. The Orange and Durham County Managers, or their designees shall meet to consider and make recommendations regarding an annual budget for the operation of the Park, and a capital budget for periodic capital expenditures. The annual budget should be based on proposed Annual Objectives as detailed above. The capital budget shall include proposed capital improvements to be made to the Park within the next fiscal year. However, donations of monies received for Little River Park, or other earmarked funds for park capital and operating expenses may be deposited into a special account to allow for accumulation of said funds and expenditures as needed over a period of multiple fiscal years. The recommendations of the County Managers shall be submitted to their respective Boards. The Boards shall each consider such budget recommendations and take such action as deemed appropriate. If the Boards do not both agree to the annual budget as submitted by the County Managers, the County Managers shall meet again to try to create another budget proposal, and the Boards shall again attempt to come to agreement. The failure of the respective Boards to agree upon an annual budget after a second attempt shall be grounds for terminating this Agreement. Transfers between FY budgetary line items of up to \$1,000 may be made administratively by Orange County; transfers over \$1,000 require the consent from the Durham County Manager or his designee.

5. Annual Reports. Reports on the activities in the park may be prepared annually (or as otherwise needed) for presentation by Durham and/or Orange counties. Any reports prepared for presentation by one county should be shared with the other county.

III. Park Funding.

1. Annual Operations. All operating and maintenance costs of the Park shall be shared equally by both counties (Orange County 50% and Durham County 50%). Orange County shall be responsible for operating and maintaining the Park and shall invoice Durham County twice annually for 50% of the actual operating and maintenance costs, including building and grounds maintenance, personnel costs, indirect costs, property insurance and any other costs incurred to properly operate and maintain the Park. Notwithstanding the foregoing, Durham County shall not share in the cost to repair damage to the Park and its facilities caused by the intentional or gross negligent acts and omissions of Orange County personnel or its contractors in the performance of their obligations rendered pursuant to this Agreement. Orange County shall not share in the cost to repair damage to the Park and its facilities caused by the intentional or gross negligent acts and omissions of Durham County personnel or its contractors in the performance of their obligations rendered pursuant to this Agreement. In no event shall the amount invoiced exceed the budgeted amount for the Park in the then current fiscal year.
2. Emergency Expenses. Amounts budgeted for the Park as part of each county's annual budget may be increased to cover unforeseen and unbudgeted expenses. Such unforeseen and unbudgeted expenses shall be invoiced as provided here but only after it is approved by both County Managers and both Boards as an amendment to the applicable Park budget. Provided, however, emergency repairs (as defined herein) needed may be undertaken after their cost is approved in writing by both County Managers. For purposes of this Agreement, the term "emergency repair(s)" shall mean those repairs made necessary as the result of natural occurrences that cannot be postponed for approval of a budget amendment by both Boards. After the costs are approved by the County Managers, both Boards shall be presented with said emergency repair costs as an amendment to the applicable Park budget at the next regularly scheduled meeting of each Board. Each county will provide to the other county detailed accounting of both direct and indirect costs for reconciliation purposes. Insurance reimbursement for repairs shall be accounted for in the applicable Park budget and made a part of the reconciliation.
3. Alternate County Expenses.
 - a. Single County Expenses. Notwithstanding the foregoing, either county may budget and/or expend funds for Park activities which the other county will not or cannot approve, so long as such expenditure or any portion thereof is not invoiced to the other county for reimbursement or charged against the other county as an expenditure. Such unshared expenditures shall not be considered a part of the Park budget and shall not become a cost to be reimbursed. Any such activities financed by one county must still be an approved as an activity by both counties, and shall be in accordance with the Master Plan.

- b. Alternate County Funding. By mutual agreement, any activity(ies) may be funded by the two counties using a cost-sharing ratio other than 50/50 if mutually agreed to in writing in advance of the activity.
4. Capital Costs. Capital costs of the Park shall be shared equally by both counties (Orange County 50% and Durham County 50%) and paid for as provided in Section III.6. of this Agreement. Notwithstanding the foregoing, either county may budget and/or expend funds for jointly approved capital investment projects for the Park, for which the other County will not or cannot approve funding for, so long as such expenditure or any portion thereof is in accordance with the Master Plan, and not invoiced to the other county for reimbursement or charged against the other county as an expenditure. Such unshared expenditures shall not be considered a part of the Park budget and shall not become a cost to be reimbursed in the event of termination.
 5. Park Revenues. Except as otherwise provided for, all revenues generated from operation of the Park shall be shared equally by the two counties (Orange County 50% and Durham County 50%). Revenues shall be collected, when due, by Orange County, netted against operating and maintenance costs of the Park and designated as a set off on the invoice from Orange County to Durham County provided for in Section III of this Agreement.
 6. Review and Reconciliation. At the end of each fiscal year, the Finance Directors of both counties shall conduct a review and reconciliation of amounts paid and payable under this Agreement. Such adjustments or payments as may be necessary to effectuate the reconciliation agreed upon by the Finance Directors of both counties shall be made promptly. Reconciliation shall be completed prior to October 15 of each year.

IV. Park Operations

1. Park Operation and Maintenance. During the term of this Agreement, Orange County shall manage the Park according to the terms of this Agreement, jointly-approved Operating Guidelines, and jointly-approved Annual Objectives, and shall provide operation and maintenance services customarily provided for in the management of a park. Orange County shall do and perform any and all things reasonably necessary for the pleasure, comfort, service and convenience of those who use the Park, as well as to protect and preserve the natural resources and facilities within the Park.
 - a) Maintenance of Grounds. Maintenance of the Park grounds shall be performed by employees of Orange County or contractors as necessary to ensure proper and adequate maintenance. All contract maintenance costs shall be documented and accounted for as provided in Section III of this Agreement.
 - b) Maintenance of Buildings. Maintenance of all buildings and structures located on Park property shall be performed by employees of Orange County or contractors as necessary to ensure proper and adequate maintenance.

- c) Personnel. Personnel at the Park will be Orange County employees or independent contractors employed by Orange County under the jurisdiction of Orange County and, if Orange County employees, will fall under the personnel rules and policies governing the hiring, discipline, dismissal, pay and any other procedures established by Orange County affecting its employees.
2. Contracts. Orange County shall contract with engineers, consultants, contractors and other parties as necessary to operate the Park in accordance with the Master Plan, Management Plan, Annual Objectives, Operational Guidelines, and Annual Budget. In all cases, Orange County will comply with both counties' shared goals of enabling minority-owned firms to participate as contractors and sub-contractors in contracts for the development of the Plan. Orange County shall also comply with bidding procedures set forth by general statute and shall not exceed budgeted amounts by either county. Durham County agrees that the engineers, consultants, contractors and other parties as necessary may access so much of the Park owned by Durham County as necessary to accomplish the contracted work for the purposes outlined above.
- Those contracts required by State law to be approved by a county board, shall be approved by the Orange County Board. Those contracts not requiring board approval by State law shall be approved in accordance with Orange County fiscal policy.
3. Insurance. Both counties will share equally the cost of property insurance pursuant to Section III.1. of this Agreement. The cost of liability insurance maintained by either party, if any, shall not be shared.
4. Park Security and Public Safety. Orange County and Durham County shall coordinate their efforts in providing for safety and security of users of the Park, Park staff, and adjacent landowners in the most effective and efficient manner possible. Orange County and Durham County agree to enter into a mutual aid agreement providing for response to fire and emergency medical services.
5. Park Caretaker Residence. Orange County shall contract with engineers, consultants, contractors and other parties as necessary to establish and maintain a Park caretaker residence near the main entrance to the Park in a manner mutually agreed upon by both Boards. Rent may be charged for the caretaker residence as agreed upon by both Counties, and such funds collected may be deposited into a special account to allow for accumulation of said funds and expenditures as needed over a period of multiple fiscal years.
6. General Provisions.
- a) Relationship of Parties. Durham County and Orange County shall not have the power to bind or obligate the other party.
- b) Assignments. This agreement is not assignable by either party without the written consent of the other.

- c) Notices. All notices provided for in this agreement shall be in writing, addressed to the respective county managers.
 - d) Governing Law. This agreement shall be construed under the provisions of the law of the State of North Carolina.
 - e) Good Faith. The parties mutually agree to deal in good faith one with the other in all respects in performing their duties under this Agreement. All actions recommended and implemented in the Plan will require joint approval by both Boards.
7. Entire Agreement. Except as otherwise provided in this Agreement, this Agreement contains the entire agreement between the parties. Amendments, if any, shall be in writing and signed by both parties.
8. Duration. This Agreement shall be effective as of the above date and will expire June 30, 2019, unless terminated or extended as provided herein. Orange County and Durham County will discuss, prior to January 1, 2019, whether either county intends to assume or make other arrangements for operation of the Park upon the expiration of the term of this Agreement, or whether Orange County and Durham County desires to continue a contractual relationship for operation of the Park and upon what terms. In the event that this Agreement has not been terminated, renewed or amended prior to the expiration date listed above, it will remain in effect until such time as both Boards have adopted a new agreement, but no longer than a 12-month period.
9. Termination.
- a) This agreement shall be subject to annual review and may be terminated at the end of the fiscal year upon one (1) year advance written notice by one party to the other party.
 - b) Upon the expiration or termination of this Agreement, park amenities and the costs associated therewith will be distributed as follows:
 - i) Real Property: The land shall continue to be owned as separate parcels with Orange County owning the 136 acres located in Orange County and Durham County owning the 255 acres located in Durham County. With respect to additional land area(s) acquired during the term of this Agreement and any extensions thereof, the additional land shall be owned in the manner acquired, as provided for in Section I.V. of this Agreement.
 - ii) Costs of Improvements: The counties agree to share equally in the value of the improvements made to the Park, including but not limited to picnic shelters, campsite facilities, restroom structures, and the park caretaker residence. (For example, if the value of the improvements made to the portion of the Park that sits in Orange County equals \$20,000 and the value of improvements made in Durham County equals \$10,000, then Orange

County will reimburse Durham County the amount of \$5,000.) The value of said improvements shall be determined at the time of termination.

- iii) Grant Funds: The parties acknowledge that grant funding has and may be awarded to Durham and Orange counties for the development of the Park. Orange County administers said grants and shall continue to do so for the joint benefit of both counties. Upon termination, Durham County shall be reimbursed by Orange County in an amount equal to 50% of the total grant funds received, not yet expended and not subject to being returned to the granting authority, which have been planned for expenditure on amenities situated or to be situated in the Park.
- iv) This Agreement shall survive termination for the purposes of reconciliation or payment of any amount due and unpaid at the time of termination.

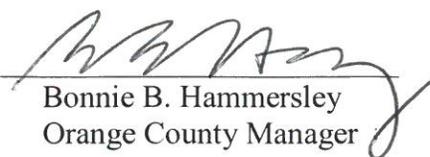
IN WITNESS WHEREOF, the parties have caused this Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:



Clerk to the Board

FOR ORANGE COUNTY

By: 
Bonnie B. Hammersley
Orange County Manager

ATTEST:

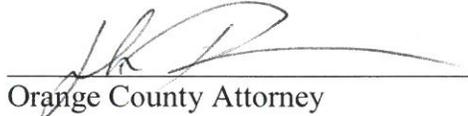


Clerk to the Board

FOR DURHAM COUNTY

By: 
Wendell Davis,
Durham County Manager

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


Orange County Attorney

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.


