Orange County
Board of Commissioners

Agenda

Regular Meeting
September 3, 2019
7:00 p.m.
Richard Whitted Meeting Facility
300 West Tryon Street
Hillsborough, NC 27278

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

Compliance with the "Americans with Disabilities Act" - Interpreter services and/or special sound equipment are available on request. Call the County Clerk's Office at (919) 245-2130. If you are disabled and need assistance with reasonable accommodations, contact the ADA Coordinator in the County Manager's Office at (919) 245-2300 or TDD# 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 – 2019 Piedmont Laureate David Menconi is a music critic and arts reporter, formerly at the Raleigh News & Observer, where he was a staff writer for 28 years. He has also written for Rolling Stone, Billboard, Spin, New York Times and salon.com. He has published three books with a fourth, a music history of North Carolina, to be published by University of North Carolina Press in 2020. He is also co-editor of the American Music Series for University of Texas Press and hosts a weekly radio show about the music of North Carolina, "That Old North State Radio Hour" on WCLY/95.7FM. He holds a Masters degree in journalism and lives in Raleigh.

2. Public Comments (Limited to One Hour)

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

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

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

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

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

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

   a. "The Nature of Orange" Photography Contest 2019
   b. Appointment of Tax Administrator
   c. 400 Years Proclamation
   d. Resolution Condemning the Ku Klux Klan and Other Similar Groups

5. **Public Hearings**

   a. Zoning Atlas Amendment for 6405 West Ten Road (PIN 9834-25-2573) – Rezone a 16.45 acre Parcel of Property to General Commercial (GC-4)
   b. Public Hearing on the Financing of Various Capital Investment Plan Projects

6. **Regular Agenda**

   a. Format for the 2019 Orange County Summit
   b. Acceptance of Guaranteed Maximum Price (GMP) for the Orange County Northern Campus

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. Applications for Property Tax Exemption/Exclusion
   e. Tax Collector's Annual Settlement for Fiscal Year 2018-19
   f. Fiscal Year 2019-20 Budget Amendment #1
   g. Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro City Schools (CHCCS) and Contingent Approval of Budget Amendment #1-A Related to CHCCS Capital Project Ordinances
   h. Acceptance of Grant for Electric Vehicle Infrastructure and Approval of Budget Amendment #1-B
   i. Approval of FY 2019-20 Forest Service Contract
   j. Finalization of Property Exchange Between the County and Holloways
   k. Northern Campus Easement Acquisition
   l. Resolution of Approval – Conservation Easement on Triangle Land Conservancy-McQueen Property
   m. Adoption of Policies Related to North Carolina Housing Finance Agency (NCHFA) – 2019 Urgent Repair Program (URP19) Grant Award
   n. Approval of Correction to Language in the Resolution Authorizing the Orange County FY 2017-2018 HOME Program Design

9. **County Manager's Report**

Projected September 10, 2019 Special Meeting Items

Public Hearing and Decision Regarding an Economic Development Recruitment Incentive for Project Tomorrow

Projected September 10, 2019 Regular Work Session Items

Budget Amendment Process

Discussion Regarding the Regulation of the Discharge of Firearms in Areas of the County with a High Residential Unit Density

10. **County Attorney's Report**

11. ***Appointments**

a. Orange County Climate Council – Appointment

12. **Information Items**

- June 18, 2019 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
- Memorandum – NCDOT Corridor Updates – NC-54 West, S. Churton Street and Orange Grove Road Extension

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' regular 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).

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 4-a

SUBJECT: "The Nature of Orange" Photography Contest 2019

DEPARTMENT: Environment, Agriculture, Parks and Recreation (DEAPR)

ATTACHMENT(S):

1) Winning Photos
2) Contest Brochure

INFORMATION CONTACT:
Lynn Hecht, 245-2510

PURPOSE: To recognize the winners and thank all participants and judges of "The Nature of Orange" 2019 Photography Contest.

BACKGROUND: The Orange County Commission for the Environment and Parks and Recreation Council are proud sponsors of this year's "The Nature of Orange" Photography Contest completed in May 2019. This year, the theme was Farms, Parks and Trails in Orange County. The goal of the contest was to inspire exploration, celebration and appreciation of Orange County's diverse landscapes and outdoor experiences. Photographers help document the beauty and diversity of natural resources, and people connecting to the environment.

A total of 65 photographs were submitted in May 2019. A panel of judges selected first, second and third place winners from the Youth and Adult divisions. In addition, judges identified two additional Honorable Mention awards per age group due to the many high-quality submissions. This year's judges were photographers Kent Murray, Holden Richards, and David Schaub.

Winners received a congratulatory letter, certificate, and for first through third place, a small monetary award. During the month of August, the photographs were displayed at Cup a Joe in Hillsborough. For September, the photos will be on display at the Orange County Public Library. The photographs will then be displayed at the Orange County Visitors Center in Hillsborough from October through December. In January 2020, the Orange County/Chapel Hill Visitors Center in Chapel Hill will host the photos. The winning photographs can also be viewed on the Orange County DEAPR website under the "breaking news" section http://www.orangecountync.gov/deapr/, on the department's Facebook Page, and will also be "streaming" on the visual monitors in County buildings.

The 2019 contest winners are as follows:

Youth: 1st Place – **Alexcina Wartski**; 2nd Place – **Maggie Sandbeck**; 3rd Place – **Haley Wade;** Honorable Mentions: **Ryan Kroothoep** and **Maggie Sandbeck**.
Adult: 1st Place – **Bob Johnson**; 2nd Place – **Charles R Sheppard**; 3rd Place – **Joel Elliott;** Honorable Mentions: **Bob Johnson** and **Joe Elliott**

FINANCIAL IMPACT: There is no financial 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 that the Board recognize and congratulate the 2019 photography contest winners, and thank the judges and all those who participated in this community event.

The Nature of Orange Photography Contest

- 8th annual photography contest, 2019
- Photographers help document the beauty and diversity of our natural resources or show residents enjoying our parks and environment. Theme this year: Parks and Trails in Orange County. All photos taken in Orange County.
- 65 entries (27 Youth and 38 Adults)
- Volunteer judges evaluated photos based on:
  - relevancy
  - composition/arrangement
  - focus/sharpness
  - lighting and creativity

ORANGE COUNTY
NORTH CAROLINA

1st Place Adult: “Occaneechi Village Snow”
Bob Johnson



ORANGE COUNTY
NORTH CAROLINA

2nd Place Adult: “Snow Covered Eno”
Charles R Sheppard



ORANGE COUNTY
NORTH CAROLINA

3rd Place Adult: “Boat Launch at Dawn”
Joel Elliott



ORANGE COUNTY
NORTH CAROLINA

Honorable Mention Adult: “Amtrack Crossing the Eno”
Bob Johnson



ORANGE COUNTY
NORTH CAROLINA

Honorable Mention Adult: “Axis Mundi”
Joe Elliott



ORANGE COUNTY
NORTH CAROLINA

1st Place Youth: “Just Hanging”
Alexcina Wartski



ORANGE COUNTY
NORTH CAROLINA

2nd Place Youth: “Yellow on Yellow”

Maggie Sandbeck



ORANGE COUNTY
NORTH CAROLINA

3rd Place Youth: “Sunny”
Haley Wade



ORANGE COUNTY
NORTH CAROLINA

Honorable Mention Youth: “Left to Rust”
Ryan Kroothoep



ORANGE COUNTY
NORTH CAROLINA

Honorable Mention Youth, “Crabtree Creek” Maggie Sandbeck



ORANGE COUNTY
NORTH CAROLINA

The Nature of Orange Photography Contest

We thank our judges:

Holden Richards, Photographer

David Schaub, Photographer

Kent Murray, Photographer

ORANGE COUNTY
NORTH CAROLINA

Attachment 2



2018 1st Place Youth, Jasmin Brown

Contest Rules:

1) Photographs should feature Orange County wildlife, natural resources, landscapes, or people enjoying the parks, farms and other outdoor environments.
2) All photos must be taken in a natural setting (no staged photos).
3) Photos must be taken in Orange County.
4) Orange County employees are eligible with the exception of DEAPR staff. Contest judges are ineligible.
5) Entries per person: Maximum of five (5) total photos.
6) For entry forms, contact Lynn Hecht at lthecht@orangecountync.gov, or call 919 245-2510.
7) Photos must be high resolution .gif or jpg files. Photos may also be submitted on a DVD or CD, in the proper format, and mailed or emailed to the address below.
8) **DEADLINE TO ENTER: May 31, 2019. Orange County DEAPR, 306-A Revere Rd., PO Box 8181, Hillsborough, NC 27278. Email: lthecht@orangecountync.gov**

The Department of Environment, Agriculture, Parks & Recreation (DEAPR) works to conserve and manage the natural and cultural resources of Orange County. Included within this "green infrastructure" are natural areas and nature preserves, open spaces, parks and recreation facilities, water resources, and agricultural and cultural resource lands. Consistent with the strong environmental ethic of the community, DEAPR also strives to bring environmental education, recreation, athletics and other programs to residents of the County — with a goal of promoting cultural, physical and natural stewardship and well being.

ORANGE COUNTY

Department *of* Environment, Agriculture, Parks & Recreation

306-A Revere Rd.
Hillsborough, NC 27278

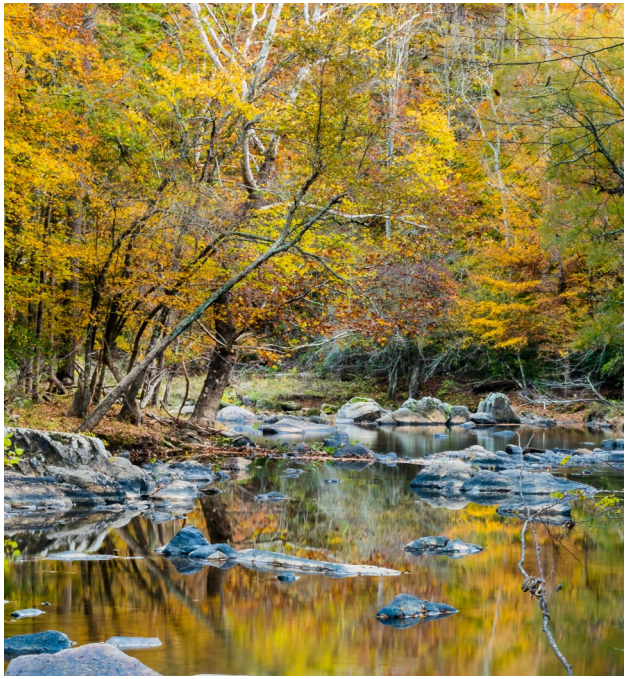
Phone: 919-245-2510
http://orangecountync.gov/deapr
E-mail: lthecht@orangecountync.gov

DEPARTMENT OF ENVIRONMENT, AGRICULTURE, PARKS & RECREATION

2019

"The Nature of Orange" Photography Contest Theme:

"Parks, Farms, and Trails in Orange County"



2018 Adult Winner, Charles R Sheppard, II

919-245-2510
http://orangecountync.gov/deapr

2019
"The Nature of Orange" Photography Contest, Theme: "Parks, Farms, and Trails in Orange County"

The Department of Environment, Agriculture, Parks and Recreation (DEAPR) is proud to present its 8th annual photography contest. The goal is to inspire exploration, celebration and appreciation of Orange County's diverse landscapes and outdoor experiences. Through photography we want to document the beauty of our wildlife, waterways, natural resources, and people connecting with the environment.

Deadline: All entries must be received by: May 31, 2019

Age Divisions:

- **Youth (18 & under)**
- **Adult**



2018 3rd Place Adult, WR Bullock

Photographs should feature:
Orange County Parks, Farms and Trails with wildlife, natural resources, landscapes, or people enjoying these outdoor spaces.

How to Submit Your Photo:
See the Contest Rules on the back panel.

Prizes: $100 First, $75 Second, and $50 Third place cash prizes will be awarded for photos in both divisions. In addition, participants will receive a certificate and winning photographs will be displayed in prominent, public locations.

For more information about parks and natural settings in Orange County visit: **http://orangecountync.gov/deapr/**

2018 2nd Place Youth, Julia Vaughan



Owner/Use Rights:
Contestants retain the copyright to their photographs, and all rights thereto, except as follows. Orange County and DEAPR shall have the right to use the likeness, name, and/or images photographed by contestants in any and all publications, including web site entries, without compensation in perpetuity. Photos will be credited to the contestant named in the entry form. Descriptions or titles, if any, used with the photos are in DEAPR's sole discretion. See Photo Release and Agreement on the required Entry Form you can get if you contact Lynn Hecht at 919 245-2510, or email: lthecht@orangecountync.gov

Judging Criteria:

Relevancy to Featured Topics - Is the photo an obvious illustration of the focus of the contest?