Clarence B. Moore
Orange County Financial Services Director

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

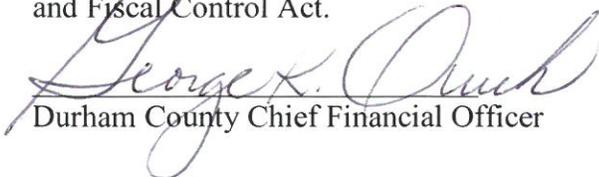
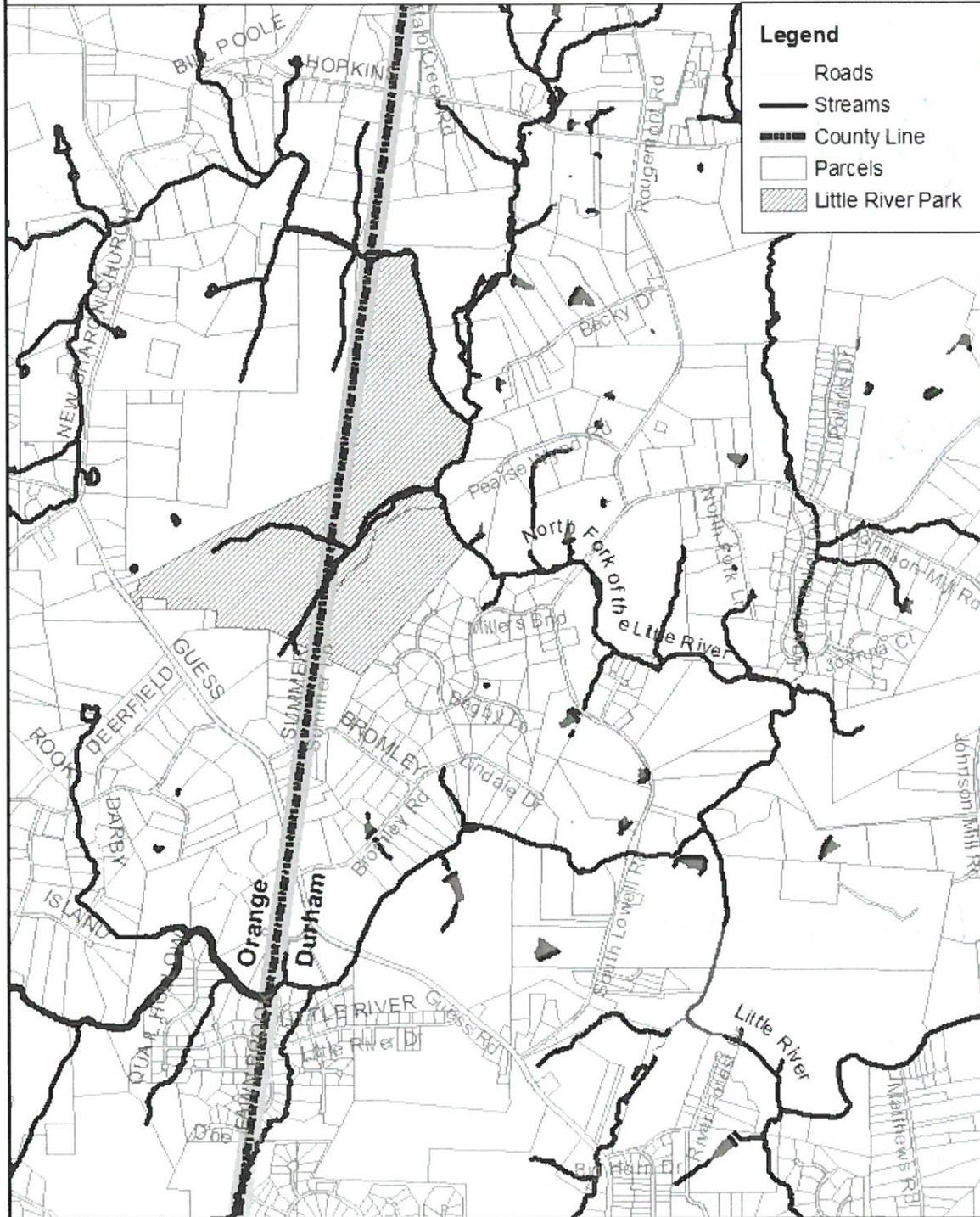

George S. Quirk
Durham County Chief Financial Officer

Exhibit A: Little River Regional Park



Prepared by:
Cohen Seitz & Real Estate Division
Durham County Engineering Dept.
June 2011

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2020

**Action Agenda
Item No. 8-e**

SUBJECT: Resolution of Support – Triangle Trails Initiative

DEPARTMENT: BOCC

ATTACHMENT(S):

Proposed Resolution
Triangle Trails information

INFORMATION CONTACT:

Vice Chair Renee Price, 919-245-2130
Commissioner Mark Marcoplos, 919-
245-2130

PURPOSE: To adopt a resolution of support for the Triangle Trails Initiative, a new effort to plan for linked trails within the Triangle region coordinated by the East Coast Greenway Alliance, through a grant from the AJ Fletcher Foundation.

BACKGROUND: In 2019, interested parties came together to form an effort to look at trail systems in the Triangle region and how they might be more inter-connected, From this, the Triangle Trails Initiative (TTI) was created and a planning effort identified, working under the auspices of the East Coast Greenway Alliance and a grant from the AJ Fletcher Foundation. The Initiative recommends linking trails and greenways together across a multi-county regional landscape, gaining cooperation of public and private sector interests that encourage collaboration, and creating a network that will eventually provide transportation, exercise, leisure, safety, accessibility, recreation, community and economic benefits for the region. The group's mission states that "*Triangle Trails is a collaboration between government, business, institutions and civic leaders to make the Research Triangle Region a national leader in greenways and trails.*"

To date, an advisory board has been formed, which includes BOCC Vice-Chair Renee Price as a member, and the group has completed Part 1 of Funding Strategy (matching funds for the AJ Fletcher Grant), and drafts of a work program and position description for a Program Manager have been prepared. A draft work program for the counties within the TTI has also been created. The group has reached out to the existing Triangle Greenways Council (Triangle J Council of Governments) about merging efforts.

A resolution in support of this effort has been created and approved by several counties in the last few months, including Durham County, Johnston County, Harnett County, Vance County and Warren County. A similar draft resolution for the Board's consideration is attached.

This effort is not part of the State Parks Mountains to Sea Trail effort, or a new Great Trails State initiative from the N.C. Department of Transportation. Both of these efforts may, however, be connected to the eventual Triangle Trails Initiative. The East Coast Greenway Alliance is a multi-state effort to promote and create a trail connecting up and down the Atlantic coast states. This greenway includes the Durham American Tobacco Trail, Raleigh greenways and Wake County trails (current and proposed). The East Coast Greenway does not enter Orange County but runs north to south through Raleigh and Durham. However, branches connecting to this greenway could connect in future to trails and greenways in Orange County, and this is part of the early vision of the future trails planning effort by the TTI.

FINANCIAL IMPACT: There is no financial impact associated with the adoption of the proposed resolution. No funding request for Orange County consideration has been prepared or submitted to date for the TTI project, although the group is currently engaged in a funding strategy.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with the proposed resolution.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with the resolution. However, connections and extensions of trails may also create interconnected open spaces and parks, with corridors for habitat and wildlife throughout the region.

RECOMMENDATION(S): The Manager recommends that the Board adopt and authorize the Chair to sign the proposed resolution.

ORANGE COUNTY BOARD OF COMMISSIONERS

A RESOLUTION SUPPORTING THE FORMATION OF THE TRIANGLE TRAILS INITIATIVE

WHEREAS, Orange County, North Carolina is committed to maintaining and enhancing the quality of life for residents throughout the region and recognizes that the “Triangle Trails Initiative” will contribute to quality of life by weaving together community and regional assets via a network of trails and greenways; and

WHEREAS, the “Triangle Trails Initiative” recommends linking trails and greenways together, across a multi-county regional landscape, gaining cooperation of public and private sector interests that encourage collaboration; and to create a network that will, in the long term, provide transportation, exercise, leisure, safety, accessibility, recreation, community and economic benefits aimed at enhancing the quality of life; and

WHEREAS, many communities, agencies, and trail advocates in the region have taken a lead in planning and building local trails and greenways, and those efforts can be greatly enhanced by being connected to a larger regional network of trails; and

WHEREAS, trails and their green landscape areas help improve the quality of the air we breathe by preserving trees and vegetation, by promoting reduce congestion through non-motorized transportation, and enhance the quality of our water through natural buffers mitigating the impacts of storm water run-off; and

WHEREAS, trails and greenways are freely accessible community assets offering opportunities for transportation, recreation and exercise to everyone, including children and families, providing safe places for county residents to experience a sense of community, celebrate our history and culture, and create stronger social ties; and

WHEREAS, trails have significant impact on the health and economic viability of the region encouraging active lifestyles, increased levels of tourism, enhanced property values, added jobs, as well as enhanced ability to attract and retain businesses to the region due to improved quality of life; and

WHEREAS, the “Triangle Trails Initiative” provides the foundation for a long term strategy that will continue to grow and to provide an invaluable resources for our children, grandchildren and great grandchildren;

NOW, THEREFORE, BE IT RESOLVED, that we, the Orange County Board of Commissioners, do hereby resolve to support the concept of working within a regional framework to plan, design, develop and link protected undeveloped landscapes and natural resources by endorsing the “Triangle Trails Initiative.”

This, the 2nd day of June, 2020.

Penny Rich, Chair
Orange County Board of Commissioners

ATTEST:

Donna Baker, Clerk to the Board

Triangle Trails Initiative

The Triangle Trails Initiative is a program of the East Coast Greenway Alliance.
This work is funded by a grant from the AJ Fletcher Foundation.



TTI Advisory Board Agenda

- AB Member Introductions
 - What is your interest in serving on this board
- Overview of AB Duties and Responsibilities
- Appointment of AB Board Chair
- Update on TTI Progress To Date
- Work Program for 2020
- Discussion
- Next Meeting of the AB

The Triangle Trails Initiative is a program of the East Coast Greenway Alliance. This work is funded by a grant from the AJ Fletcher Foundation.



Triangle Trails Initiative Advisory Board



TTI: Advisory
Board
Membership
(as of December
2, 2019)

- **Sig Hutchinson**, Wake County Commissioner
- **Scott Levitan**, President, Research Triangle Park
- **Mike Conlon**, Affordable Communities
- **Dennis Edwards**, VisitRaleighNC
- **Dennis Markatos-Soriano**, East Coast Greenway Alliance
- **Iona Thomas**, McAdams
- **Renee Price**, Orange County Commissioners
- **David Proper**, The Conservation Fund
- **Jule Smith**, Fred Smith and Company
- **Larry Zucchini**, Jdavis
- **Coley Price**, Harnett County
- **Dan Lamontagne**, Chatham County

Advisory Board: Role, Duties, Responsibilities

- Purpose: advance mission of TTI
 - Feedback & guidance
 - Non-binding strategic advice
 - Assistance with organizational framework of TTI
 - Assistance in defining the brand, marketing and promotion of TTI
- Meetings of AB
 - Twice a year
- Review work of Consultant
 - Per contract with ECGA
- Identify Project Partners
 - Work with community to implement vision of TTI

Advisory Board: Role, Duties, Responsibilities

- Identify Financial Sponsorship
 - Three year operational funding
- Define Message and Story of Triangle Trails
 - What to communicate
 - Vision and tag line
 - Website content
- Participate in Program Manager Hiring
 - Review Annual Work Program
- Define Triangle Trails Brand
 - Work with identify brand consultant
- Other Work to be defined.

Appointment of TTI
Advisory Board Chair:

Sig Hutchinson



Triangle Trails Initiative Work Program

Work Accomplished in 2019

- Established the Advisory Board Membership – regional partners being added by invitation.
- Authored Advisory Board Duties, Roles and Responsibilities – AB to review
- Completed Part 1 of Funding Strategy – matching funds for Fletcher Grant
- DRAFT work program for Program Manager
- DRAFT position description for Program Manager
- DRAFT work program for TTI

Triangle Trails Initiative: Mission Statement

“Triangle Trails is a collaboration between government, business, institutions and civic leaders to make the Research Triangle Region a national leader in greenways and trails.”

Triangle Trails Initiative

Marketing Tag Line:

“Connecting people and communities with investments that keep us active and engaged with nature and our neighborhoods.”

Meetings & Presentations: Regional Partners

- Triangle Greenways Council
 - NC State University
 - Downtown Raleigh Alliance
 - VisitRaleighNC
 - AJ Fletcher Foundation
 - Raleigh Chamber of Commerce
 - NC State Parks
 - City of Raleigh Parks
 - Beth Briggs, Fletcher Foundation
- Bill Ross
 - John Kane, RDU Airport Authority
 - Larry Zucchini, JDavis
 - Mike Conlon
 - Jim Goodman, Capitol Broadcasting
 - Jule Smith, Fred Smith & Co.
 - Wake County School Board
 - Willy Stewart, Wake Med
 - Courtney Crowder

Meetings & Presentations: Regional Partners

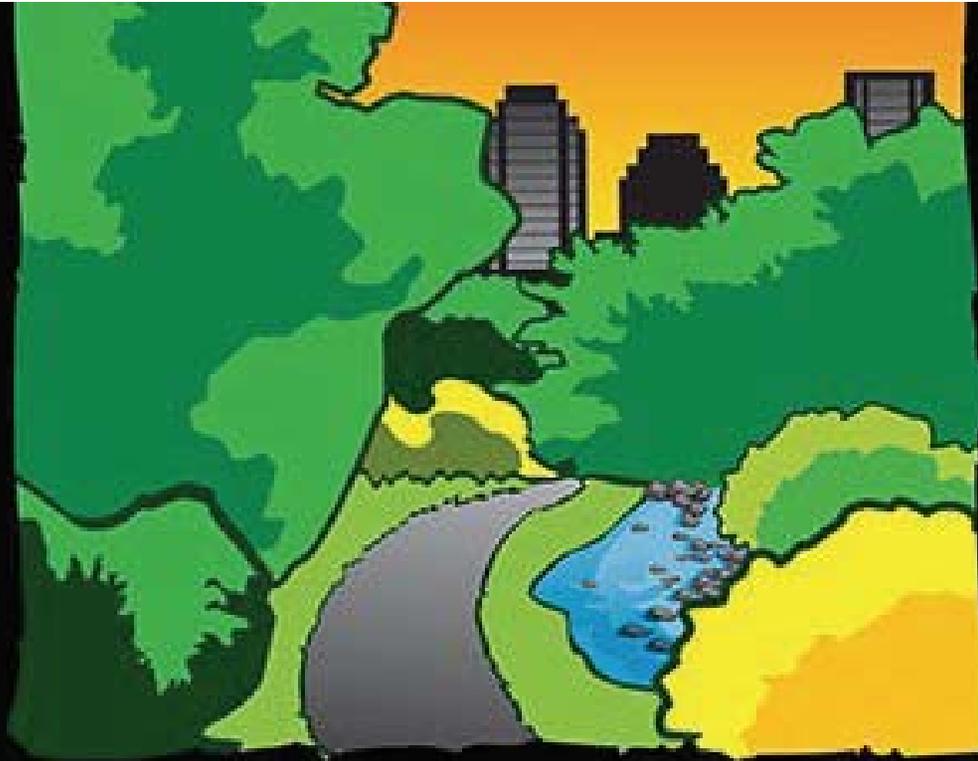
- Wake County Manager and Staff
- Triangle Land Conservancy
- Harnett County Board of Commissioners
- Johnson County County Manager and Chair of BOC
- Chatham County Commissioners and County Manager