Composition / Arrangement - Are the objects in the photo arranged in a meaningful, pleasing manner or are they "haphazard"? Did the photographer use the best angle or otherwise interesting perspective?

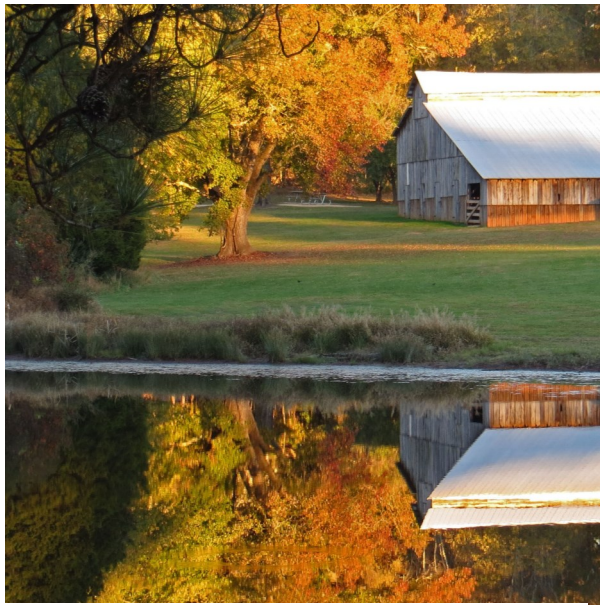
Focus / Sharpness - Is the object of the photo in focus? If not in sharp focus, does it appear to be an intentional effect to enhance the image in some "artistic" way?

Lighting - Did the photographer use proper lighting of the subject matter? Do any extremes of darkness or brightness lend to or detract from the image content?

Creativity - Does the photographer show some creative thought or original idea in the making of this image?

Sponsors

- Orange County Department of Environment, Agriculture, Parks and Recreation
- Orange County Commission for the Environment
- Orange County Parks and Recreation Council



2018 2nd Place Adults, Keith Newell

Orange County Department of Environment, Agriculture, Parks & Recreation
306-A Revere Rd.
Hillsborough, NC 27278

Phone: 919-245-2510
http://orangecountync.gov/deapr
E-mail: lthecht@orangecountync.gov

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 4-b

SUBJECT: Appointment of Tax Administrator

DEPARTMENT: County Manager
County Attorney

ATTACHMENT(S):
1. Resolution Appointing Nancy Taylor Freeman as Orange County Tax Administrator
2. Resolution 2019-044 Appointing Nancy Taylor Freeman as Interim Orange County Tax Collector - June 18, 2019

INFORMATION CONTACT:
Bonnie Hammersley, County Manager, (919) 245-2306
John Roberts, County Attorney, (919) 245-2318

PURPOSE: To approve a resolution appointing Nancy Taylor Freeman as Orange County Tax Administrator effective September 3, 2019.

BACKGROUND: Timothy Dwane Brinson resigned from the position of Orange County Tax Administrator effective June 28, 2019. Mr. Brinson was appointed to serve as the Orange County Tax Assessor and Orange County Tax Collector for a term on four years as per Resolution 2019-023, adopted by the Board of Commissioners on April 2, 2019. The Orange County Tax Administrator serves in the statutory roles of both the Orange County Tax Assessor and the Orange County Tax Collector.

Sections 105-294 and 105-349 of the North Carolina General Statutes provide that the Board of County Commissioners appoint a County Assessor and Tax Collector. The statutes do not specify a length of term of tax collector but require the county assessor be appointed to a term of not less than two and no more than four years. The statutes also provide that the offices of County Assessor and Tax Collector are offices that may be held concurrently with another appointive or elective office. The Board of County Commissioners shall appoint a qualified person to serve as County Assessor or Tax Collector for the period of the unexpired term upon a vacancy as per North Carolina Law.

As per the Orange County Code of Ordinances Section 28-5, all appointments and promotions of employees of the County are made solely on the basis of merit and fitness designed to provide an objective method of recruiting persons best qualified. Orange County held a competitive recruitment for the position of Tax Administrator. Three candidates were invited to interview before two panels. One panel consisted of community partners with representation from the Town of Chapel Hill, Orange Water and Sewer Authority and department directors.

The other panel included three members of the Board of Commissioners, the County Manager and the Deputy County Manager. Candidates were also given the opportunity to meet staff at the Tax Administration Office. Both panels convened at the end of the interviewing process and Ms. Freeman was the unanimous choice. Staff also endorsed this recommendation.

As such, Orange County Manager Bonnie Hammersley has recommended Nancy Taylor Freeman be appointed to serve for the unexpired term of Timothy Dwane Brinson as Orange County Tax Administrator for the period of September 3, 2019 through April 2, 2023. Ms. Freeman was appointed the Interim Tax Administrator effective August 3, 2019. Further, Ms. Freeman was appointed Interim Tax Collector by the Board on June 18, 2019 via Resolution 2019-044.

FINANCIAL IMPACT: Funds are budgeted in the Tax Administration Department's FY 2019 – 2020 operation budget to provide salary and benefits for the Tax Administrator position.

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 and authorize the Chair to sign the resolution appointing Nancy Taylor Freeman as the Orange County Tax Assessor and Orange County Tax Collector, titled Tax Administrator, effective September 3, 2019 to fill the unexpired term through April 2, 2023.

ATTACHMENT 1

ORANGE COUNTY BOARD OF COMMISSIONERS
A RESOLUTION APPOINTING NANCY TAYLOR FREEMAN TO COMPLETE THE TERM OF TAX ASSESSOR AND TAX COLLECTOR AS THE ORANGE COUNTY TAX ADMINISTRATOR

WHEREAS, Timothy Dwane Brinson was appointed by the Orange County Board of County Commissioners to serve as Tax Administrator from April 2, 2019 through April 2, 2023; and

WHEREAS, the Orange County Tax Administrator serves in the statutory roles of both the Orange County Tax Assessor and the Orange County Tax Collector; and

WHEREAS, Timothy Dwane Brinson resigned from the position of Orange County Tax Administrator effective June 28, 2019, and had been appointed to serve as the Orange County Tax Assessor and Orange County Tax Collector for a term of four years as per Resolution 2019-023, adopted by the Board of Commissioners on April 2, 2019; and

WHEREAS, as per North Carolina Law, the Board of County Commissioners shall appoint a qualified person to serve as Orange County Tax Assessor and Orange County Tax Collector for the period of the unexpired term upon its vacancy; and

WHEREAS, Orange County Manager Bonnie Hammersley has recommended Nancy Taylor Freeman be appointed to serve for the unexpired terms of Timothy Dwane Brinson as Orange County Tax Assessor and Orange County Tax Collector for the period of September 3, 2019 through April 2, 2023;

NOW, THEREFORE, BE IT RESOLVED THAT the Orange County Board of County Commissioners, as provided for under Chapter 105-294 and 105-349 of the North Carolina General Statutes, does hereby appoint Nancy Taylor Freeman as Orange County Tax Assessor and Orange County Tax Collector to serve the unexpired terms of Timothy Dwane Brinson, which terms end April 2, 2023 and that such appointments shall be served under the title Orange County Tax Administrator and that such appointments begin on September 3, 2019.

Adopted by the Board of County Commissioners this 3rd day of September 2019.

By: Attest:

_____ _____

Penny Rich, Chair
Orange County Board of Commissioners

Donna Baker, Clerk to the Board

PAF 6/18/19; 8-h

ORANGE COUNTY BOARD OF COMMISSIONERS

A RESOLUTION APPOINTING NANCY TAYLOR FREEMAN TO BE INTERIM TAX COLLECTOR

WHEREAS, the Orange County Tax Administrator serves in the statutory roles of both the Orange County Tax Assessor and the Orange County Tax Collector; and

WHEREAS, Dwane Brinson has resigned from the position of Orange County Tax Administrator effective June 28, 2019; and

WHEREAS, on July 1, 2019 Orange County Chief Finance Officer Gary Donaldson will assume the role of Interim Orange County Tax Administrator; and

WHEREAS, it has been determined that it is a conflict of interest to appoint the Chief Finance Officer as Tax Collector; and

WHEREAS, pursuant to North Carolina General Statute Chapter 105-349, the Board of County Commissioners may appoint a tax collector whose term will expire effective upon the appointment of a new tax administrator;

NOW, THEREFORE BE IT RESOLVED THAT the Orange County Board of Commissioners, as provided for under Chapter 105-349 of the North Carolina General Statutes, does hereby appoint Nancy Taylor Freeman as Interim Orange County Tax Collector until the appointment of a replacement Orange County Tax Administrator.

Adopted by the Board of County Commissioners this 18th day of June 2019.

By: _____
Penny Rich, Chair
Board of Commissioners

Attest: _____
Donna Baker, Clerk to the Board

PENNY RICH, CHAIR
RENEE PRICE, VICE CHAIR
JAMEZETTA BEDFORD
MARK DOROSIN
SALLY GREENE
MARK MARCOPLOS
EARL MCKEE

Orange County Board of Commissioners
Post Office Box 8181
200 South Cameron Street
Hillsborough, North Carolina 27278

OATH OF OFFICE

I, Nancy Freeman, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Interim Tax Collector and that I will not allow my actions as Interim Tax Collector to be influenced by personal or political friendships or obligations, so help me, God.

This the 16 day of July 2019.

Nancy Freeman

Nancy Freeman
Interim Tax Collector

SEAL

Donna S. Baker, Clerk to the Board
Board of County Commissioners

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 4-c

SUBJECT: 400 Years Proclamation

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):
Proclamation

INFORMATION CONTACT:
Annette Moore, Director, Human Rights and Relations, 919-245-2317

PURPOSE: To consider a proclamation declaring August 1, 2019 through July 31, 2020 as a year of remembrance to commemorate the 400th anniversary of unfree Africans first arriving in English North America.

BACKGROUND: In 1619 unfree Africans, "some 20. and odd Negroes," arrived in the English settlement that would become Virginia. This marked the beginning of the period in America where people of Africa were forcibly taken from their homeland, transported to the American colonies, and committed to lifelong slavery.

The Human Relation Commission (HRC) requests that the Board of County Commissioners recognize the harrowing experience of the Africans who first came to the shores of English North America and the plight and burden of their descendants with this Proclamation.

Organizations throughout Orange County have had events to commemorate the 400th year anniversary since January 2019, either as an underlying theme or as the backdrop to events. Some events include:

- Inaugural Reception of the Orange County Community Remembrance Coalition [HRC is a member]
- OCCRC Symposium: Confronting the Legacy of Lynching
- 110th Anniversary of the Founding of the NAACP
- 400 Years: Sounds of Freedom Music Festival by Free Spirit Freedom
- 154th Juneteenth Celebration
- Screening of "The Long Shadow"
- Symposium: Reconstruction, Redemption and the On-Going Struggle for Freedom

There are more to events planned through to August 2020. The Human Relations Commission will keep you informed as those event dates become available.

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

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: 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 approve the proclamation and authorize the Chair to sign the proclamation on behalf of the Board.