Scheduled to meet with:

- Person County
- Lee County
- Durham County
- Orange County
- Granville County
- Moore County
- Vance County
- Wake County Commissioners

Meeting with Triangle Greenways Council





Triangle GREENWAYS Council

- Chuck Flink met with the Triangle Greenways Council board of directors in September
- Flink's proposal to TGC:
 - A new life for the organization, becoming the name of a regional greenway and trail initiative
 - Would merge the TGC 501c3 with Triangle Trails Initiative – Triangle Greenways
 - TGC portfolio of land and associated funds would be transferred to Triangle Land Conservancy
 - Transition would begin in 2020 – if agreeable to TGC Board of Directors



trianglegreenways.org

Triangle Greenways Council | Promote greenways and trails in the Triangle area of North Carolina

Triangle Greenways Council.

Saving the Places You Love

The Triangle Greenways Council accumulates land through donations and acquisitions from public and private entities and grant money.

About Us

The mission of the **Triangle Greenways Council** is to promote greenways and trails in the Triangle area of North Carolina through public information services, to advocate for the creation of interconnected greenways that will connect all Triangle residents and to

Donate and Support

As a 501(c)(3) nonprofit, Triangle Greenways Council accepts donations at any level of generosity. All donations go toward education, promotion, and service projects for conservation and expansion of greenway corridors throughout the Triangle. All funds are

Become a Member

When you become a member of the Triangle Greenways Council, you are helping to build a greenway and trail network throughout the larger Triangle area... more trails and green places for you and your family to enjoy for





Improving Our Lives Through Conservation

[DONATE](#)

[BECOME A MEMBER](#)

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[ABOUT](#)

[LEARN](#)

[NATURE PRESERVES](#)

[EXPLORE](#)

[GIVE](#)

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Accelerating the Pace of Conservation

TLC is doubling the pace of conservation. We invite you to join us in achieving bold conservation goals.

[STRATEGIC ACTION PLAN](#)



Triangle Trails Initiative Programs & Activities



Activities/ Programs of Triangle Trails Initiative

Plan

- Ideation/visioning
- Technical Assistance
- Mapping

Build

- Technical Assistance
- Funding

Use

- Events and programs
- Educational Offerings

Promote

- Advocacy, Outreach, Engagement
- Marketing and Promotion
- Communications

Triangle Trails Initiative: Activities

01

Advocacy:

Members work collaboratively to support regional greenway development.

02

Outreach: Connect with landowners, business owners, elected officials and others to advocate for regional greenway development

03

Engagement: Work with communities to assist in engagement activities in support of regional greenway development

04

Marketing: Develop regional brand, promote the idea of the Triangle regional greenway system, develop marketing materials in support of the system

05

Communications: Maintain a digital platform, work with members to communicate important information about the regional greenway system

Triangle Trails Initiative: Activities

01

Technical Assistance:
Provide technical assistance to local greenway projects to solve problems and get trails built

02

Mapping: Maintain a regional trails and greenways map that is available for reference and use

03

Fund Raising:
Help identify and raise funds in support of specific project development

04

Events and Programming:
Conduct events and programs that celebrate outdoor access and activities for the Triangle regional greenway system

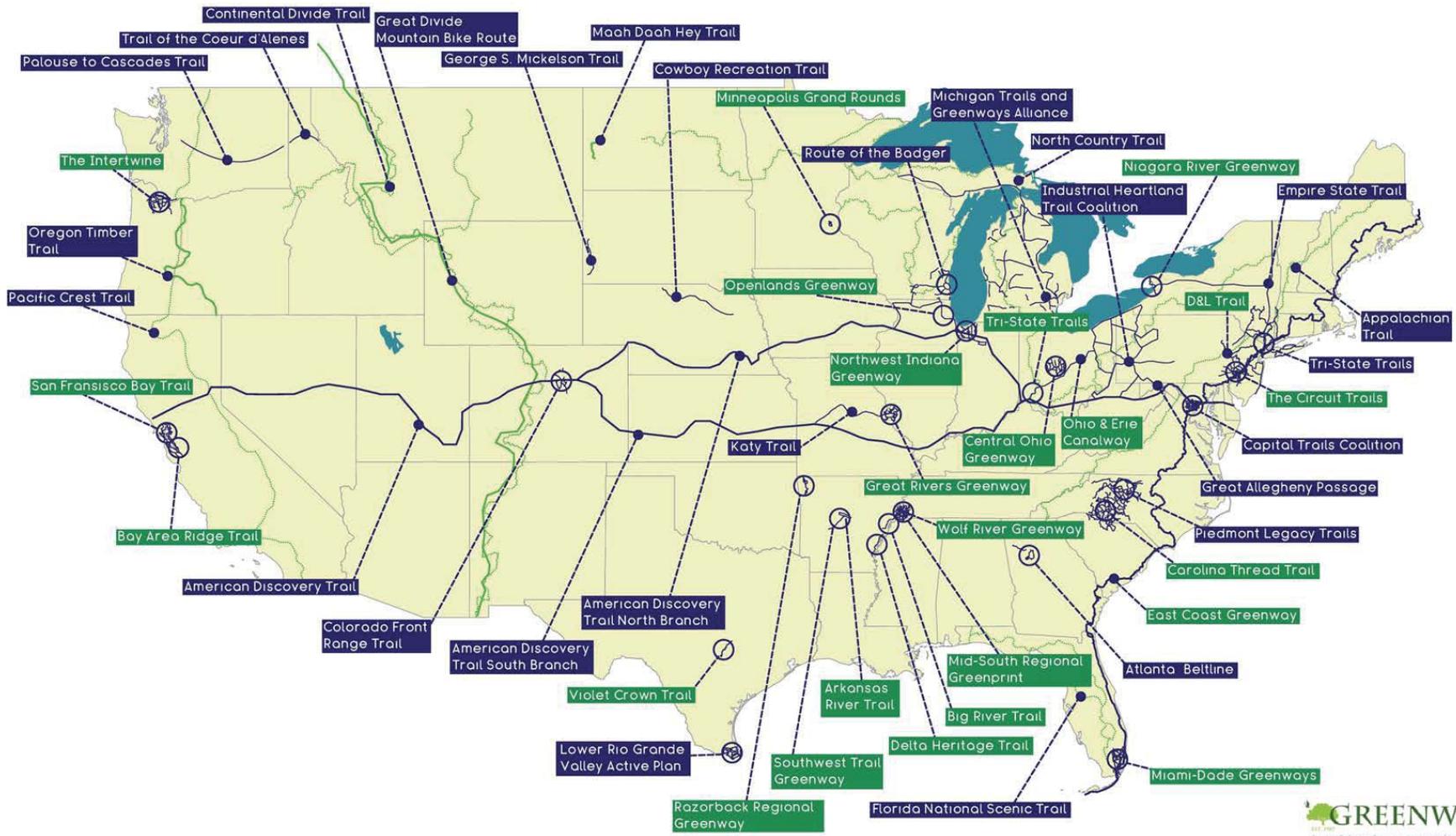
05

Educational Events: Annual forum, workshops, school and university/college outdoor classrooms



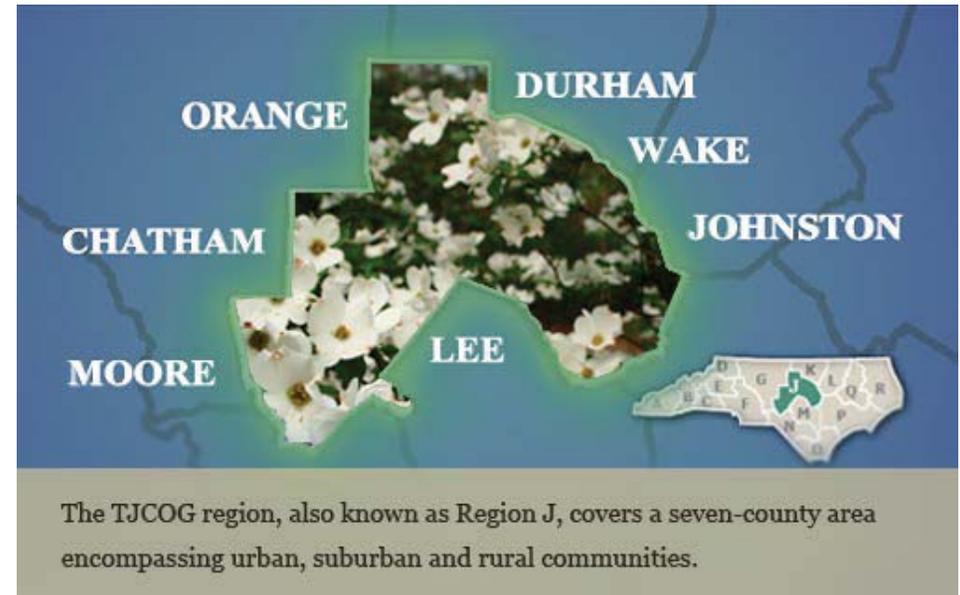
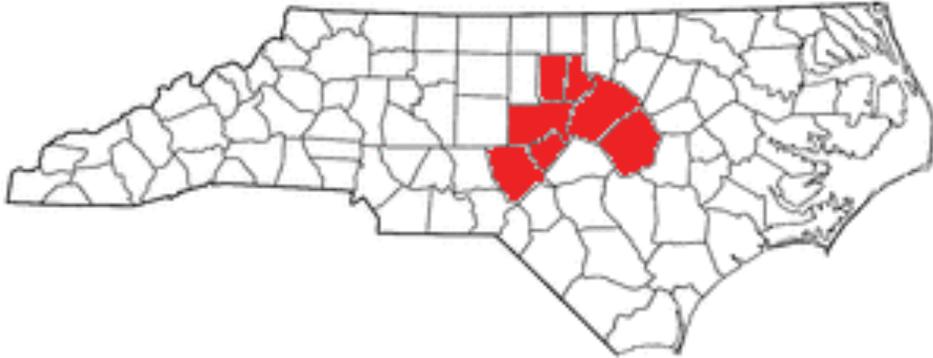
Expanding the Triangle Region Partnership

Collaboration of Regional Trail and Greenway Initiatives

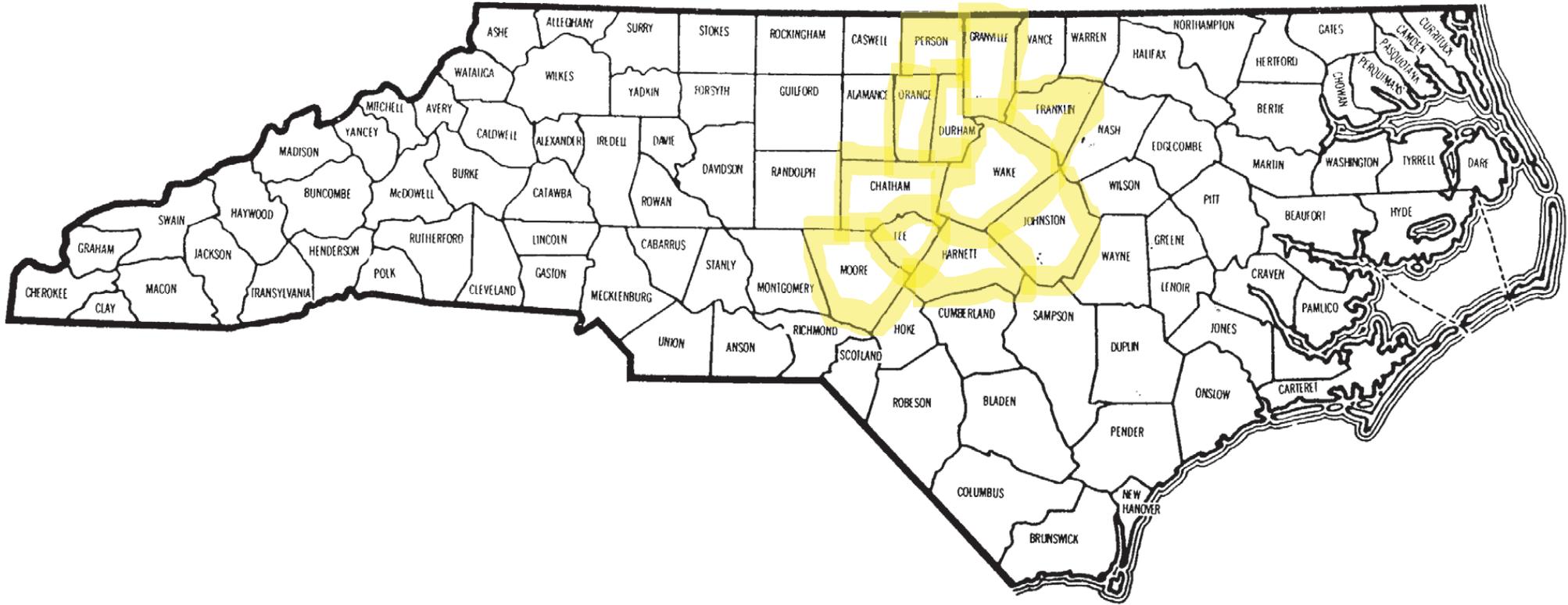


Collaboration of Regional Trail and Greenway Initiatives





Triangle Trails Initiative - Footprint



Triangle Trails Initiative: Regional Footprint

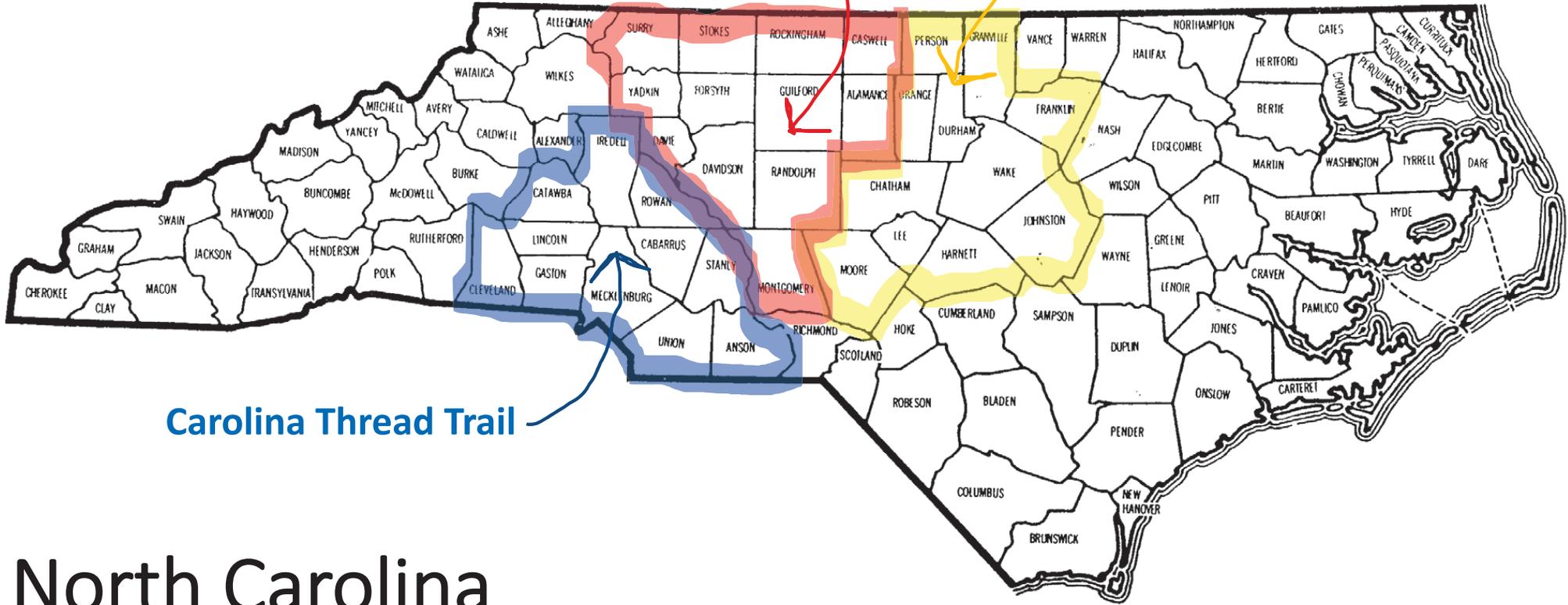
Triangle Trails Initiative – Expanded Footprint

- **Chatham County (confirmed)**
- **Durham County (confirmed)**
- Franklin County (2020 meet)
- **Harnett County (confirmed)**
- Granville County (2020 meet)
- **Johnston County (confirmed)**
- Lee County (2020 meet)
- Moore County (2020 meet)
- **Orange County (confirmed)**
- Person County (2020 meet)
- Vance County (2020 meet)
- **Wake County (confirmed)**

Piedmont Legacy Trails

Triangle Trails Initiative

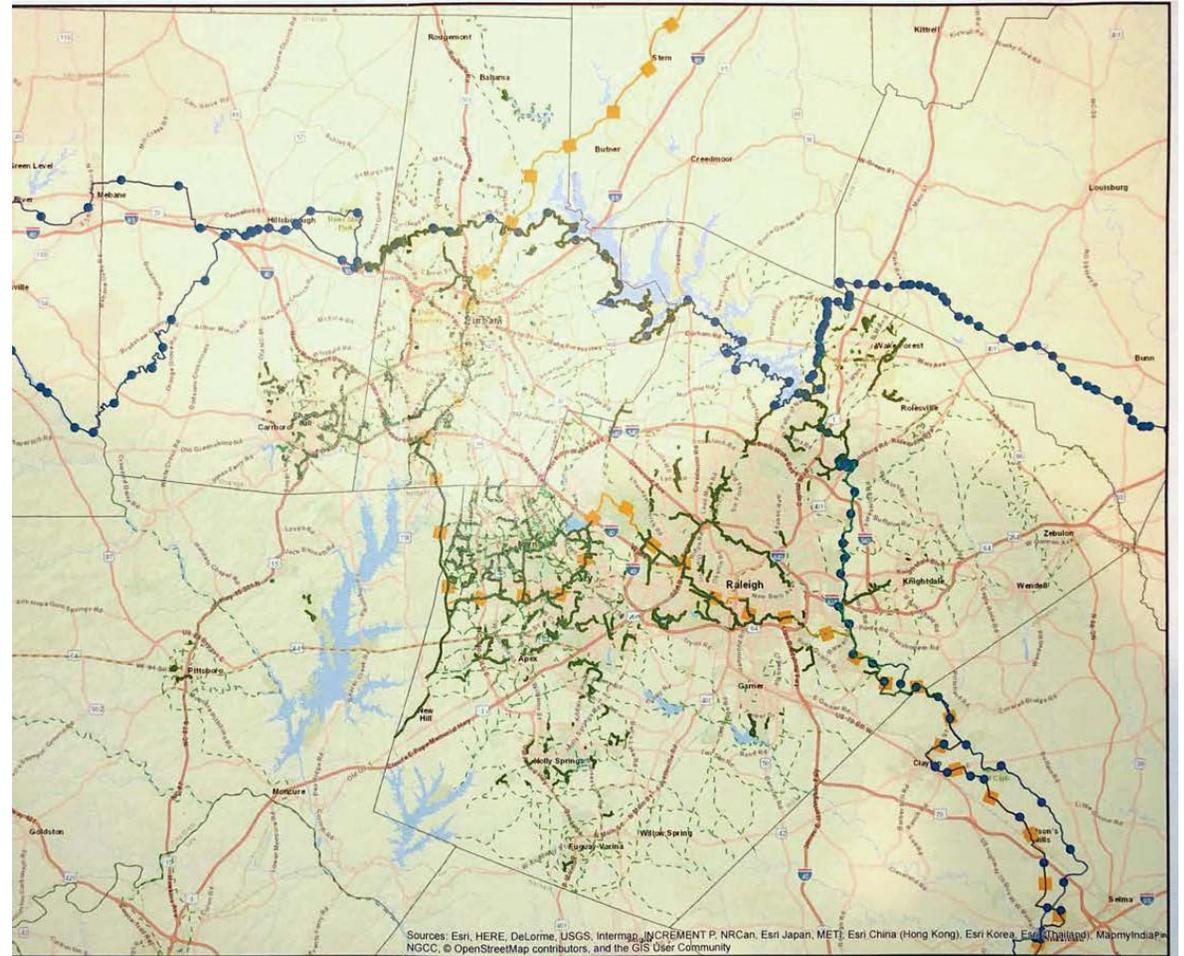
Carolina Thread Trail



North Carolina Regional Greenway Initiatives

Triangle Trails and Greenways

Mapping by TJCOG



[Home](#) [About ▾](#) [Interactive Trails Map](#) [Why Trails? ▾](#) [Important Links](#) [Contact Us](#)



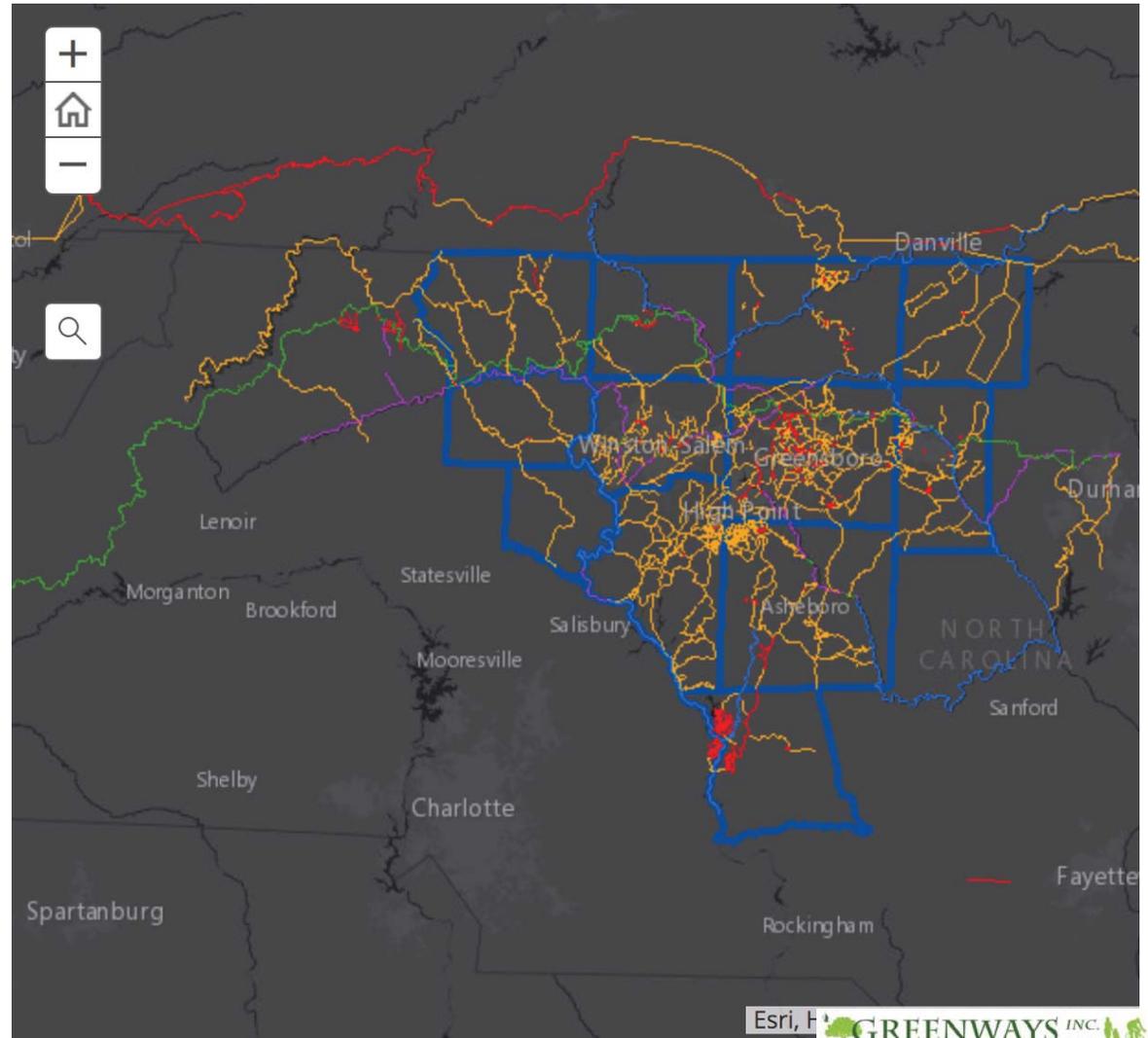
Piedmont Legacy Trails

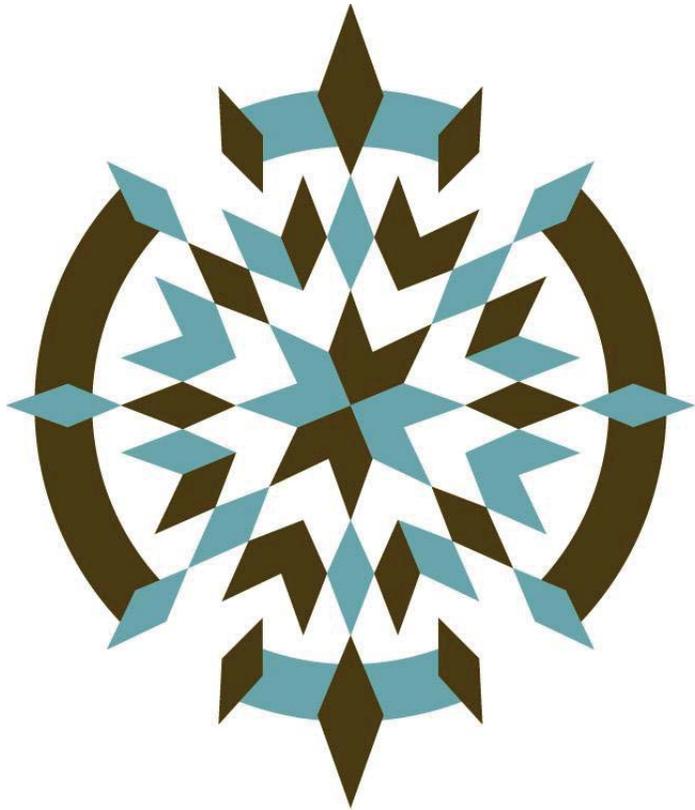
Connecting communities across our region through technical assistance, education, branding of trails, and resource support for trail projects.