400 Years Proclamation

WHEREAS, in 1619 unfree Africans, "some 20. and odd Negroes," arrived in the English settlement that would become Virginia; and

WHEREAS, this historic arrival marked the beginning of the period in America where people of Africa were forcibly taken from their homeland, transported to the American colonies and later the United States, and committed to lifelong slavery and racial discrimination; and

WHEREAS, after the Civil War, the Thirteenth, Fourteenth, and Fifteenth Amendments to the U.S. Constitution were ratified, ending slavery in the U.S. and granting the newly freed slaves freedom, citizenship, the equal protection of law, and the right to vote; but despite these Amendments, Blacks were quickly subjected to Jim Crow, a legally sanctioned institutionalized system of racial segregation and subordination, as well as white resistance and violence; and

WHEREAS, despite efforts such as the Civil Rights Movement in the 1960s, anti-racism advocacy, progressive legislation, and the election of President Barack Obama, Blacks continue to face oppression and inequities across systems and institutions; and

WHEREAS, Orange County is home to Black citizens who are descendants of Africans who were kidnapped and enslaved 400 years ago; and

WHEREAS, Blacks are diverse, respected residents who have worked to transcend the continuing impacts of slavery and racial segregation and contribute to our community's economic, political, social, and spiritual well-being; and

WHEREAS, Blacks, whose experiences, generational wisdom, and work to triumph over racial oppression, connect us to the past and help us meet the challenges of the future; and

WHEREAS, our community must strive to understand and address the history and legacy of racism, its impacts, and the evolving challenges and needs of all its residents as a result of those impacts, and

WHEREAS, today, and every day, let us remember the harrowing experience of the Africans who first came to the shores of English North America and the plight and burden of their descendants;

NOW, THEREFORE, we, the Orange County Board of Commissioners, do hereby proclaim August 1, 2019 through July 31, 2020 as a year of remembrance to commemorate the 400th anniversary of unfree Africans first arriving in English North America by working towards racial healing and justice through revisiting the past and learning about efforts to win freedom and equality, and encourage the Orange County Human Relations Commission to, over this anniversary year and beyond, to:

- plan programs to acknowledge the impact that slavery and laws that enforced racial discrimination and inequity had on the United States; and
- encourage civic, patriotic, historical, educational, artistic, religious, and economic organizations to organize and participate in anniversary activities.

This 3rd day of September 2019.

_____

Penny Rich, Chair
Orange County Board of Commissioners

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda
Item No. 4-d

SUBJECT: Resolution Condemning the Ku Klux Klan and Other Similar Groups

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):	**INFORMATION CONTACT:**
Draft Resolution	Penny Rich, BOCC Chair, 245-2130

PURPOSE: To consider a Resolution Condemning the Ku Klux Klan and Other Similar Groups.

BACKGROUND: The Ku Klux Klan, consisting of numerous independent local groups throughout the United States, is an organization that symbolizes hatred.

Based on recent events in the Orange County community and nationwide, BOCC Chair Penny Rich has proposed that the Orange County Board of Commissioners consider the attached resolution condemning the Ku Klux Klan and other similar groups. The Caswell County Board of Commissioners will consider a similar resolution at its September 3, 2019 Board meeting.

Orange County as a diverse open community stands in direct opposition to the activities of the Ku Klux Klan and other similar groups.

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

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: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.
- **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 consider approving and authorizing the Chair to sign the resolution.

ORANGE COUNTY BOARD OF COMMISSIONERS

Resolution Condemning the Ku Klux Klan and Other Similar Groups

WHEREAS, the Ku Klux Klan, consisting of numerous independent local groups throughout the United States, is an organization that symbolizes hatred; and

WHEREAS, the Ku Klux Klan promotes violence, domestic terrorism and racial terrorism; and

WHEREAS, intimidation, discrimination, oppression, and racism threaten American democracy; and

WHEREAS, white supremacists are exploiting bigotry and have weaponized hate targeting African Americans, Latinos, Native Americans, Asian Americans, LGBTQ communities, immigrants, Jews, Muslims, and other people of color; and

WHEREAS, there is an urgent need to ensure the safety and security of all Orange County residents, and

WHEREAS, Orange County prides itself on being a diverse open community dedicated to fostering positive human relations, promoting the equal treatment of all individuals, encouraging goodwill and harmony among groups in the County; and protecting residents' personal dignity so as to make available to the County their full productive and creative capacities; and

WHEREAS, Orange County fully embraces the rights guaranteed in the First Amendment to the Bill of Rights, but equally believes those rights do not give the right to any persons or groups to threaten the existence of others;

NOW THEREFORE BE IT RESOLVED THAT we, the Orange County Board of Commissioners, strongly oppose the activities of the Ku Klux Klan, reject white nationalist, white supremacist, neo-Nazis and other hate groups, and urge lawmakers in the State of North Carolina and the Federal Government to denounce threats posed by those groups.

This the 3rd day of September 2019.

_____

Penny Rich, Chair
Orange County Board of Commissioners

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda
Item No. 5-a

SUBJECT: Zoning Atlas Amendment for 6405 West Ten Road (PIN 9834-25-2573) – Rezone a 16.45 Acre Parcel of Property to General Commercial (GC-4)

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Zoning Atlas Amendment Application
2. Map of Subject Parcel
3. Site Assessment
4. Excerpt of Draft Planning Board Minutes from August 7, 2019 Meeting
5. Planning Board Signed Statement of Consistency
6. Public Notice Certification
7. BOCC Statement of Consistency
8. Ordinance Amending Zoning Atlas

INFORMATION CONTACT:

Patrick Mallett, Planner II, (919) 245-2577
Tyler Sliger, Planning Tech, (919) 245-2598
Michael D. Harvey, Planner III, (919) 245-2597
Craig Benedict, Director, (919) 245-2575

PURPOSE: To hold a public hearing and consider action on a property owner initiated amendment to the Zoning Atlas for a parcel of property within the Cheeks Township. Specifically, the applicant is requesting to rezone a 16.45 acre, split zoned, parcel of property:

From: Rural Residential (R-1) (14.57 acres); and Neighborhood Commercial (NC-2) (1.88 acres)
To: General Commercial (GC-4) (16.45 acres)

BACKGROUND: This 16.45 acre parcel was originally “split-zoned” Neighborhood Commercial (NC-2) and Rural Residential (R-1) when zoning for Cheeks Township was established in 1984. The property has had a Commercial-Industrial Transition Activity Node (CITAN) land use designation since 1984 as well. Future rezonings to non-residential zoning were anticipated to be consistent with the CITAN land use. As was common practice at that time, staff identified non-residential zoning district boundaries in a manner that encompassed only the actual land use (e.g., buildings) while excluding other areas, most notably parking, septic fields and/or required land use buffers, which created a split zoning.

This parcel, further identified utilizing Orange County Parcel Identification Number (PIN) 9834-25-2573, is 16.45 acres in area and is split zoned with approximately 14.57 acres zoned Rural Residential (R-1) and 1.88 acres zoned Neighborhood Commercial (NC-2). The NC-2 zoned portion of property contains a pole barn and a non-residential structure. Both of these structures are utilized to support contracting, storage, landscaping, and agricultural uses. The R-1 zoned

portion of the property contains an older farm-related storage structure previously used to support agricultural uses on the property.

For more information on current conditions, please refer to the Site Assessment Map contained within Attachment 3.

In 2016, staff initiated a review of 23 properties throughout the Cheeks Township that were either:

- Split zoned (i.e. residential and non-residential zoning designations);
- Zoned non-residential where there was no corresponding non-residential land use; or
- Contained zoning boundaries did not allow for the logical use of property.

Seventeen of these properties were subsequently rezoned to address these conflicts. This property was identified, but not acted upon at the request of the owner to allow for additional review of potential impacts. The owner has since submitted the required zoning atlas amendment application seeking to proceed with a rezoning of the entire 16.45 acre property to General Commercial (GC-4).

Development Process, Schedule, and Action: The typical cadence for the review of a General Use Rezoning and Zoning Atlas amendment is:

- **FIRST ACTION** – Submission of a General Rezoning application with required supporting documents by the property owner.
  STAFF COMMENT: Mr. Doby, the property and business owner, submitted the required materials on July 3, 2019. Staff determined the application to be complete on July 8, 2019.
- **SECOND ACTION** – The Planning Board receives the application and staff prepares materials and makes a recommendation on the rezoning request.
  STAFF COMMENT: Staff presented this request and the Planning Board made a unanimous recommendation to approve the request at its August 7, 2019 regular meeting.
- **THIRD ACTION** – The BOCC holds a public hearing on the request, receives the application materials and recommendations, and takes action on the request.
  STAFF COMMENT: Staff will present these materials and facilitate the public hearing at the BOCC's September 3, 2019 regular meeting.

Site specific information on the property, and request, is as follows:

Township	PIN:	Owner:	Existing Zoning:	Requested Zoning:
Cheeks	9834-25-2573	Clarence Wayne Doby 6405 West Ten Road Mebane, NC 27302	Neighborhood Commercial (NC-2) (1.88 acres); And Rural Residential (R-1) (14.57 acres); And Major Transportation Corridor (MTC) Overlay District	Consolidate the zoning of all 16.45 acres to General Commercial (GC-4); And Major Transportation Corridor (MTC) Overlay District to remain unchanged

NOTE: property **is not** located within a Watershed Protection Overlay district.

For more information on the request, please refer to Attachment 1. As previously indicated, maps denoting the subject property are contained within Attachments 2 and 3.

Other pertinent information concerning the property is as follows:

- Future Land Use Map (FLUM) Designation: The property is located within an area of the County designated as Commercial-Industrial Transition Activity Node (CITAN). The FLUM can be accessed utilizing the following link: http://www.orangecountync.gov/DocumentCenter/View/4054/Future-Land-Use-Map-PDF

- Comprehensive Plan: Per Appendix F, "*Relationships Between Land Use Categories and Zoning Districts Matrix"* of the adopted Orange County Comprehensive Plan, GC-4 is an allowable general use zoning category for property located within a CITAN. For more information on the definition of CITAN, and to review the allowed zoning designations permitted within same, the Comprehensive Plan can be accessed utilizing the following link: http://www.orangecountync.gov/1242/2030-Comprehensive-Plan.

- Growth Management System Map Designation: The property is Urban Designated.
  STAFF COMMENT: The Growth Management System Map is a tool utilized by staff to identify permit review thresholds for residential (i.e., subdivision) projects.

- Water and Sewer Management, Planning and Boundary Agreement (WASMPBA): Property is located within the Orange County Primary Service Area meaning public utilities (i.e. water and sewer) could be extended to the property. Public utility service would be provided by the City of Mebane, who will likely require voluntary annexation to allow services to be extended to serve a proposed land use. The document can be accessed utilizing the following link: http://www.orangecountync.gov/DocumentCenter/View/4190/Water-and-Sewer-Management-Planning-and-Boundary-Agreement-PDF

- Transportation: Per the adopted Efland Buckhorn Mebane Access Management Plan, West Ten Road (west of Buckhorn Road and east of Bowman Road) is recommended to have 2-lanes of traffic with a 2-way left turn lane contained within a minimum of 80 feet of right-of-way. The Plan also calls for the development of either a 5-foot wide paved shoulder or curb/gutter with a bike lane and sidewalk. Development of the revised roadway is intended to be achieved through the State Transportation Improvement Program (STIP). At the time of development site plan submittal for the property, the potential for additional right-of-way and/or road improvements will be determined.
  The Plan can be accessed utilizing the following link: http://www.orangecountync.gov/DocumentCenter/View/6967/2019-E-B-M-AMP?bidId.

Public Notifications: In accordance with Section 2.8 of the Unified Development Ordinance (UDO), the following notifications occurred:

August 7, 2019 Planning Board Meeting: Notices of the date, time, location, and purpose of the meeting were sent via first class mail to all property owners within 1,000 feet of the subject parcel on July 11, 2019. A sign advertising the date, time, location, and purpose of the meeting was posted on the property on July 11, 2019.

September 3, 2019 BOCC Public Hearing: Notices of the date, time, location, and purpose of the public hearing were mailed to the same residents, via first class mail, on August 19, 2019. A sign denoting the date, time, location, and purpose of the public hearing was posted on the property on August 19, 2019.

Legal ads advertising the date, time, location, and purpose of the BOCC public hearing were run in the News of Orange and the Durham Herald Sun on August 21, 2019 and again on August 28, 2019.

Refer to Attachment 6 regarding certifications.

Courtesy Review: This request was submitted to the City of Mebane, which theoretically could serve the property with utility and urban services and accept a voluntary annexation petition by the owner, on July 15, 2019 as part of the courtesy review program. The City has issued no comments regarding the request other than it could theoretically be served by their public utility services.

Planning Director's Recommendation: As required under Section 2.8.5 of the Unified Development Ordinance (UDO) the Planning Director shall: '… *cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for* consideration'.

The Director has determined the proposed atlas amendment addresses potential non-conformities associated with the current split zoning of the property and that the requested GC-4 zoning designation is consistent with the goals and policies of the adopted Comprehensive Plan, consistent with property's location within the CITAN. As a result, the Director recommends **approval** of the Statement of Consistency, indicating the amendments are reasonable and in the public interest, contained in Attachment 7 and the proposed zoning atlas amendment ordinance contained in Attachment 8.

It should be noted further development/redevelopment of the property will require submittal/approval of a site plan demonstrating compliance with applicable development standards (i.e. parking, setbacks, impervious surface, stormwater, landscaping/buffering, etc.) as detailed within the UDO. Approval of this request does not exempt the applicant from complying with these standards.

The Planning Director has found the request consistent with several provisions of the 2030 Comprehensive Plan, notably:

- ECONOMIC DEVELOPMENT ELEMENT:
  - Objective ED-1.5: *Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.*
- CHAPTER 5: LAND USE ELEMENT:
  - *Land Use Overreaching Goal: Coordination of the amount, location, pattern and designation of future land uses, with availability of County services and facilities sufficient to meet the needs of Orange County's population and economy consistent with other Comprehensive Plan element goals and objectives.*
  - *Land Use Goal 1 – Fiscally and environmentally responsible, sustainable growth consistent with the provision of adequate services and facilities and a high quality of life.*
  - *Land Use Goal 4: Land development regulations, guidelines, techniques and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.*

Based on this analysis, the Director recommends approval of the zoning atlas amendment application subject to the approval of:

i. The Statement of Consistency, as contained in Attachment 7, indicating that the proposed zoning atlas amendment is consistent with the adopted Plan, and the request is reasonable and in the public interest; and
ii. The Ordinance amending the Orange County Zoning Atlas as contained in Attachment 8.

FINANCIAL IMPACT: Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement and mailings were paid by the applicant. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process the amendment.

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

- **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.

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

RECOMMENDATION(S): The Manager recommends the Board:

1. Receive the request;
2. Conduct the public hearing and accept comment;
3. Close the public hearing. (Note that because this is a legislative decision, additional comments at a later date are permitted);
4. Approve the Statement of Consistency (Attachment 7); and
5. Approve the Ordinance amending the Zoning Atlas (Attachment 8) as recommended by the Planning Board and Planning Director.

4482.00

ATTACHMENT 1

Orange County Planning and Inspections Department

APPLICATION FOR ZONING ATLAS AMENDMENT GENERAL USE REZONING REQUEST

MA19-0002

APPLICANT INFORMATION:

Date: 7-3-19

Applicant: Clarence Wayne Dobby

Address: 6405 West Ten Rd
Mebane NC 27302

Phone: 336-260-2913

Cell Phone: 336-260-2913

E-mail: jerry@WLBishop.com

PROPERTY SUBJECT TO REQUEST:

Parcel Identification Number (PIN): 9834252573

Address of property: 6405 West Ten Rd

Owner of property: Clarence Wayne Dobby

Current Zoning Designation: R1 Split NC 2

Requested Zoning Designation: ~~AG~~ GC4

**** If Applicant/Owner are different people, include a signed, notarized, statement indicating that the owner has authorized the applicant to submit the request. In cases where there are multiple property owners, please attach an additional document containing their signatures authorizing the submission of the application or other legal documentation establishing the applicants right to file on their behalf. ****

SUBMITTAL INFORMATION - Section 2.8.3 of the Unified Development Ordinance (UDO)

1) A Map, at a legible scale, showing the property(s) subject to the request. A map may be procured at the Planning Department for a fee in accordance with the adopted Orange County Fee Schedule
2) A legal description of the property(s) proposed for rezoning
3) A list showing the names and addresses of all adjacent property owners within 500'feet of the subject property.
4) A detailed narrative denoting the following:
   a. The alleged error in the Zoning Atlas (if any) that will be corrected by the proposed request.
   b. The changed, or changing, conditions (if any) that makes the proposed amendment reasonable necessary to promote the public health, safety, and general welfare.
   c. How the proposed amendment is consistent with, or carries out the intent and purpose of, the Orange County Comprehensive Plan,
5) In cases involving amendments to the Special Flood Hazard Area Overlay District, applicants shall supply the following additional information in accordance with Section 2.8.3 (G) of the UDO:
   a. An elevation certificate with either an MT-1, MT-2, or MT-EZ (forms available through FEMA) or
   b. A 'No-impact' analysis for a letter of map revision
6) The filing fee per the adopted Orange County fee schedule in affect as of the date of the application.

I (we), the undersigned, have been made aware of the process for the review and action associated with a UDO Zoning Atlas Amendment application and understand only completed applications, containing all information required by the Orange County UDO shall be reviewed and acted upon by the County. Further I (we) understand that any assistance I (we) may receive from County staff in preparing this application in no way guarantees a favorable recommendation by staff on the merits of this proposal nor does it guarantee an approval of the proposed atlas amendment by the County.

Applicant _____ Date: 7-3-19

Applicant _____ Date: _____

14 acres: 25 adjacent notices

Fee: ~~$3,000~~ $3,080.00 revised (legal ad fee

Application Item 4 Doby Rezoning Request - Narrative

A)
The proposed request creates a single zoning district for the parcel. The parcel is currently split zoned residential and neighborhood commercial. The proposed rezoning to G-4 provides a uniform zoning classification consistent with the property boundaries which promotes use for the property consistent with the Orange County long-range plans.

B)
No zoning conditions or development conditions are proposed with this request for zoning amendment. The proposed zoning is G - 4 with uses and conditions associated with that zoning district per the table of permitted used as listed in the Orange County Development Ordinance. The proposed zoning creates a transition from residential to industrial districts and creates the desired harmony in zoning transitions according to the Orange County long-range plans.

C)
The proposed zoning amendment is consistent with the Orange County Comprehensive Plan, other zoning designations in the area of the subject property, and desired economic Development elements of the Orange County 2030 plan.

BOOK 1950 PAGE 197

ORANGE COUNTY
1

07/01/1999

$130.00

STATE OF NORTH CAROLINA

Real Estate Excise Tax

FILED
01 JUL 1999, at 09:15:05am
Book 1950, Page 197 - 199
Joyce H. Pearson
Register of Deeds,
Orange County, N. C.

Excise Tax $130.00 WHH

Recording Time, Book and Page

Tax Lot No. 3.28..1 Parcel Identifier No. 9834-25-1561 PB

Verified by ..... County on the ..... day of ....., 19.....

by .....

Mail after recording to DAVIS & HUMBERT, P.A., P. O. Box 366, Mebane, NC 27302

This instrument was prepared by William H. Humbert (without title examination)

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 29th day of June, 1999, by and between

GRANTOR	GRANTEE
MARVIN O. DOBY and wife, CORA L. DOBY 6305 West Ten Road Mebane, NC 27302	CLARENCE WAYNE DOBY 6405 West Ten Road Mebane, NC 27302

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of NA, Cheeks Township, Orange County, North Carolina and more particularly described as follows:

For property description, reference is hereby made to "Exhibit A" attached hereto and being a part hereof.

BOOK 1950 PAGE 198

The property hereinabove described was acquired by Grantor by instrument recorded in DB Book 158, Page 503, Orange County Registry

A map showing the above described property is recorded in Plat Book ..... page .....

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

This conveyance is made subject to easements, rights of way and restrictions, if any, of record pertaining to the property herein described.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has 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 Board of Directors, the day and year first above written.

(Corporate Name)

By: .....

.....President

ATTEST:

.....Secretary (Corporate Seal)

USE BLACK INK ONLY

marvin O. Doby (SEAL)
MARVIN O. DOBY

cora L. Doby (SEAL)
CORA L. DOBY

.....(SEAL)

.....(SEAL)

SEAL-STAMP

WILLIAM H. HUMBERT NOTARY PUBLIC ALAMANCE COUNTY, NC

Use Black Ink

NORTH CAROLINA, Alamance County.

I, a Notary Public of the County and State aforesaid, certify that MARVIN O. DOBY and wife, CORA L. DOBY Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 29th day of June, 1999.

My commission expires: 6-30-2001 William H. Humbert Notary Public

---

SEAL-STAMP

Use Black Ink

NORTH CAROLINA, ...County.

I, a Notary Public of the County and State aforesaid, certify that .....,

personally came before me this day and acknowledged that .... he is ..... Secretary of ..... a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its ..... President, sealed with its corporate seal and attested by ..... as its ..... Secretary.

Witness my hand and official stamp or seal, this .....day of ....., 19.....

NORTH CAROLINA - ORANGE COUNTY

The foregoing certificate(s) of William H. Humbert

A Notary (~~or Notaries~~) Public of the designated Governmental units is (~~are~~) certified to be correct. Filed for registration this the 1st day of July 19 99, at 9:15:05 o'clock, AM in Record Book 1950 Page 197.

Joyce H. Pearson, Register of Deeds

By: Priscilla O. Mize
~~Assistant~~/Deputy
Register of Deeds

Return: .....

N. C. Bar Assoc. Form No. L-3 © 1976, Revised © 1977 NCBA 001

SOUTO CORPORATION

"Exhibit A"

Tract #1: BEGINNING at a stake on P. T. Cheeks' line, N. 72 deg. E. 30' W. 20 chs. and 20 lks. on A. W. Lloyd's line 5 chs. and 80 lks. to an iron stob on Nelson Wright's corner, S. 72 deg. 30' E. 21 chs. and 50 lks. to iron stob 5 chs. and 50 lks. South to the first station containing 12 acres, more or less. See deed from S. M. Shambley and wife, to Nelson Wright, dated August 7, 1936, recorded in the Office of the Register of Deeds of Orange County in Deed Book 104, 304½.

Tract #2: BEGINNING at the Old Hillsboro Road at Z. E. Davis corner, thence West with said Road 23 chs. and 90 lks to a point in said Road on the line of W. S. Crawford, now Alf Lloyd line; thence with the Crawford line, N. 9½ deg. W. 5 chs. and 80 lks. to a rock; thence S. 75 deg. E. 25 chs. and 50 lks. to pointers in the Davis line; thence with his line, S. 4 chs. and 5 lks. to the BEGINNING, containing 10 acres, more or less, surveyed by J. O. Webb, November 11, 1922. See Deed from North Carolina Joint Stock Land Bank of Durham to J. N. Wright and wife, Maggie Lee Wright, dated February 16, 1932, and recorded in the Office of the Register of Deeds of Orange County in Deed Book 98, Page 145. See Deed Book 156, Page 401.

SAVE AND EXCEPT from the property hereinbefore described are the following tracts or parcels of land, to wit:

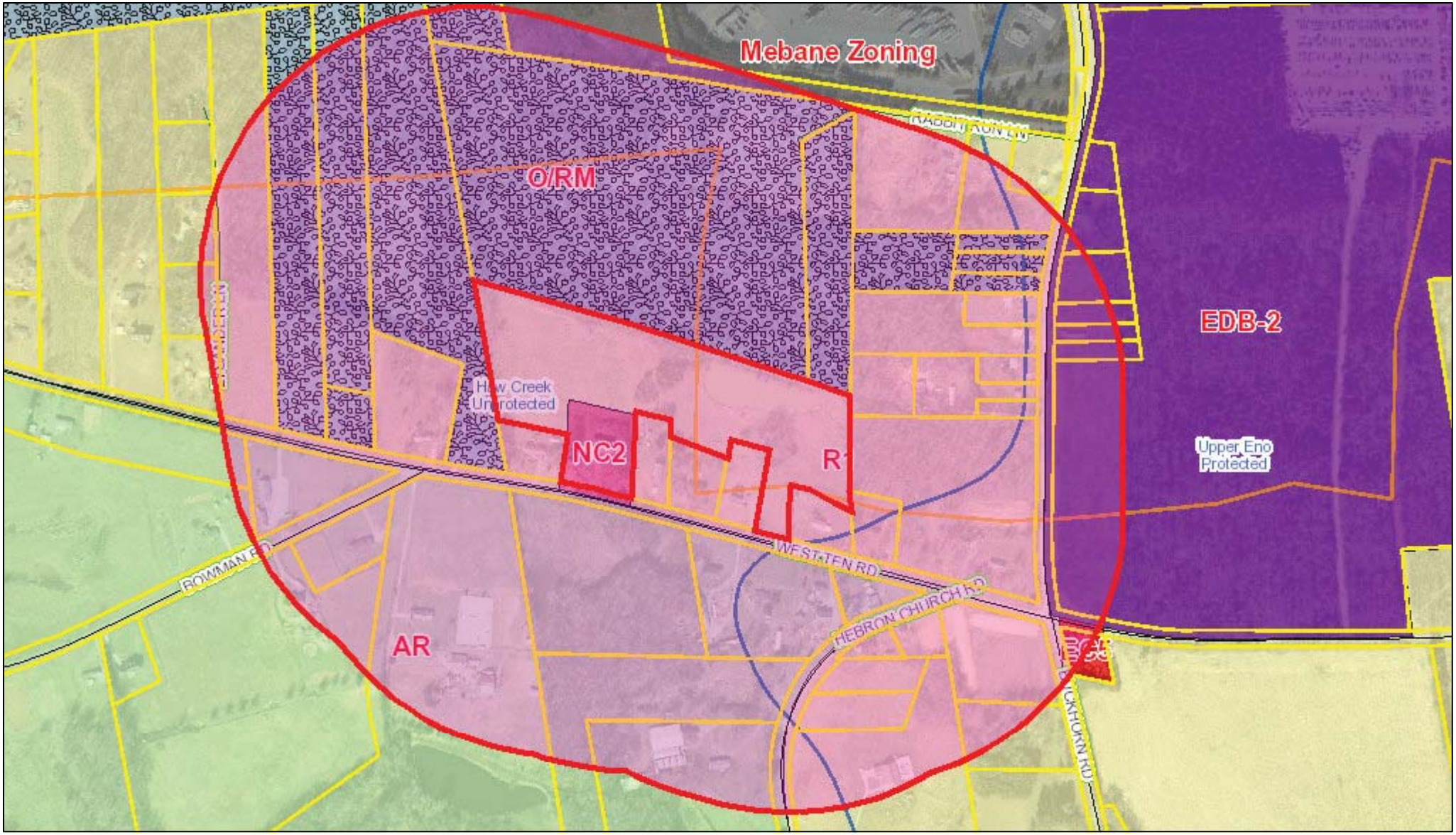
(1) One acre conveyed from Marvin Doby and wife, Cora L. Doby, to Michael Lee Blalock and wife, Janice D. Blalock, by deed dated March 14, 1975 and recorded in Book 254 at Pg. 1360;