Piedmont Legacy Trails

Mapping by Piedmont
Region COG





CAROLINA THREAD TRAIL



Carolina Thread Trail

Mapping by Carolina Thread Trail





Transportation
NOW

Triangle Trails Initiative Work Program 2020



2020 Work Program

- Grow Regional Partnership (public and private sector)
- Meetings with Advisory Board (twice in 2020)
- Fund Raising (operating funds for TTI)
- Finalize Program Manager Work Tasks
- Advertise and Hire Program Manager (funding needed)
- Finalize Merger Proposal with TGC
- Mapping of Regional Greenways and Trails (TJCOG partnership)
- Branding (if funding available)
- Events and Programs (if funds/staffing available)



Triangle Trails Initiative Staffing

Triangle Trails Initiative Staffing

TTI Program Manager

- Housed at ECGA
- Community relations
 - Media outreach
 - Membership coordination
 - Programs and events
 - Support of local partners
- Project Management
 - Technical assistance
- Fund Raising
 - Grant writing
 - Philanthropic relations

Triangle Trails Initiative: Funding Strategy



MUNICIPAL AND COUNTY GOVERNMENTS



FEDERAL AND STATE GRANTS



PHILANTHROPIC AND FOUNDATION GRANTS



CORPORATE AND BUSINESS FUNDING



INDIVIDUAL DONATIONS OR GIFTS



MEMBERSHIP DUES (IF APPLICABLE)



EVENTS AND PROGRAMS RECEIPTS



Funding the Triangle Trails Initiative

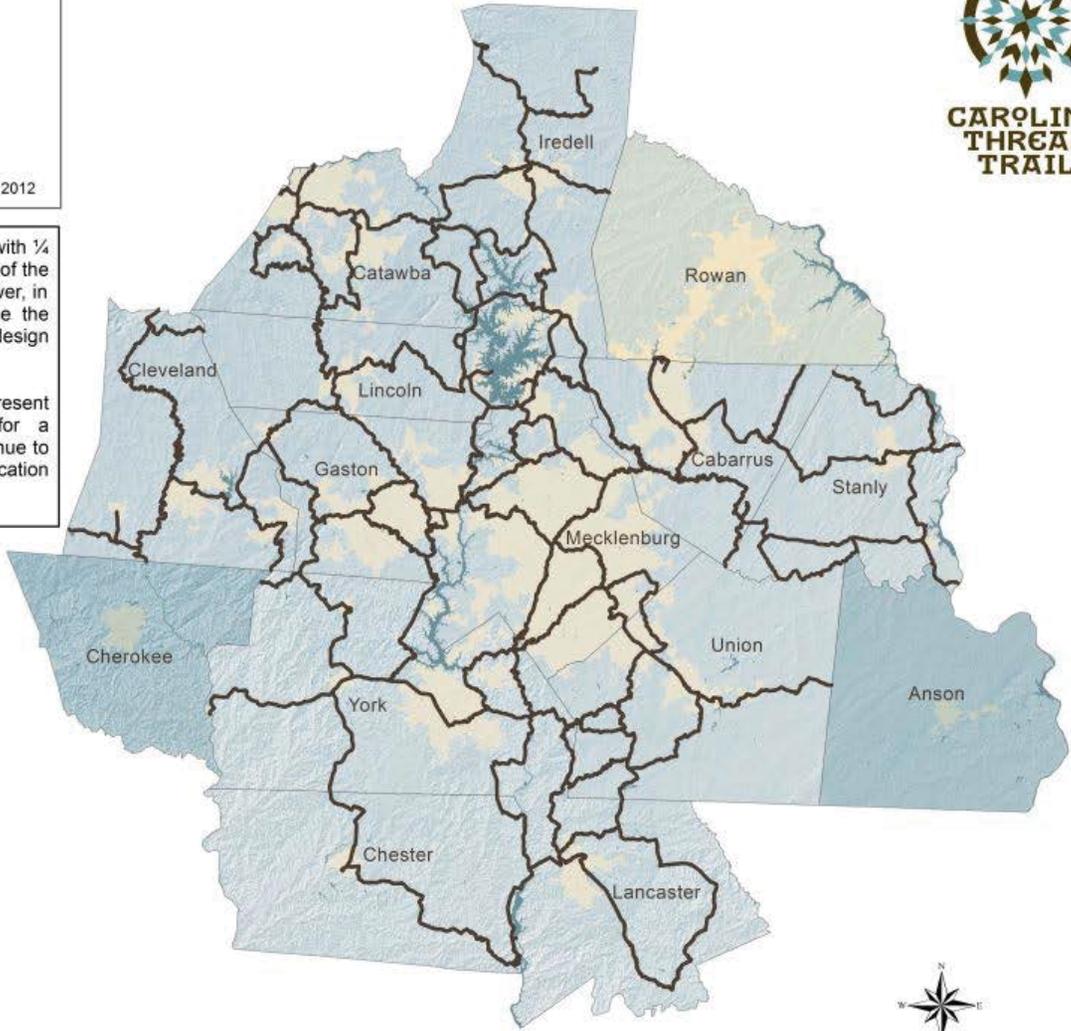
Carolina Thread Trail County Status

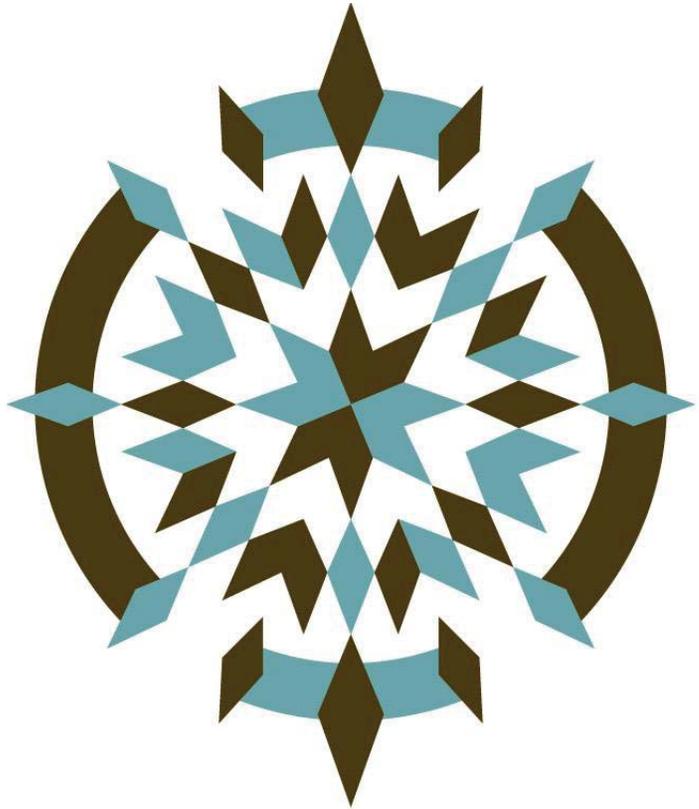
- Adopted Trails: 1,311 miles
- Implementation Phase
- Outreach Phase
- Planning Phase

February 2012

The trail corridors in this plan are depicted with ¼ mile wide lines to show the general location of the intended route. The trail itself will be narrower, in recognition that communities will determine the exact location of their segments upon trail design and development.

The broadly defined greenway corridors present multiple opportunities for adjustments for a defined route, so that landowners can continue to be involved in fine tuning and defining the location of trails and amenities.





**CAROLINA
THREAD
TRAIL**

Corporate and Philanthropic Support (\$1 to \$4 million)

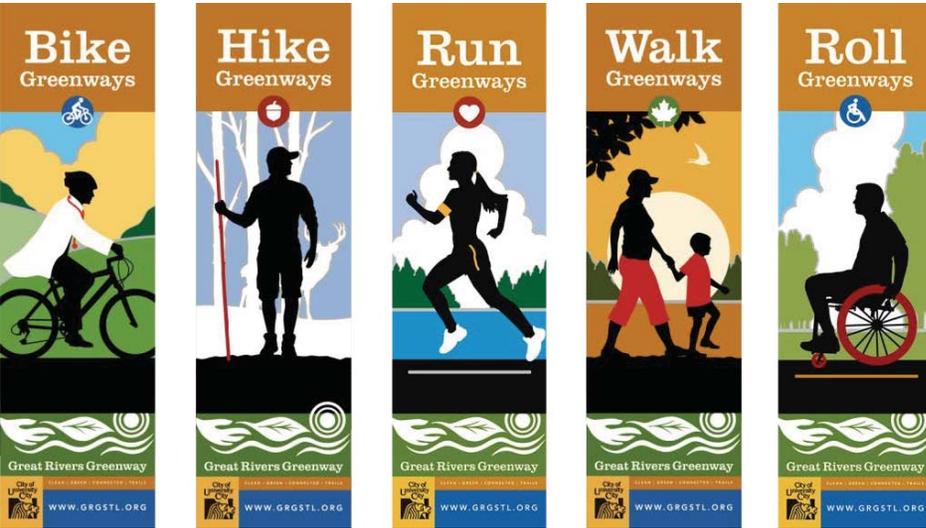


**Turner Family
Foundation**



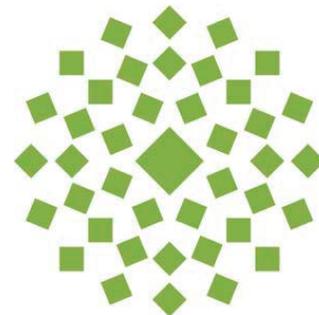
Bank of America







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**Pennsylvania
Department of
Transportation**