(2) A 0.14 acre tract conveyed from Marvin O. Doby and wife, Cora L. Doby, to Michael Lee Blalock and Janice D. Blalock, by deed dated June 11, 1993 and recorded in Book 1119 at Pg. 279;

(3) A 1.05 acre tract conveyed from Marvin O. Doby and wife, Cora L. Doby, to Clarence Wayne Doby and wife, Sheila N. Doby, by deed dated June 17, 1975 and recorded in Book 256 at Pg. 738;

(4) A 1.00 acre tract conveyed from Marvin O. Doby and Cora L. Doby to Janice D. Blalock by deed dated August 19, 1993 and recorded in Book 1147 at Pg. 81; and

(5) A 1.15 acre tract (total) 1.00 acres excluding R/W, shown with particularity on "Final Plat - Subdivision Of Property For Marvin O. Doby and wife, Cora L. Doby", which said plat is recorded in Plat Book 83 at Page 153 in the Orange County Registry, and to which recorded plat reference is hereby made for a more complete description. Grantor herein retains said 1.15 acre tract and does not convey it by this deed.



July 10, 2019

This map contains parcels prepared for the inventory of real property within Orange County, and is compiled from recorded deed, plats, and other public records and data.
Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.
The county and its mapping companies assume no legal responsibility for the information on this map.

PIN: 9834252573

OWNER 1:	DOBY CLARENCE WAYNE	SIZE:	16.45 A
OWNER 2:		DEED REF:	1950/197
ADDRESS 1:	6405 WEST TEN RD	RATECODE:	03
ADDRESS 2:		TOWNSHIP	CHEEKS
CITY:	MEBANE	BLDG SQFT:	
STATE, ZIP:	NC 27302	YEAR BUILT:	
LEGAL DESC:	N/S WEST TEN RD SR 1144		

1:6,000

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

ORANGE COUNTY
NORTH CAROLINA

Doby Rezoning

Adjacent Owners within 1,000 feet of PIN 9834-25-2573

OBJECTID	OWNER1_L	OWNER1_F	ADDRESS1	CITY	STATE	ZIPCODE	TOWNSHIP_NAME
28784	OAKLEY	EVELYN LLC	6617 BOW	MEBANE	NC	2.73E+08	CHEEKS
28786	TILLEY	VICKIE WRI	6600 BOW	MEBANE	NC	27302	CHEEKS
28787	WILSON	BOBBY L	6720 W TE	MEBANE	NC	2.73E+08	CHEEKS
28788	WAGNER	LISA C	1703 DIMM	HILLSBORO	NC	27278	CHEEKS
28789	BROOKS	JEFFREY K	1207 LYSA	MEBANE	NC	27302	CHEEKS
28790	HILL	DONALD JR	2518 NEW	CHAPEL HIL	NC	27514	CHEEKS
28791	LIGHTHOUS	CHURCH	6601 BOW	MEBANE	NC	27302	CHEEKS
28792	HILL	KAREN L TR	202 W CRA	MEBANE	NC	27302	CHEEKS
28793	BYRD FAMI	PARTNERSH	P O BOX 23	BURLINGTO	NC	27216	CHEEKS
28796	HUNSICKEF	DIANE M	1201 LYSA	MEBANE	NC	27302	CHEEKS
28797	WAGNER	JOHN D	1916 MOO	HILLSBORO	NC	27278	CHEEKS
28799	BYRD FAMI	PARTNERSH	P O BOX 23	BURLINGTO	NC	27216	CHEEKS
28819	HISKEY	JOAN T	6500 WEST	MEBANE	NC	27302	CHEEKS
28820	TILLEY	VICKIE WRI	6600 BOW	MEBANE	NC	27302	CHEEKS
28822	HILL	KARNE L TR	202 W CRA	MEBANE	NC	27302	CHEEKS
28823	DOBY	CLARENCE	6405 WEST	MEBANE	NC	27302	CHEEKS
28824	EVANS	HAROLD P	318 SUPPE	MEBANE	NC	27302	CHEEKS
28825	BJLW LLC		719 HERMI	BURLINGTO	NC	27215	CHEEKS
28840	FLORES	NOEL C	737 AUDRE	BURLINGTO	NC	27217	CHEEKS
28841	CAMACHO	JOSE L	6313 HEBR	MEBANE	NC	27302	CHEEKS
28842	CREWS	CARRIE	6408 WEST	MEBANE	NC	27302	CHEEKS
28843	HATCH	LEXIE HRS	6300 WEST	MEBANE	NC	2.73E+08	CHEEKS
28844	VAUGHAN	MILTON G	6219 WEST	MEBANE	NC	27302	CHEEKS
28845	MITTELSTA	RUTHANN	6320 HEBR	Mebane	NC	27302	CHEEKS
28846	DAVIS	DANNY E	6212 HEBR	MEBANE	NC	27302	CHEEKS
28847	WILSON	CHARLCY C	6205 HEBR	MEBANE	NC	2.73E+08	CHEEKS
28848	DOBY	SHIRLEY J	6103 WEST	MEBANE	NC	27302	CHEEKS
28849	INGRAM	JERRY B	6315 WEST	MEBANE	NC	27302	CHEEKS
28850	GARCIA	MANUEL A	6303 WEST	MEBANE	NC	27302	CHEEKS
28851	DOBY	CLARENCE	6405 WEST	MEBANE	NC	27302	CHEEKS
28852	FLINT	CRYSTAL G	6231 WEST	MEBANE	NC	27302	CHEEKS
28854	BOWMAN	ELIZABETH	6334 RABB	MEBANE	NC	27302	CHEEKS
28855	HPT PSC PF	TRUST	24601 CEN	WESTLAKE	OH	44145	CHEEKS
28929	MITTELSTA	RUTHANN	6320 HEBR	Mebane	NC	27302	CHEEKS
28931	DAVIS	TERRY R	4314 LEBA	Efland	NC	27243	CHEEKS
28932	DOBY	SHIRLEY J	6103 WEST	MEBANE	NC	27302	CHEEKS
28933	SANCHEZ	GABRIEL S	915 BUCKH	MEBANE	NC	27302	CHEEKS
28934	BOCANEGR	JOSE A	513 TERRE	HILLSBORO	NC	27278	CHEEKS
28935	NOELL	LOU JEAN H	3418 HEAT	LOUISVILLE	KY	40216	CHEEKS
28936	SHARMA	BAL K ETAL	301 STRON	CARY	NC	27513	CHEEKS
28937	SWEPSON	LEONA W H	214 WEST S	MEBANE	NC	27302	CHEEKS
28938	HUGHES	DANIEL ALL	1669 JIMM	HAW RIVEF	NC	27258	CHEEKS
28939	SWEPSON	LEONA HRS	214 WEST S	MEBANE	NC	27302	CHEEKS
28940	WARREN	JOSEPHINE	1400 ELEN	ALBUQUER	NM	87122	CHEEKS

28941	ATWATER	LONNIE M	703 BUCKH	MEBANE	NC	27302	CHEEKS
28944	SHARMA	BAL K ETAL	301 STROM	CARY	NC	27513	CHEEKS
28945	FEARRINGT	NAOLA FOI	PO BOX 20	MEBANE	NC	2.73E+08	CHEEKS
28946	MURPHY	MAGGIE BE	706 BUCKH	MEBANE	NC	2.73E+08	CHEEKS
28948	FEARRINGT	JOE L	1021 3RD S	MEBANE	NC	27302	CHEEKS
28949	FOUST	PHYLLIS DC	P O BOX 29	GRAHAM	NC	27253	CHEEKS
28950	EVANS	WALTER W	P O BOX 12	EFLAND	NC	27302	CHEEKS
28953	NEPALESE I		301 STROM	CARY	NC	27513	CHEEKS
29084	ORANGE C(	PARTNERSI	120 W WH	ANDERSON	SC	29621	CHEEKS



Data shown on this map is obtained from Orange County GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.
07/10/2019 - pmallett

Parcels
Streets

PIN#: 9834252573
CLARENCE WAYNE DOBY

6405 WEST TEN RD
MEBANE, NC 27302

N

1 inch = 1,000 feet

0 260 520 Feet

Site Assessment for PIN: 9834-25-2573

Site Data:
Zoning: Rural Residential (R-1) ; Neighborhood Commercial (NC-2)
Acreage: 14 acres
Overlay Districts: Major Transportation Corridor (MTC) Overlay District

Plat/Legal Description: N/A
Other: N/A

Zoning Requirements:
Max. Density: R-1 zoned portion of property: 1 dwelling unit for every 40,000 sq.ft. (0.92 acres) - NC-2 zoned portion: allowable density determined at site plan submittal for multi-family developments

Min. Lot Size: R-1: 40,000 sq.ft. NC-2: 2,000 sq.ft. (NOTE: Minimum lot size determined during development review based on proposed land use)

Min. lot width: R-1: 130 ft. NC-2: 20 ft. (NOTE: can vary based on proposed land use BUT cannot be lower than 20 ft.)

Maximum height: R-1: 25 ft. NC-2: 35 ft. based on setbacks

Building Setbacks:
Front (and Corner lots) = R-1: 40 ft. from property line/edge of right-of-way ; NC-2: 50 ft.
Side Setbacks = R-1 and NC-2: 20 ft.
Rear Yard Setback = R-1 and NC-2L 20 ft

FAR: NC-2 zoned property: 0.40 or 17,424 sq.ft. per acre

Max. Impervious Surface: Not in overlay district.

Open Space: NC-2 zoning will require open space based on land use. Minimum ratio is 0.55 or 23,958 sq.ft. per acre of property.

Environmental Features:
Streams/Water Bodies: There are no streams on the property
SFHA(Floodplain): Property is not encumbered by floodplain
Wetlands: Based on available data there are no wetlands on the property
Buffers: SFHA: N/A Stream: N/A

Land Use Buffer: NC-2 zoned property shall abide by a 75 ft. land use buffer when developed adjacent to R-1 zoned property. Additional setbacks and land use buffer may be reuqired based on land use.

Flood Info:
Community #: 370342
Panel #: 9834 Suffix #: K
Map Number: 3720983400K
Effective Date: 11/17/2017
BFE: N/A with Freeboards: N/A
Flood depth at structure: Not applicable

Land Disturbance Thresholds:
Residential:
1) Erosion Control Application/Permit required if disturbing more than 20,000 sq. ft.
2) Stormwater Management Application/Permit required if disturbing more than 43,560 sq. ft. (an acre) for residential structures.

Non-residential:
1) Erosion Control Application/Permit required if disturbing more than 20,000 sq. ft.
2) Stormwater Management Application/Permit required if disturbing more than 21,780 sq. ft. (half an acre) for residential structures.

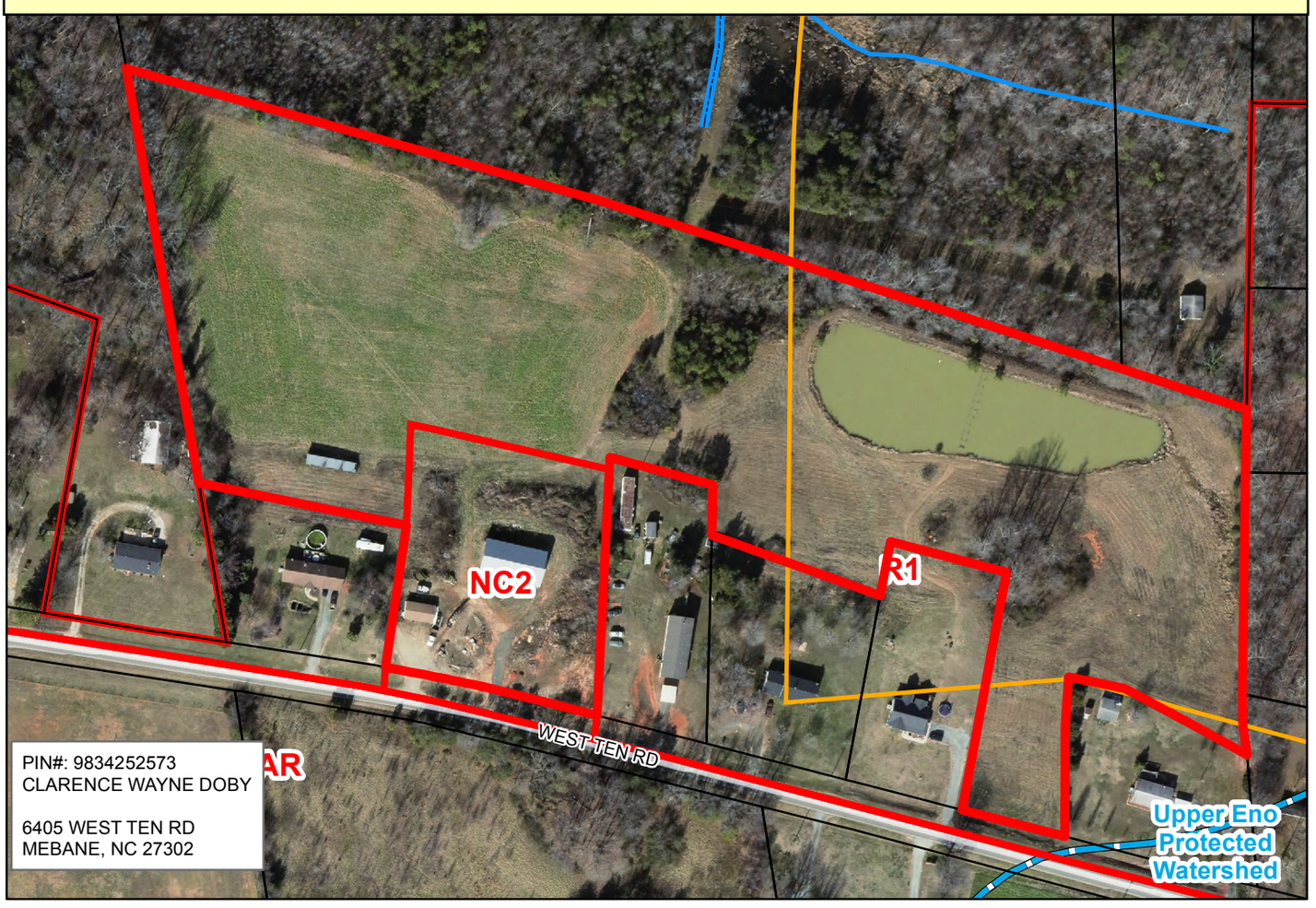
***** Call OC Erosion Control at (919) 245-2586 for more information.**

Notes:
1) Private Road Justifications, Recorded Declarations, Restrictive Covenants, Bona Fide Farm status, use and building type (e.g. duplex units) will change subdivision and development requirements.

2) Wetlands data is taken from Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service and does not constitute a formal delineation (i.e. survey) of the property. All wetland areas are approximate.

3) Flood boundaries are subject to change based on periodic amendments to flood maps. Determination is based on current, best available, data.

4) This does not constitute a formal land survey.



Major Transportation Corridor Overlay
USGS Stream
OC Updated Stream
Parcels
Streets
Zoning
FIRM
Watershed

N
W E
S

1 inch = 200 feet

240 120 0 240 Feet

Attachment 4

DRAFT EXCERPT MINUTES MEETING
ORANGE COUNTY PLANNING BOARD
AUGUST 7, 2019
REGULAR MEETING

MEMBERS PRESENT: David Blankfard (Vice-Chair), Hillsborough Township Representative; Hunter Spitzer, At-Large; Pendergrass, At-Large; Susan Hunter, Chapel Hill Township Representative; Adam Beeman, Cedar Grove Township Representative; Patricia Roberts, Cheeks Township Representative; Randy Marshall, Bingham Township Representative; Kim Piracci, Eno Township Representative; Melissa Poole, Little River Township Representative; Carrie Fletcher, Bingham Township Representative;

MEMBERS ABSENT: Lydia Wegman (Chair), At-Large Chapel Hill Township Representative; Jessica Aguilar; At-Large; Hathaway

STAFF PRESENT: Craig Benedict, Planning Director; Patrick Mallett, Planner II; Tina Love, Administrative Support I; Tyler Sliger, Planning Tech;

MEMBERS OF THE PUBLIC: Dona McAdoo; Carolyn Poteat; Levorne Miller;

AGENDA ITEM 7: ZONING ATLAS AMENDMENT (GENERAL USE REZONING) - To review and make a recommendation on an owner initiated application seeking to rezone an approximately 16.45 acre parcel of property (PIN 9834-25-2573) located in Cheeks Township at 6405 West Ten Road From: Rural Residential (R-1) (14.57 acres) ; Neighborhood Commercial (NC-2) (1.88 acres) To: General Commercial (GC-4). The purpose of the rezoning is to eliminate the existing split zoning on the parcel make the entire property viable for non-residential development.
PRESENTER: Patrick Mallett, Planner II

Patrick Mallett: Good evening. I'll be presenting the case. The representatives for the applicant are here and there are some adjacent property members that are here that probably want to speak in the case. I'm going to walk you through the packet. This is a general use rezoning request. It has a same format as most cases you see in terms of the abstract with a series of attachments. We have the abstract which starts on page 7 of your packet and ends on page 24 of your packet. It has attachments including the application starting on page 11. Maps of the parcel can be found on page 20, a site assessment on page 21, a statement of consistency which is attachment 4 on page 22, and then the ordinance amending the atlas on page 24. If you have any questions, I can answer them after the presentation. I would also like to note that I sent out an email yesterday regarding the property having a major transportation quarter overlay district in addition to the zoning. They are not proposing to change it or recommended to change it. The subject property is a little over 16 acres with two pieces of frontage. There is a landscaping contracting business on one side, with farm fields and a pond. There are several residential properties along the frontage of West Ten. The existing zoning areas in yellow are residential. The areas to the north of this property is zoned (ORM) Office and Researching Manufacturing. There is agricultural and residential zoning on the south side of West Ten and a neighborhood commercial area on this portion of the property. As you saw in the packet, this case is a split zoning case. The direction from the commissioners is to clean up the split zone pieces of property. This neighborhood commercial portion has a contracting and landscaping business on a portion of the property. The applicant, Mr. Doby, lives in this residence here. The site summary is that it is within the Cheeks Township with a pin number and owner, Wayne Doby. The existing zoning is neighborhood commercial and is approximately 1.71 acres. The rural residential on one side is 14.54 acres in the watershed and it would be MTC. The request is to consolidate these two zoning categories into 16.45 acres of General Commercial (GC-4). This is the land-use element of the comprehensive plan. The plan calls and designates this property as a commercial industrial transition activity node. The growth management system of the property is zoned as urban designated. In summary, this property like the other one that you heard in May was part of the batch in 2016 that was split zoned. Mr. Doby like Mr. Lawton, which you heard back in May, has asked to be taken off this list and had to ask to reinitiate his zoning in order to resolve it. Staff recommended rezoning this split zoning portion of the property to (GC-4) that is most consistent with the comprehensive plan and the land-use plan designation. Cheeks Township was originally zoned in 1984 and the non-residential portion of this property was established at least a year prior to that zoning. The zoning at that time did not

capture all of their non-residential use. The planning director recommends that the Planning Board review the proposed zoning atlas amendment, to deliberate on the petition, to consider the director's recommendation, and then to make a recommendation to the board of commissioners on the statement of consistency and for a proposed ordinance for the atlas amendment in time for the September 3rd BOCC meeting. I will answer any questions you have about the presentation or the packet and then turn it over to the applicants.

David Blankfard: I think we're good.

Chad Huffine: Good evening; my name is Chad and I am a civil engineer with the project, with 505 E. Davis St. in Burlington. We were contacted by Mr. Doby to look at the potential uses for his property and immediately noticed the split zoning on his property. After several conversations with staff, and taking recommendations, we submitted a rezoning application for the (GC-4), which is consistent with the land-use plan you have currently. I do want to reiterate one thing that Pat said, we do not propose any changes to the transportation overlay. We do not have any conditions associated with this rezoning request and we would appreciate your favorable consideration. If you have any questions please feel free to contact me.

Hunter Spitzer: What is it that Mr. Doby wants to do with the property?

Chad Huffine: He's currently proposing the multiuse of landscaping and mini-storage use, but that is not what you're considering tonight. What you are considering tonight is a rezoning without conditions.

Patrick Mallett: I'll add on to that briefly. This case is a general use case. In some jurisdictions they may have conditional zoning category that could be applied, and you can restrict and eliminate some of the uses. This is a general-use case. They can indicate what they intend on doing, but you have to consider all of the permitted uses that are allowed in the (GC-4) district.

David Blankfard: Do we have any comments from the citizens?

Crystal Gvaldoni: My name is Crystal. I live at 6405 West Ten Rd., which is directly impacted by this change. I built my home in 2010 from the ground up, and I know Mr. Doby personally. I am against what he's planning on doing to the property by rezoning it as commercial and putting in a mini-storage facility. I feel like it's going to increase the amount of crime that we have in our neighborhood. For his property, I pulled some 911 records and in the last several years there have been robberies by someone I know who has been in jail. I think that putting a storage facility directly behind my house is going to decline the property value of my house and will also affect curb appeal if I choose to sell my home in the future. My biggest concern is the increase and amount of crime we are going to have because everything is open. His business sits on the road front and there is no security. If you stick a mini-storage my backyard, how is it going to be affected? I have children there, we love where we live, and we don't want to move, and I may be forced to move if this happens.

Bal K Sharma: My name is Bal. I live in Cary, but we do have some land next to the truck stop there on Buckhorn Road. We also have combined investments there. This exit has not doubled up enough compared to other exits which I would love to see. In terms of the General Commercial use, it gives more employment opportunities for the citizens. I do support changing into the commercial joining and support this cause.

David Blankfard: Does the board have any questions?

Adam Beeman: I have a question for the owner. To elaborate a little on the storage unit. I am looking at the only place that you are going to be able to get into on that property which is on that right or would you pass by the landscaping business if you were to develop in the future?

Chad Huffine: The only thing I can commit to is to respond to some of her concerns and to comment to the property value and the crime deterrent and prevention. I can tell you that access would be from West Ten Rd. and that during the site plan process, the information is provided to DOT and Orange County and that driveway conditions are either approved or not approved. The property has frontage on West Ten Rd. and would be accessible by light.

Adam Beeman: Are there plans to fill that pond in the back of that property?

Chad Huffine: I have no idea. We are in the early stages of the rezoning portion of this.

Adam Beeman: I'm just trying to get information for the neighbors around them to understand a little better. I'm trying to understand what the potential intent is on the back of the property.

Chad Huffine: I took good notes on what I heard the neighbors say, and one thing I can indicate is that property values increase when they are changed in zoning to commercial use. Property values may or may not change if they are rezoned to different residential uses. As development increases around these proposed nodes of industrial and commercial use, commercial properties create value. Adjacent commercial properties create the synergy between those two commercial properties and the property values do seem to increase. Once the project moves forward to site planning, security fencing, cameras, and driveway access is looked at specifically by staff. At this point, we're just trying to grip the rezoning to start the process.