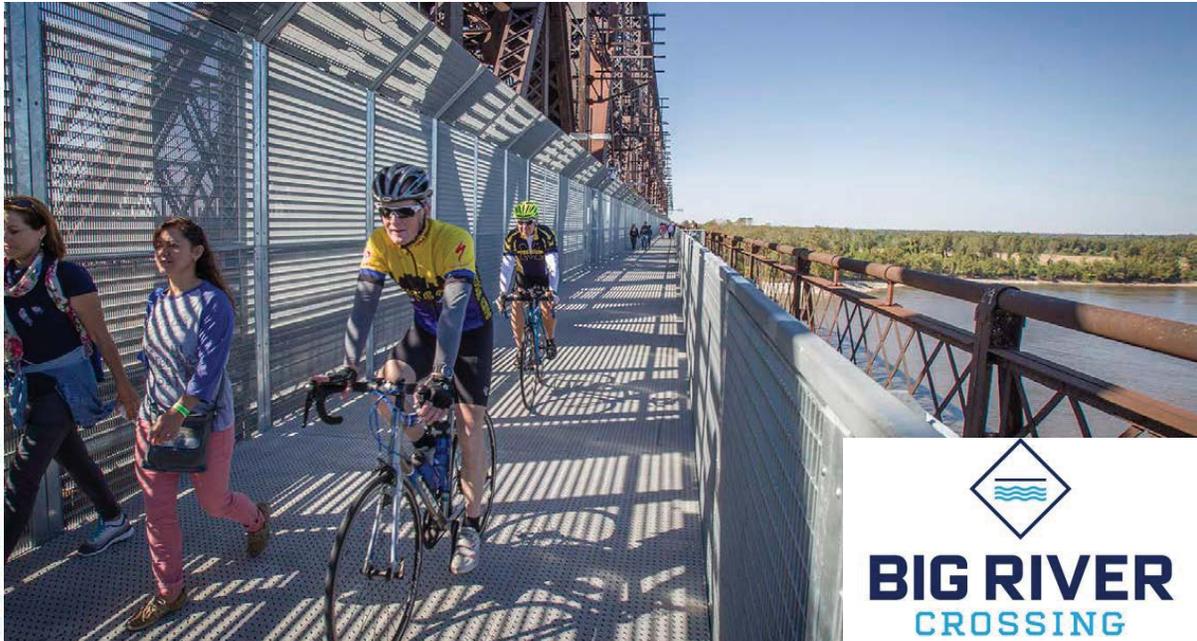
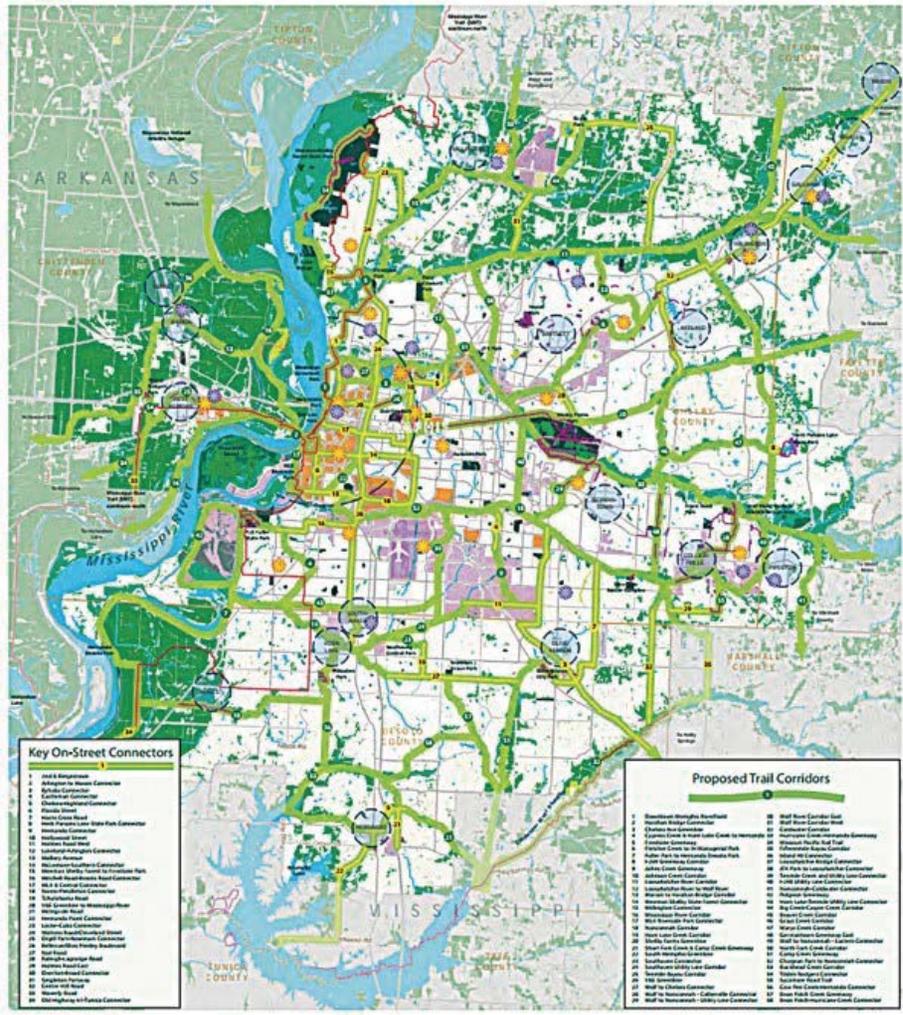


U.S. Department of Transportation
**Federal Highway
Administration**



pennsylvania
DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES

MID-SOUTH REGIONAL GREENPRINT CONCEPT MAP
 Concept for a Regional Network of Connected Green Infrastructure




Key Inputs:

- Proposed Key On-Street Connectors: These include and are interconnected with all segments of the Regional Trail System where off-street routes are not possible.
- City Centers and Town Centers: Shown as a circle with a dot (Urban Core).
- Employment Centers and High Priority Areas: Shown as a purple square with a dot.
- Commutal Transportation: Shown as a blue square with a dot.
- Swamp/Fresh Water: Shown as a green square with a dot.
- Parks and Recreation Areas: Shown as a light green square with a dot.
- Employment Centers: Shown as a yellow square with a dot.
- Waterways: Shown as a blue square with a dot.
- Swamp/Fresh Water: Shown as a green square with a dot.



HYDE FAMILY FOUNDATION

THE PYRAMID PEAK FOUNDATION



PLOUGH
FOUNDATION



THE ASSISI FOUNDATION
OF MEMPHIS, INC.

Possible Funding Strategy

	2020	2021	2022
Funders			
Funder # 1	\$ 34,000	\$ 34,000	\$ 34,000
Funder # 2	\$ 34,000	\$ 34,000	\$ 34,000
Funder # 3	\$ 34,000	\$ 34,000	\$ 34,000
Funder # 4	\$ 34,000	\$ 34,000	\$ 34,000
Funder # 5	\$ 34,000	\$ 34,000	\$ 34,000
Totals	\$ 170,000	\$ 170,000	\$ 170,000

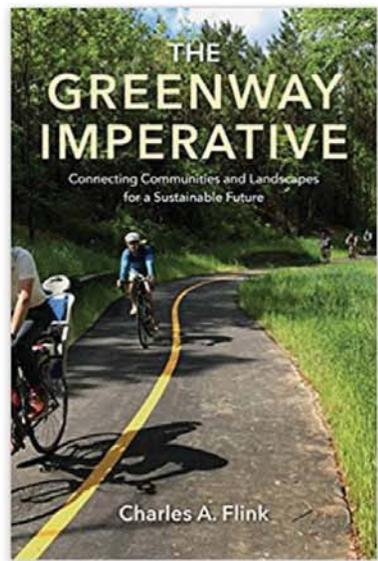
Questions/Discussion



The Triangle Trails Initiative is a program of the East Coast Greenway Alliance. This work is funded by a grant from the AJ Fletcher Foundation.

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**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2020

**Action Agenda
Item No.** 8-f

SUBJECT: Orange County ABC Board Travel Policy

DEPARTMENT: County Manager and Finance
and Administrative Services

ATTACHMENT(S):
ABC County Travel Policy

INFORMATION CONTACT:
Bonnie Hammersley, (919) 245-2300
Gary Donaldson, (919) 245-2453

PURPOSE: To approve the Orange County Alcoholic Beverage Control (ABC) Board's adoption and continued use of Orange County's travel policy.

BACKGROUND: The North Carolina Alcoholic Beverage Control Commission requires that each local ABC Board adopt a travel policy. A local ABC Board can adopt the State of North Carolina's travel policy or use the travel policy of the County in which the ABC Board is located.

In October 2016, the ABC Board made amendments to the policy pertaining to the required approval authority for overnight travel. Notice of overnight travel approved by the appropriate supervisory authority will be forwarded by the ABC General Manager and/or Board Chair to the County Manager. The Board of County Commissioners approved these amendments at its October 18, 2016 Board meeting. The ABC Board is now requesting approval for FY 2020-21.

In order for the ABC Board to use the County's travel policy, the Board of County Commissioners has to approve the Orange County ABC Board's use of the travel policy on an annual basis.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts associated with this item.

FINANCIAL IMPACT: There is no financial impact with approving the Orange County ABC Board's use of the County's travel policy.

RECOMMENDATION(S): The Manager recommends that the Board approve the Orange County ABC Board's use of the County's travel policy for FY 2020-21.

ATTACHMENT 1

ORANGE COUNTY TRAVEL POLICY

1. Purpose

To establish uniform procedures for authorization of travel by *ABC* employees and board members conducting *ABC system* business and to establish procedures for the reimbursement of the cost of authorized travel.

2. General

The *ABC system* is committed to managing travel costs while providing a reasonable balance between the needs of the *system* and needs of the traveler.

The policy of the *system* is to reimburse the employee/official traveling on authorized *ABC* business for all legitimate expenses incurred. The *General Manager* or his/her designee is responsible for monitoring the initial need for the travel and the availability of funds so that the cost of travel to the *ABC system* is reasonable and necessary.

All *ABC system* travel is subject to the availability of funds.

3. Policy Coverage

All employees and board members of the *ABC system*, full or part time, probationary, permanent, or temporary are covered by this policy.

4. Travel Authorization

a. Overnight and Out-of-State Travel

Prior to making an overnight or out-of-state trip, an employee or board member must obtain written authorization from the appropriate supervisor, as outlined below:

<u>Traveling Employee</u>	<u>Approval Required</u>
<i>ABC Staff</i>	<i>General Manager</i>
<i>General Manager</i>	<i>ABC Board Chair</i>
<i>ABC Board Member</i>	<i>ABC Board Chair</i>
<i>ABC Board Chair</i>	<i>ABC Board of Directors</i>

Overnight travel will be authorized only for employees and board members traveling to destinations of at least 60 miles from the employee's normal place of work. Exceptions may be made on a case-by-case basis when the employee needs to stay beyond the normal work day (Conference or workshop schedule starts before 8:00 or extends beyond 6:00 PM or employee or board member is responsible for organizing conferences, workshops and seminars). Overnight and out-of-state travel must be authorized using the Travel Authorization Form. If a workshop, seminar or conference is being attended, a copy of the agenda must be attached.

Notice of overnight travel approved by the appropriate supervisory authority will be forwarded by the General Manager and/or board chair to the County Manager.

b. Non-overnight Travel

Non-overnight travel may be authorized orally by the *General Manager* or Supervisor prior to making the trip. The Travel Authorization Form is not required for this travel.

5. Reimbursement after Travel

The traveler may elect to pay all expenses out of personal funds and request reimbursement from the Finance Department within 30 days of completed travel using the Travel and Expense Statement Form. Requests for less than \$10.00 may be deferred and combined with subsequent months' requests. Travel expenses properly documented and submitted to Finance within the prescribed time limit will be reimbursed on the next scheduled pay day.

Only expenses directly related to and appropriately classified as travel expenses will be reimbursed. Receipts are required and must be submitted for the following travel expenses:

- ◆ Hotel/Motel charges
- ◆ Common carrier tickets or stubs
- ◆ Parking charges
- ◆ Registration and workshop receipts
- ◆ Rental car receipts
- ◆ Gasoline, motor oil and repair service receipts

6. Travel Advances

A traveler may request an advance using the Travel Authorization Advance Form. Advances are authorized for overnight travel only, with the exception of registration fees.

a. A travel advance may include allowances for:

- ◆ Meals
- ◆ Lodging
- ◆ Registration
- ◆ Personal vehicle mileage

b. If a travel advance is requested, the requester shall prepare a Check Request Form for each check requested. After required signatures are obtained, the check request(s) shall be forwarded to the Finance Department no less than five working days prior to the next scheduled accounts payable date.

c. A travel advance must be cleared within 30 working days after returning from travel by completing a Travel and Expense Statement Report (For Travel Advance Receipts). Failure to do so may result in an amount equal to the advance being deducted from the traveler's next pay check.

7. P-Cards

Orange County Procurement cards can be used to pay for certain expenses both prior to and during the trip. Procurement cards must be activated on a case by case basis for travel. The employee's (or department designee's) P-Card will only be authorized for travel if the Financial Services Department has a fully executed Travel Authorization Form

a. Procurement Cards can be used to pay for:

- ◆ Airfare
- ◆ Lodging
- ◆ Registration

8. Use of County Vehicles

See Department of Public Works Vehicle Use Policy

9. Allowable Expenses

a. Overnight Travel

(1) Transportation

Personal Vehicle - Transportation shall be by the most direct route. A traveler may elect to use a personal vehicle in lieu of coach class air, though living expenses will be reimbursed only for the period required based on airplane travel time, unless the use of the employee's personal vehicle is for the convenience of the County. Reimbursement for use of a personal vehicle is at the prevailing non-taxable rate per mile allowed by the IRS, or air coach rate, whichever is less. The Financial Services Department shall adjust the mileage rate when it receives notification of a mileage rate change to be effective at the later of the beginning of the subsequent month or whenever the new rate is effective.

Air Travel - It is the traveler's responsibility to acquire the best air travel rate available. When a traveler can show a net savings on a airline ticket by extending travel (i.e. over a Saturday night) it is recommended that the traveler take advantage of this savings. However, the additional hotel room and meal costs should be taken into consideration when computing this net savings.

Requests for reimbursements should be made using the Travel and Expense Statement. All applicable paid receipts should be attached to ensure reimbursement.