Patrick Mallett: What we went through in showing the future land-use elements is that this is a part of a bigger strategy. A lot of time went into this plan and in taking a look at properties and what they should be and what they should transition toward as time moves on. In this case, this area is specifically along that northern edge of West Ten Rd. going towards Mebane which has always been envisioned for a commercial industrial transition, not residential development. That was not part of the long-term vision which is the basis for our recommendation. If this township were being zoned for the first time today, we would have followed the property line and zoned the entire property commercial. This is the first part of the process that would theoretically include permits: stormwater permits and environmental health permits and site plans. With this zoning, they are proposing that there would be 30-foot land-use buffers along the frontage of the West Ten Rd. and then 100-foot buffer all around the perimeter. Mr. Doby has indicated to me that he has a desire to retain the land, find some positive revenue streams to deal with the cost of taxes, and that his vision is to seek for a storage facility in this field area. Mr. Doby also applied for an improvement permit for an evaluation based on mini-storage with a schematic for that area which has been an indicator of the intent.

Adam Beeman: Okay.

Carolyn Poteat: My name is Carolyn Swepson Poteat. We received a letter from the planning board stating that we needed to come to the meeting tonight in reference to Clarence Doby rezoning. What do we need to do?

David Blankfard: The piece of property is zoned in two different ways, and so the County commissioners have tasked us to clean up so that the zoning is uniform for the entire piece of property. You would just need to listen to the possibility of being rezoned as a commercial site. There is not really anything that you need to say or do.

Carrie Fletcher: I am a homeowner in Orange County as well. I am always concerned about development around my home. What can be done for the citizens on the list nearby that will be impacted in order to keep them informed to quell their fears and make the transition less painful? Is there anything that can be addressed to the neighborhoods and people around so they know what's going on?

Chad Huffine: Yes. As part of the process with planning and the commissioners, a dimension or radius around the property including adjacent properties, would be notified by mail, newspaper, and by signage. The property owners can be located in the packet. They have been made aware as the commissioners meeting approaches in September.

Carrie Fletcher: Can the folks in the back hear? I want to make sure they can understand.

Chad Huffine: They will be notified by the County prior to the public hearings. They will have another opportunity to speak to the County commissioners at that time but also to hear about any developments of what is proposed.

Bal K Sharma: It sounds like some of the neighbors need to be educated about the good and the bad of this proposal. I said commercial is good for several reasons, but at the same time, homeowners are outraged and they

need to be convinced why it is good for them. If everyone understands why it is good it will be a win-win for everyone. Everyone needs to be educated on why it is important to the people and how it will also impact everyone.

Patrick Mallett: In North Carolina, most of the process is prescribed by state law on what you have to do. This type of zoning process has to go to a planning board and it needs to make a recommendation. It then goes to an elected body. With most jurisdictions in North Carolina, the notification requirements are far less than what we actually do. Notices were sent out to every property owner that was on the tax rolls and owns property within a thousand feet. We run legal ads, we post signs for both the planning board meeting and the board of commissioners meeting. We also post all the information online so people can come and check our rezoning cases or what's new on the planning portion of our website. If you have a question about this case or anything going on in the area, my door is always open and you can contact me.

Adam Beeman: You said that the area has been intended to be commercial for some time. Do you have a date on when that was set in stone for Orange County?

Craig Benedict: Good evening. Craig Benedict, Orange County Planning Director. This area was originally designated in 1981 when zoning went into effect in this Township as Commercial Industrial Activity Node. They left the existing zoning in place as (R-1) residential. You have also heard some of our discussions in the past about leaving it for somebody to ask for a conversion consistent with the Commercial Industrial Activity Node if they wanted to come in in the future. In 1994, the (CITAN) Commercial Industrial Activity Node was changed in land-use to economic development while at the same time, they changed the zoning with the land-use, so the zoning is in place just across Buckhorn Road. There are two different ways to do it. You will also notice that in these CITANs, the commissioners have asked us if there are places that we are calling pre-zoned to fix to an area that's consistent with that future land-use. In this case, the applicant was out in front of us. You may see some other conversions that are even government initiated. The commissioners also noticed that in the 1990's there was housing in the area and leaving the (R-1) designation on there allowed those houses to remain as a conforming use, so this was a way to balance the program. This is in transition and may transition to more commercial industrial in the near future. By 2008, when the comprehensive plan was updated, we had additional outreach meetings to discuss the economic development land-use and commercial industrial land use. The last opportunity was roughly in 2013 when we started extending utilities into the area. We had no community meetings. The utilities for this area run from Gravelly Hill Middle School over to Buckhorn Road with some properties on Buckhorn Road and then eventually tied in the Petro Truck Stop with the sewer flowing back to Mebane. This was to support that future land-use such as commercial industrial. When Patrick mentioned that this is part of the major transportation overlay, it's a recognition of its proximity to the interstate and major interchanges.

Randy Marshall: In regard to the owner initiated amendment to the zoning atlas to rezone 16.45 acres consisting of Rural Residential (R-1) and Neighborhood Commercial (NC-2) to all General Commercial (GC-4), the Planning Board finds the requirements of section 2.8 of the (UDO) The Unified Development Ordinance have been deemed complete and pursuant to section 1.1.5 and 1.1.7 of the (UDO) in Section 153(A)-341 of the North Carolina General Statutes. The board finds consistent documentation within the record denoting that the amendment is consistent with the adopted 2030 Comprehensive Plan. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plans and goals and objectives. Objective, ED 1.5 identified barriers to development to desired businesses and local businesses and (inaudible). Objective ED 2.5. Identify land suitable to accommodate the expansion and growth of commercial industrial uses in the county. Land-use goal 1: Physically and environmentally responsible (inaudible) growth consistent with the provision of adequate services and facilities and a high quality of life. Land-use goal 4: Land development regulations guidelines techniques and/or incentives that promote the integrative achievement of all comprehensive plan goals. The amendment reasonable and in the public interest because it modifies existing non-residential zoning boundaries in an attempt to make existing operations more conforming to local land-use regulations. Therefore, the Planning Board of Orange County hereby recommends that the Board of County commissioners consider adoption of a proposed zoning atlas amendment.

MOTION by Randy Marshall to approve the rezoning. Seconded by Adam Beeman.
VOTE: Unanimous

Attachment 5

STATEMENT OF CONSISTENCY
OF A PROPOSED UNIFIED DEVELOPMENT ORDINANCE MAP AMENDMENT
WITH THE ADOPTED ORANGE COUNTY 2030 COMPREHENSIVE PLAN

An owner initiated amendment to the Zoning Atlas to rezone 16.45 acres consisting of Rural Residential (R-1) and Neighborhood Commercial (NC-2) to all General Commercial (GC-4).

The following parcel is affected by this proposal:

Parcel Identification Number (PIN)	Township	Owner on Record	Current Zoning District	Proposed Zoning District
9834-25-2573	Cheeks	Clarence Wayne Doby	R-1 (+/-14.57 acres) and NC-2 (+/-1.88 acres)	Rezone entire 16.45 acre parcel to GC-4

Note: No modifications are being proposed to the boundaries of the Major Transportation Corridor (MTC) Overlay District, which will continue to apply to the property.

The Planning Board finds:

a. The requirements of Section 2.8 of the UDO have been deemed complete; and,

b. Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds sufficient documentation within the record denoting that the amendment **is consistent** with the adopted 2030 Comprehensive Plan.

1. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plan goals and objectives:

   Objective ED-1.5:
   Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.

   Objective ED-2.5:
   Identify lands suitable to accommodate the expansion and growth of commercial and industrial uses in the County.

   Land Use Goal 1: Fiscally and environmentally responsible, sustainable growth, consistent with the provision of adequate services and facilities and a high quality of life.

   Land Use Goal 4: Land development regulations, guidelines, techniques and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

c. The amendment is reasonable and in the public interest because it:

1. Modifies existing non-residential zoning boundaries in an attempt to make existing operations more conforming to local land use regulations.

The Planning Board of Orange County hereby recommends that the Board of County Commissioners consider adoption of the proposed Zoning Atlas amendments.

David Blankfard, Vice Chair

Date 8.7.2019

Attachment 6

PLANNING & INSPECTIONS DEPARTMENT
Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov

ORANGE COUNTY
NORTH CAROLINA

131 W. Margaret Lane
Suite 201
P. O. Box 8181
Hillsborough, NC 27278



CERTIFICATION OF PLANNING BOARD AND PUBLIC HEARING MAILING AND SIGN NOTIFICATIONS

CLARENCE WAYNE DOBY PROPERTY
6405 WEST TEN ROAD
MEBANE, NC 27302
(PIN 9834-25-2573)
ORANGE COUNTY, NORTH CAROLINA

I, Patrick Mallett, Planner II with Orange County, North Carolina, DO HEREBY CERTIFY that in accordance with the provisions of Section 2.8 of the Orange County Unified Development Ordinance (UDO), I have mailed (or caused to be mailed) notices of both the Planning Board Meeting and BOCC Public Hearing for the above property.

The mailed notices informed property owners (as identified by Orange County Tax Records) within 1,000 of the subject property of the proposed rezoning. The notices gave specifics of the request, contact information, dates, times, and locations of both meetings. Notices of the Planning Board Meeting were mailed on July 11, 2019. Notices of the BOCC Public Hearing were mailed on August 19, 2019.

Signs were also posted on the property indicating the same meetings. The posted signs informed passersby of the request, dates, times, and locations of both meetings. Signs for the Planning Board meeting were posted on the property on July 11, 2019. Signs for the BOCC Public Hearing were posted on the property on August 19, 2019.

WITNESS my hand, this 20th day of August 2019.

Patrick R. Mallett

Patrick Mallett
Planner II

PLANNING & INSPECTIONS DEPARTMENT
Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov

ORANGE COUNTY
NORTH CAROLINA

131 W. Margaret Lane
Suite 201
P. O. Box 8181
Hillsborough, NC 27278



CERTIFICATION OF
LEGAL AD FOR BOCC PUBLIC HEARING
(Zoning Atlas Amendment Application Case # MA19-0002)

CLARENCE WAYNE DOBY PROPERTY
6405 WEST TEN ROAD
MEBANE, NC 27302
(PIN 9834-25-2573)
ORANGE COUNTY, NORTH CAROLINA

I, Patrick Mallett, Planner II with Orange County, North Carolina, DO HEREBY CERTIFY that in accordance with the provisions of Section 2.8 of the Orange County Unified Development Ordinance (UDO), Legal advertisements were run in newspapers as follows:

PUBLISH:	The Herald Sun	News of Orange
	August 21, 2019	August 21, 2019
	August 28, 2019	August 28, 2019

These ads gave specifics regarding the rezoning request, the property and the date, time and location of the BOCC Public Hearing.

WITNESS my hand, this 28th day of August 2019.

_____
Patrick Mallett
Planner II

Attachment 7

STATEMENT OF CONSISTENCY
OF A PROPOSED UNIFIED DEVELOPMENT ORDINANCE MAP AMENDMENT
WITH THE ADOPTED ORANGE COUNTY 2030 COMPREHENSIVE PLAN

An owner initiated amendment to the Zoning Atlas to rezone 16.45 acres consisting of Rural Residential (R-1) and Neighborhood Commercial (NC-2) to all General Commercial (GC-4).

The following parcel is affected by this proposal:

Parcel Identification Number (PIN)	Township	Owner on Record	Current Zoning District	Proposed Zoning District
9834-25-2573	Cheeks	Clarence Wayne Doby	R-1 (+/-14.57 acres) and NC-2 (+/-1.88 acres)	Rezone entire 16.45 acre parcel to GC-4

Note: No modifications are being proposed to the boundaries of the Major Transportation Corridor (MTC) Overlay District, which will continue to apply to the property.

The BOCC finds:

a. The requirements of Section 2.8 of the UDO have been deemed complete; and,

b. Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds sufficient documentation within the record denoting that the amendment **is consistent** with the adopted 2030 Comprehensive Plan.

1. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plan goals and objectives:

   Objective ED-1.5:
   Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.

   Land Use Goal 1: Fiscally and environmentally responsible, sustainable growth, consistent with the provision of adequate services and facilities and a high quality of life.

   Land Use Goal 4: Land development regulations, guidelines, techniques and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

c. The amendment is reasonable and in the public interest because it:

1. Modifies existing non-residential zoning boundaries in an attempt to make existing operations more conforming to local land use regulations.