Rental Car - With prior written authorization from the County Manager, the cost of renting an automobile will be allowed if it is determined that no other mode of transportation is as economical or practical. For reimbursement, a validated paid receipt must be attached to the traveler's Travel and Expense Statement. When renting vehicles, the traveler should not purchase any additional insurance (collision, theft, vandalism, etc.). Any accidents or damages to a rental car, other vehicles, persons or properties, caused by rental vehicle operated by a County traveler is covered under the County's insurance program.

Other Expenses - Bus, taxi and subway fares are additional allowable expenses.

Traffic Violations - Traffic violations such as, but not limited to, parking and speeding tickets are the responsibility of the traveler and will not be reimbursed.

(2) Lodging

Lodging expenses will be reimbursed at the actual cost of the room, provided:

- The lodging is reasonably priced in relation to the area.
- The traveler takes advantage of special convention or negotiated rates.

The Finance Department reviews in advance the requested lodging reimbursement rate. Any rate not in accordance with the above provisions requires the County Manager's advance approval.

For reimbursement, the paid bill for lodging must be attached to the traveler's Travel and Expense Statement.

A County traveler sharing a room with a non-county employee will be reimbursed at the single occupancy rate only.

(3) Meals

The daily allowance for meals for in-state travel will be in accordance with the meal portion of the second tier of M&IE (meals and incidental expense) rates established under IRS guidelines which are currently the total M&IE rate less \$3 per day. The daily allowance for meals for out of state travel will be paid in accordance with the meal portion of the M&IE rates established under IRS guidelines for the travel destination location. Meals for partial day travel will be reimbursed with the approval of the appropriate supervisor based on the meal breakdown in the per diem schedule. The Financial Services Department shall adjust the per diem rates when it receives notification of a per diem rate change to be effective at the later of the beginning of the subsequent month or whenever the new rate is effective.

(4) Registration Fees

Conference, convention or training registration fees may be paid in advance by the County or the traveler. Paid receipts are required for reimbursement when fees are paid by the traveler.

(5) Parking Fees

Paid receipts are required for reimbursement of parking fees. Tips to parking attendants will not be reimbursed.

(6) Telephone Charges

A personal "safe arrival" three minute telephone call is authorized. Business telephone calls will be reimbursed with sufficient justification using the Travel and Expense Statement.

(7) Non-reimbursable Items

- ◆Alcoholic Beverages
- ◆In Room Movies
- ◆Family or Other Traveling Companions' Expenses
- ◆Maid Services
- ◆Red Cap Services (except for those with a handicap or special needs)

(8) Cancellations

In the event of canceled travel plans, it is the traveler's responsibility to pursue all available refunds. The County will reimburse non-refundable costs if the cancellation is the result of a County action, an emergency, or any other situation deemed reasonable by the appropriate department head or supervisor. Non-refundable items must be reported to the Financial Services Department.

b. Non-overnight Travel**(1) Advances**

With the exception of registration fees, travel advances will **not** be made for non-overnight travel.

(2) Transportation

County employees are encouraged to use County-owned vehicles instead of personal vehicles when available. When travel is authorized by personal vehicle, reimbursement is allowed at the prevailing non-taxable rate per mile allowed by the Internal Revenue Service.

(3) Meals

An employee involved in one day or partial day travel shall be reimbursed for meals only when the destination is located at least 35 miles from the employee's normal place of work or such expenses are incurred as a result of attendance at a formal workshop, conference, or seminar. Meal reimbursements will be made in accordance with the established per diem rates.

(4) Registration Fees

Fees may be paid in advance by the County or employee. Paid receipts are required for reimbursement when registration fees are paid by the employee.

(5) Parking

A paid receipt is required for reimbursement of this expense.

10. Responsibilities

It is the responsibility of the Financial Services Department to manage this policy. Financial Services will review the requests for reimbursements and ensure all provisions of this policy have been followed. Once any travel discrepancies have been reconciled with the appropriate Department Head, Supervisor, or traveler, a Finance Department representative will ensure timely payment of the traveler's expenses. Once Financial Services receives a fully executed Travel Authorization Form, they will retain both the original copy and an electronic copy. Financial Services will send an electronic copy of the executed form via email to the employee and/or Department designee. It is the responsibility of the employee or department designee to work with the Purchasing Agent to authorize travel on the appropriate P-Card

Revisions and dissemination of this policy are the responsibility of the Financial Services Department.

Effective July 1, 2009 (revised 11-18-2014)

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 2, 2020

Action Agenda
Item No. 11-a

SUBJECT: Workforce Development Board – Appointment Discussion

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):

Membership Roster
Recommendation
Application for Person Recommended
Applicant Interest List

INFORMATION CONTACT:

Clerk's Office, 919-245-2130

PURPOSE: To discuss an appointment to the Workforce Development Board.

BACKGROUND: The following appointment information is for Board consideration:

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
3	Katie Loovis	At-Large – Private Sector - Business	First Full Term	06/30/2023

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- None

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: ENABLE FULL CIVIC PARTICIPATION**
Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board discuss an appointment to the Workforce Development Board.

Board and Commission Members

And Vacant Positions

Workforce Development Board - Regional Partnership (CURRENTLY NOT ACCEPTING APPLICATIONS)

Meeting Times: day-time meeting quarterly

Contact Person: James Bain

Meeting Place: locations in Orange, Alamance & Randolph

Contact Phone: 336-629-5141

Description: Members are appointed by the Boards of Commissioners from Randolph, Alamance, and Orange County - six each. Specific groups must be represented. This council provides policy guidance for, and oversees activities under, the Job Training Plan in partnership with the governments. It also works to increase the involvement of the business community in the employment and training system. This is a JobLink Partner. Linda B. Parker, Director, P.O. Box 1883, Asheboro, NC 27204, Telephone (336)629-5141 supports this group. lparker@regionalcs.org

Nancy Coston, Director

1			First Appointed:	08/14/2001
Gender Identity:	Female	Township:	Current Appointment:	12/02/2019
Ethnic Background:	white	Resid/Spec Req:	Expiration:	06/30/2022
Age Range:		Special Repr:	Number of Terms:	6

Sue Holaday

2			First Appointed:	11/15/2016
Gender Identity:	Female	Township:	Current Appointment:	09/04/2018
Ethnic Background:	white	Resid/Spec Req:	Expiration:	06/30/2021
Age Range:		Special Repr:	Number of Terms:	1

VACANT

3			First Appointed:	
Gender Identity:		Township:	Current Appointment:	
Ethnic Background:		Resid/Spec Req:	Expiration:	06/30/2023
Age Range:		Special Repr:	Number of Terms:	

VACANT

4	No Longer Taking Apps.		First Appointed:	
Gender Identity:		Township:	Current Appointment:	
Ethnic Background:		Resid/Spec Req:	Expiration:	01/30/2019
Age Range:		Special Repr:	Number of Terms:	



May 13, 2020

Donna Baker, Clerk to the Board
% Orange County Board of Commissioners
PO Box 8181
Hillsborough, NC 27278

Re: Workforce Development Board Appointment Request

Regional Partnership Workforce Development Board is submitting a membership appointment request for Katie Loovis (Vice President for External Affairs, The Chamber & Carrboro Business Alliance) representing the business sector. Katie Loovis has been nominated by (current member) Nancy Coston and Orange County Commission Mark Marcoplos for a vacancy on our Workforce Development Board. Her term of appointment will be for three years. I would appreciate you including this appointment request for the next Orange County Board of Commissioners agenda.

If you have any questions, please do not hesitate to contact me at (336) 629-5141.

Kind Regards,

Tammy Wall

Director, Regional Partnership Workforce Development
NC Works

Volunteer Application Orange County Advisory Boards and Commissions

Name: Katie Loovis
Name Called:
Home Address: 204 Lake Court
 Chapel Hill NC 27516
Phone: 919-696-0781
Email: KatieLoovis@gmail.com
Year of OC Residence: 2017
Township of Residence: Chapel Hill
Zone of Residence: County
Gender Identity: Female
Ethnic Background: white
Age Range: 35-59

Community Activities/Organizational Memberships:

- i. Board Member and Chair of the Fundraising and Marketing Committee, Durham Tech Foundation
- ii. Board Member and Recording Secretary, American Association of University Women Orange, Durham, and Chatham Branch
- iii. Member, Junior League of Durham and Orange Counties
- iv. Appointee, Orange County Local Reentry Council
- v. Ex-officio Non-voting Board Member, Chapel Hill Downtown Partnership
- vi. Volunteer, NC Study Center
- vii. Graduate, Leadership Chapel Hill-Carrboro (2017), Leadership North Carolina (2018), and the Town of Chapel Hill's Inaugural Peoples Academy (2018)
- viii. Advisory Board Member, US Chamber of Commerce Foundation Corporate Citizenship
- ix. Board Member, 9/11 Day of Service and Remembrance
- x. Advisory Board Member, UNC Educational Foundation (The Rams Club)

Past Service on Orange County Advisory Boards:

Orange County Partnership to End Homelessness Leadership Council; Orange County Parks and Recreation Council

Boards/Commissions applied for:

Durham Technical Community College Board of Trustees

Background, education and experience relevant to this board:

- 1) Director, corporate responsibility, for global healthcare company, GSK, which has a presence in the region and a strong focus on developing our future workforce.
- 2) Previous Chief Operating Officer for Achieving the Dream - the nation's most comprehensive, non-governmental reform network for community college student success.
- 3) Master of Public Administration (UNC, 2002)

Reasons for wanting to serve on this board:

I have admired DTCC for many years, especially their commitment to help students of color and low-income students succeed. Now a resident of the community, I would like to use my time and talent to help DTCC thrive in these changing times.

Contribution to the diversity of viewpoints on this board:

Conflict of Interest:

I believe my company (GSK) and/or our foundation (GSK Foundation for NC) has funded DTCC in the past, but I am not aware of a current financial relationship.

**Workforce Development Board - Regional Partnership (CURRENTLY NOT ACCEPTING APP
Background, education and experience relevant to this board:**

I am currently earning my doctorate in community college leadership from NC State with a focus on workforce development and labor market outcomes; I'm leading the contract from Orange County Government to study the skilled construction trades talent pipeline and the feasibility of a trades center in Orange County; and I'm leading the contract from the Carrboro Tourism Development Authority to build new assets to promote more tourism and economic development for the town. Further, my role as VP of The Chamber allows me to support and advocate for stronger workforce development connections and initiatives.

Reasons for wanting to serve on this board:

I believe I could both learn and add value through service on this board. I hope to better connect our business community throughout Orange County in the current and future regional workforce development programs and planning.

Contribution to the diversity of viewpoints on this board:

This ~23-member board serves five counties but has only 1 board member representing Orange County. I hope to collaborate with the other Orange County Board member to represent our county and also amplify the voice of our business community. (source: <https://regionalpartnershipwdb.org/about-us/our-board/>).

Conflict of Interest:

Boards/Commissions appointments:

Orange County Parks and Recreation Council

Application Date: 4/3/2017

Background, education and experience relevant to this board:

- 1) Former Master Gardener in Washington, DC (2015-2016) through the University of the District of Columbia - I am passionate about the production of and access to fresh local produce.
- 2) Master of Public Administration (UNC, 2002) - I would bring a bal

Reasons for wanting to serve on this board:

I recently moved back to Chapel Hill after 15 years in Washington, DC advancing global and national policies. I am eager to get involved locally. As a new Orange County resident who is passionate about public lands and outdoor health and wellness, and giv

Conflict of Interest:

Other Comments:

This application was current on: 5/15/2020

Date Printed: 5/15/2020

Applicant Interest Listing

by Board Name and by Applicant Name

Workforce Development Board - Regional Partnershi

Contact Person: James Bain

Contact Phone: 336-629-5141

Katie Loovis

Gender Identity: Female

Date Applied: 05/15/2020

Ethnic Background: white

Township: Chapel Hill

Age Range 35-59

Res. Eligibility: County

Also Serves On:

BOCC Meeting Follow-up Actions

(Individuals with a * by their name are the lead facilitators for the group of individuals responsible for an item)

Meeting Date	Task	Target Date	Person(s) Responsible	Status
5/19/20	Review and consider request by Commissioner McKee that beginning in June, subject to any parameters established by the Governor, the Board return to some format of meeting in public at the Whitted Center for all June meetings	6/2/2020	Chair	DONE
5/19/20	Review and consider request by Commissioner Marcoplos that the Board review its future funding commitments for four organizations (NACo, NCACC, TJCOG, and the UNC School of Government)	6/9/2020	Gary Donaldson Paul Laughton	Included on FY 2020-21 proposed budget amendments list and planned for budget work session discussion
5/19/20	Review and consider request by Commissioner Price that the Board consider a proclamation at its September 1, 2020 Business meeting recognizing the 55 th anniversary of the Voting Rights Amendment	9/1/2020	Vice Chair Annette Moore	Commissioner Price to consult with Human Rights & Relations staff to develop agenda abstract materials
5/19/20	Review and consider request by Commissioner Dorosin that the Board discuss BOCC representation on the ABC Board as a liaison and the interest in the BOCC member being appointed as a voting member	10/8/2020	Donna Baker Thom Freeman	To be scheduled for fall 2020 work session discussion
5/19/20	Review and consider request by Commissioner Rich that staff provide information to the full Board regarding sharing questions with staff prior to Business meetings and staff providing the questions and responses to the full Board	6/2/2020	Greg Wilder	DONE Information provided to BOCC
5/19/20	Review and consider request by Commissioner Rich that the Manager meet with the CHCCS Superintendent to discuss the use of CHCCS \$11.5 million fund balance to address capital needs	6/1/2020	Bonnie Hammersley	Manager to contact CHCCS Superintendent
5/19/20	Review and consider request by Commissioner Rich that, in prep for BOCC discussion, staff provide information on County funding for the Chapel Hill Library including minutes from last Work Group meeting, number of County households using the Library, and an update on interoperability efforts	6/4/2020	Lucinda Munger	DONE

Meeting Date	Task	Target Date	Person(s) Responsible	Status
5/19/20	Provide follow-up information to the Board on what a CARES Act allocation to the towns based on ad valorem taxes paid would look like in comparison to the approved per capita allocation	6/16/2020	Gary Donaldson	DONE
5/19/20	Schedule future Board discussion on the County’s standard overall framework to allocate funds based on per capita numbers and the possibility of considering an ad valorem taxes paid framework	10/8/2020	Gary Donaldson Paul Laughton	To be scheduled for fall 2020 work session discussion
5/19/20	Conform the 2020 Affordable Housing Bond Application form based on BOCC approved revisions and release on June 8, 2020	6/8/2020	Emila Sutton	To be conformed and released
5/19/20	Pending revisions to the Advisory Board Policy, share the 2020 Affordable Housing Bond Application form as well as completed applications with the Affordable Housing Advisory Board (AHAB) for feedback	9/1/2020	Emila Sutton	Information to be shared with AHAB for feedback
5/19/20	Follow-up on possibility that volunteer fire departments are no longer able to utilize waste and recycling centers for disposal and share information with BOCC	7/1/2020	Robert Williams	DONE
5/19/20	Develop draft resolution with options for the Board to consider regarding changes to the Solid Waste Ordinance related to construction & demolition waste disposal at waste and recycling centers/County landfill	6/16/2020	Robert Williams	Resolution with options to be developed and scheduled for future Board meeting

INFORMATION ITEM

Tax Collector's Report - Numerical Analysis

Property Tax Collection - Tax Effective Date of Report: May 11, 2020						
Tax Year 2019	Amount Charged in FY 19-20	Amount Collected	Accounts Receivable	Amount Budgeted in FY 19-20	Remaining Budget	% of Budget Collected
Real and Personal Current Year Taxes	\$ 152,142,471.00	\$ 152,151,899.39	\$ 1,804,005.15	\$ 152,142,471.00	\$ (9,428.39)	100.01%
Real and Personal Prior Year Taxes	\$ 3,378,823.17	\$ 848,650.48	\$ 2,321,644.74	\$ 1,100,000.00	\$ 251,349.52	77.15%
Total	\$ 155,521,294.17	\$ 153,000,549.87	\$ 4,125,649.89	\$ 153,242,471.00	\$ 241,921.13	99.84%
Registered Motor Vehicle Taxes		\$9,013,912.95	\$9,426.18	\$ 10,770,627.00	\$ 1,756,714.05	83.69%
Tax Year 2018	Amount Charged in FY 18-19	Amount Collected	Accounts Receivable	Amount Budgeted in FY 18-19	Remaining Budget	% of Budget Collected
Real and Personal Current Year Taxes	\$ 146,099,548.00	\$ 146,775,515.84	\$ 1,977,153.34	\$ 146,099,548.00	\$ (675,967.84)	100.46%
Real and Personal Prior Year Taxes	\$ 3,097,551.91	\$ 963,264.68	\$ 2,261,927.71	\$ 1,100,000.00	\$ 136,735.32	87.57%
Total	\$ 149,197,099.91	\$ 147,738,780.52	\$ 4,239,081.05	\$ 147,199,548.00	\$ (539,232.52)	100.37%
Registered Motor Vehicle Taxes		\$8,862,516.83	\$11,453.97	\$ 10,221,001.00	\$ 1,358,484.17	86.71%
2019 Current Year Overall Collection Percentage - Real & Personal		98.83%				
2019 Current Year Overall Collection Percentage - with Registered Motor Vehicles		98.89%				
2018 Current Year Overall Collection Percentage - Real & Personal		98.67%				
2018 Current Year Overall Collection Percentage - with Registered Motor Vehicles		98.74%				

This report has been updated as of March 2019 to include registered motor vehicle collections.

INFORMATION ITEM

Tax Collector's Report - Measures of Enforced Collections

-

Fiscal Year 2019-2020

Effective Date of Report: APRIL 30, 2020

	July	August	September	October	November	December	January	February	March	April	May	June	YTD
Wage garnishments	80	20	5	72	35	3	126	107	125	-			
Bank attachments	32	11	1	13	2	-	24	28	76	-			
Certifications	-	-	-	-	-	-	-	-	-	-			
Rent attachments	-	-	-	-	-	-	4	-	-	-			
Housing/Escheats/Monies	25	-	-	1	16	1	21	2	-	-			
Levies	-	-	-	-	-	-	-	-	-	-			
Foreclosures initiated	-	-	-	1	3	-	-	-	-	-			
NC Debt Setoff collections	\$ 2,873.28	\$ 3,120.65	\$ 1,228.45	\$ 1,206.04	\$ 1,723.52	\$ 164.92	\$ 1,578.24	\$ 1,866.13	\$ 9,806.90	\$ 3,586.14			

This report shows the Tax Collector's efforts to encourage and enforce payment of taxes for the fiscal year 2019-2020. 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	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	TAX	FEE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	TAX CLASSIFICATION	ACTION	Approved by CFO	Additional Explanation
Bumgarner, Joe	42174258	2017	1,680	1,680	(11.93)	(30.00)	(41.93)	*Situs error (illegal tax)	RMV-VTS	Approve	4/22/2020	
House, Lindsey Kay	3185690	2019	11,950	-	(88.88)		(88.88)	Assessed in error (illegal tax)	Personal	Approve	5/11/2020	Gap bill: Vehicle registered in Iowa during gap period
House, Lindsey Kay	3185661	2019	8,540	-	(63.51)		(63.51)	Assessed in error (illegal tax)	Personal	Approve	5/11/2020	Gap bill: Vehicle registered in Iowa during gap period
Molina De Morales, Teresa Del Carme	1073137	2019	1,170	-	(15.65)		(15.65)	Double billed (illegal tax)	Personal	Approve	5/11/2020	Double billed, also on account 316520
Montejano, Ruben Villalpando	1073138	2019	950	-	(10.37)		(10.37)	Double billed (illegal tax)	Personal	Approve	5/11/2020	Double billed, also on account 1039067
Perreira, Nolan	52064567	2019	2,580	1,290	(15.08)		(15.08)	Damage (appraisal appeal)	RMV-VTS	Approve	5/11/2020	
							(235.42)	Total				
*Situs error: An incorrect rate code was used to calculate bill. Value remains constant but bill amount changes due to the change in specific tax rates applied to that physical location.												
Gap Bill: A property tax bill that covers the months between the expiration of a vehicle's registration and the renewal of that registration or the issuance of a new registration.												
The spreadsheet represents the financial impact that approval of the requested release or refund would have on the principal amount of taxes. Approval of the release or refund of the principal tax amount also constitutes approval of the release or refund of all associated interest, penalties, fees, and costs appurtenant to the released or refunded principal tax amount.												

Nancy T Freeman, Director	nfreeman@orangecountync.gov	228 S. Churton Street, Suite 200, Hillsborough, NC 27278	919-245-2100
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Memorandum

To: Orange County Board of Commissioners
Cc: Bonnie Hammersley, County Manager
From: Nancy T. Freeman, Tax Administrator
Date: May 18, 2020
Re: 2021 Property Tax Revaluation Update

North Carolina state law, G.S. 105-286(a), requires that counties conduct a countywide revaluation of real property at least once every eight years. Orange County last conducted a countywide revaluation effective for January 1, 2017 and current tax assessments reflect market value as of that appraisal date. Orange County’s next revaluation date will be January 1, 2021, which reflects a four year cycle.

A revaluation is mandated by the N.C. General Statutes, but is also necessary to realign the values of real property throughout the County to maintain equitable and uniform property values among property owners. Market values are shaped by property sales, and our office’s responsibility is to look at those sales, interpret the market data, and estimate market values for all properties within Orange County.

We have been compiling data for the 2021 revaluation over the last eighteen months. We’ve compiled sales, contacted property owners and consulted with professionals to ensure that we have a full understanding of what is happening in the Orange County real estate market. We will continue to monitor the local trends and make necessary adjustments through the end of 2020.

Sales Analysis

We measure mass appraisal effectiveness by calculating the median sales ratio. It is computed by dividing the assessed value by the sales price. A sales ratio of less than 1 indicates that the tax assessment is lower than the property’s recent sales price and vice versa. The sales ratio shows what percentage of market value is represented by current tax assessment. A median sales ratio of 0.95 indicates that tax assessments represent 95% of current market sales. This ratio is a measure of central tendency. There are ratios higher and lower than the median, and the data spread is indicated by the Coefficient of Dispersion (COD). 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. The chart below displays sales analysis data for 2018 and 2019. The median sales ratio has fallen over the last three years, and this indicates that sales prices have been on the rise since the 2017 revaluation.

2019 Median Sales Ratio – 0.889

2018 Median Sales Ratio – 0.91

2019 Qualified Sales – 217

2018 Qualified Sales – 421

2019 Coefficient of Dispersion – 9.85

2018 Coefficient of Dispersion – 12.99

Current Market Conditions

Our research has shown that although sales prices have been on the rise since 2017, the number of sales is declining. Data indicates that the number of sales is continuing to slow for the first quarter of 2020 as compared to the number of sales for the same time period in 2019. Most notable is the decrease in the month of April, which has declined by about 50% whereas the average decline for the prior three months was about 24%. In addition, in looking at the raw data for the first quarter, we see that overall sale prices have been higher in 2020 than 2019 with the exception of April, where there has been a noticeable decline in the sale prices.

We believe the more significant change in data for the end of the first quarter is most likely due to the shutdown necessitated by the Covid-19 Crisis. This crisis has had an impact on our economy and may also have an effect on property values for the 2021 Revaluation. We must continue to monitor sales to know if the Covid-19 Crisis will have a lasting impact on the sales market for the January 1, 2021 revaluation date. We will look to sales data from May through the end of the year to dictate the market's reaction to the shutdown/restart. The effect may be seen in the number of sales decreasing more, the length of time a property is on the market increasing, and the sales price dropping.

While the value of most properties is established by the sales approach, another method of establishing the value of properties is by using the income approach. The shutdown due to the Covid-19 Crisis may have an effect on properties whose values are typically established based on income, such as commercial properties. This may lead to additional appeals as commercial properties strive to provide data that reflects the effects of the crisis on their businesses, such as restaurants, hotels, and multi-family housing.

Revaluation Process

Field reviews for the 2021 revaluation are in process, 66% completed, and are expected to be complete by October 2020. Although the appraisers have been working in the field, for their safety and to comply with the restrictions put in place to flatten the curve, the appraisers have worked from their vehicles to do as much field work as possible. As of May 11th, we have been able to provide needed personal protective equipment

and have allowed the appraisers to begin full field visits once again. In early March we mailed Data Validation Forms to all real property owners in Orange County. Currently we are entering data based on the information provided by property owners, and these field visits will allow us to verify information.

In 2017 reappraisal standards were created and approved by the N.C. Department of Revenue with a goal of being able to ensure more equitable and accurate reappraisals state-wide. As part of the new standards we are required to create an Appraisal Manual, which includes information on appraisal and data collections procedures. The manual has been completed.

Our Schedule of Values is almost completed and is scheduled to be finalized by September. The Public Hearing for the Schedule of Values will be in September, and should be adopted at the October 15th meeting of the Board of County Commissioners.

Our final review of all property values will be completed in December or January in order to accurately include the effects of the Covid-19 Crisis. And following, the revaluation notices are scheduled to be mailed in February 2021. Informal appeals will begin and conclude at the end of March 2021. Board of Equalization and Review hearings will take place from April 2021 to June 2021.

Conclusion

Market statistics show Orange County's values have been steadily rising, which is evident by our declining sales ratio. However, we are seeing a lower number of sales than in previous years. In addition, we are just beginning to receive sales data that reflect the impact of the Covid-19 Crisis on the values for the 2021 revaluation, and we do not yet know if they will continue, or if the economy will recover without lasting damage. Regardless of whether the current crisis only has a temporary impact on the values, or if it results are more permanent, we do expect this unprecedented event to increase the number of value appeals for the 2021 revaluation.