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

_____ _____

Penny Rich, Chair Date

Ordinance #: ORD-2019-031

AN ORDINANCE AMENDING
THE ORANGE COUNTY ZONING ATLAS

WHEREAS, Orange County has initiated amendments to the Orange County Zoning Atlas, as established in Section 1.2 of the Orange County Unified Development Ordinance (UDO), and

WHEREAS, the proposed rezoning consists of the following:

Parcel Identification Number (PIN)	Township	Owner on Record	Current Zoning District	Proposed Zoning District
9834-25-2573	Cheeks	Clarence Wayne Doby	R-1 (+/-14.57 acres) and NC-2 (+/-1.88 acres) with Major Transportation Corridor (MTC) Overlay District	Rezone entire 16.45 acre parcel to GC-4 with Major Transportation Corridor (MTC) Overlay District to remain unchanged

WHEREAS, the proposal has been found to be consistent with the 2030 Orange County Comprehensive Plan, and

WHEREAS, the requirements of Section 2.8 of the UDO have been deemed complete, and

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

BE IT ORDAINED by the Board of Commissioners of Orange County that the Orange County Zoning Atlas is hereby amended to rezone the areas described above and depicted on the attached map.

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

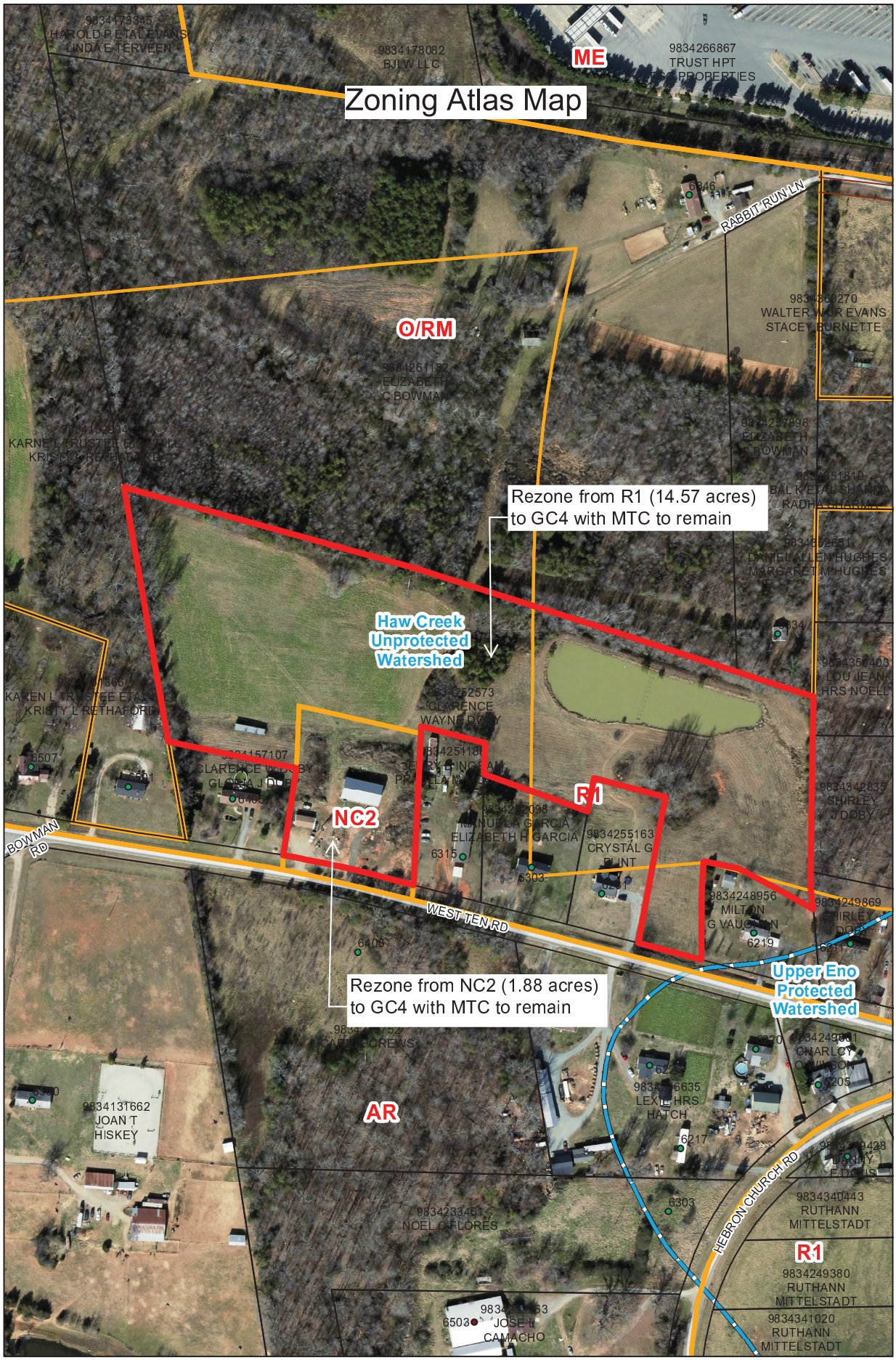
Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing ordinance was adopted this _____ day of _____, 2019.

I, Donna S. Baker, Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on _____, 2019 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2019.

SEAL

_____
Clerk to the Board of Commissioners



PIN#: 9834252573
CLARENCE WAYNE DOBY

6405 WEST TEN RD
MEBANE, NC 27302

Data shown on this map is obtained from Orange County GIS and is for reference only.
Exact locations and boundaries should be verified.
Map prepared by Orange County Planning & Inspections.
08/13/2019 - pmallett

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 5-b

SUBJECT: Public Hearing on the Financing of Various Capital Investment Plan Projects

DEPARTMENT: Finance and Administrative Services

ATTACHMENT(S):
Attachment 1. Copy of Public Hearing Notice
Attachment 2. Resolution Supporting LGC Application
Attachment 3. PowerPoint

INFORMATION CONTACT:
Gary Donaldson, (919) 245-2453
Paul Laughton, (919) 245-2152
Robert Jessup, (919) 933-9891

PURPOSE: To conduct a public hearing on the issuance of approximately $25,600,540 to finance capital investment projects and equipment for the fiscal year; and approve a related resolution supporting the County's application to the Local Government Commission (LGC) for its approval of the financing arrangements. The financing and transaction costs are included in the borrowing amount.

BACKGROUND: County staff estimates that the total amount to be financed for capital investment projects, vehicles and equipment will be approximately $25,600,540 including financing costs.

The statutes require that the County conduct a public hearing on the proposed financing. A copy of the published notice of this hearing is provided (Attachment 1).

The notice of public hearing was advertised in *The Herald Sun* on August 18, 2019 and the *News of Orange* on August 21, 2019.

After conducting the public hearing and receiving public input, the Board will consider the adoption of the resolution (Attachment 2). The resolution formally requests the required approval from the North Carolina Local Government Commission (LGC) for the County's financing, and makes certain finding of fact as required under the LGC's guidelines. County staff has been in contact with the LGC staff, and staff expects no issues with receiving LGC approval.

If the Board adopts the resolution indicating its intent to continue with the financing plan, the Board will be asked to consider a resolution giving final approval to the financing plans at its October 1, 2019 meeting. Under the current schedule, County staff expects to set the final interest rates and close by the first week in November.

FINANCIAL IMPACT: There is no financial impact related to this action. However, there will be a financial impact in proceeding with the financing. A preliminary estimate of maximum debt service applicable to the capital investment projects and equipment financing would require the highest debt service payment of $2.1 million in FY 2021-22. The tax rate equivalent for the estimated highest debt service payment is approximately 1.2 cents.

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

- **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.
- **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: 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.

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impact is applicable to this item:

- 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.

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

s☆h draft August 12

Notice of Public Hearing
Financing for Various Public Improvements and Acquisitions

The Board of Commissioners of Orange County, North Carolina, will hold a public hearing on Tuesday, September 3, 2019, at 7:00 p.m. (or as soon thereafter as the matter may be heard). The purpose of the hearing is to take public comment concerning a proposed financing contract, under which the County would borrow an amount expected to not exceed $30,000,000 to pay for the various public improvements and acquisitions as described below.

Component	Estimated Cost
Northern Campus Project: site preparation and preliminary costs for new detention center, agriculture-environment center, and parks operations base	$10,600,000
Southern Campus Project: improvements to the driveway and access road to the Southern Campus, as well as providing additional parking for the Seymour Center	4,675,000
Seymour Center Building Expansion	990,000
River Park Phase II	298,500
Link Center Remediation	6,500,000
Passmore Center Remediation	199,114
Sportsplex Improvements/ Equipment	605,036
Community Loan Fund	224,340
Vehicle Replacements	1,030,550
Whitted Building – Elevator Work	154,000
Emergency Services Building Remediation	324,000
Total	**25,600,540**

The County will also use additional loan proceeds to pay financing costs.

The hearing will be held in the Commissioners' usual meeting room in the County's Whitted Building, 300 West Tryon Street, Hillsborough, North Carolina.

The proposed financing would be secured by a lien on some or all of the property purchased or improved through the financing as well as the County's promise to repay the financing, but there would be no recourse against the County or its property (other than the pledged property) if there were a default on the financing. The County expects that the collateral for the financing will include property in the County's planned "northern campus" off Highway 70 just north of Hillsborough (including the site of the planned new jail) and portions of the County's "southern campus" off Homestead Road in Chapel Hill.

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

Persons wishing to make written comments in advance of the hearing or wishing more information concerning the subject of the hearing may contact Gary Donaldson, Orange County Finance Officer, Post Office Box 8181, Hillsborough, NC 27278 (telephone 919/245-2453, email gdonaldson@orangecountync.gov).

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

WHEREAS --

The Board of Commissioners has previously determined to carry out various public improvements and acquisitions, as identified in the County's capital improvement plan and as described on Exhibit A.

The Board of Commissioners has also determined to finance the costs of these projects through an installment financing, as authorized under Section 160A-20 of the North Carolina General Statutes.

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

1. THEREFORE, BE IT RESOLVED by the Orange County Board of Commissioners, as follows:

(a) The County makes a preliminary determination to finance approximately $30,000,000 to pay capital costs of public improvements and acquisitions, and in particular those described on Exhibit A.

(b) The Board will determine the final amount to be financed by a later resolution. The final amount financed may be slightly lower or slightly higher than $30,000,000. The final amount financed will include funds to pay financing costs and other related costs.

2. The Board of Commissioners makes the following findings of fact in support of the County's application to the LGC:

(a) The proposed projects are necessary and appropriate for the County under all the circumstances.

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

The County has no meaningful ability to issue non-voted general obligation bonds for these projects. These projects will produce no revenues that could be used to support a self-liquidating financing. The County is in the midst of a program for issuing voter-approved bonds for school purposes, and it is appropriate for the County to balance its capital program between various types of financings. The County expects that in the current interest rate environment for municipal securities there would be no material difference in the overall financing costs between general obligation bonds and installment financings for these projects.

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

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

(e) Although the County expects there will be tax increases associated with the County's overall capital improvement program, any tax increase directly attributable to the current proposed financing will be minimal. The County will manage the projects and its borrowing plans so as to minimize the tax impact while still allowing the projects to proceed. The County believes that the tax rate impact of this financing is reasonable under all the circumstances.

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

3. Additionally, the Board resolves as follows:

(a) The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse project expenditures from

financing proceeds. The County intends that funds that have been advanced for project costs, or which may be so advanced, from the County's general fund, or any other County fund, may be reimbursed from the financing proceeds.

(b) The Board directs the Finance Officer to take all appropriate steps toward the completion of the financing, including completing an application to the LGC for its approval of the proposed financing. The Board ratifies all prior actions of County representatives in this regard.

(c) This resolution takes effect immediately.

Exhibit A – list of projects to be financed with estimated amounts

Component	Estimated Cost
Northern Campus Project: site preparation and preliminary costs for new detention center, agriculture-environment center, and parks operations base	$10,600,000
Southern Campus Project: improvements to the driveway and access road to the Southern Campus, as well as providing additional parking for the Seymour Center	4,675,000
Seymour Center Building Expansion	990,000
River Park Phase II	298,500
Link Center Remediation	6,500,000
Passmore Center Remediation	199,114
Sportsplex Improvements/ Equipment	605,036
Community Loan Fund	224,340
Vehicle Replacements	1,030,550
Whitted Building – Elevator Work	154,000
Emergency Services Building Remediation	324,000
Total	**25,600,540**

The County will also use additional loan proceeds to pay financing costs.

ORANGE COUNTY
NORTH CAROLINA

FY 2019-20 Fall Financing

Limited Obligation Bonds

Gary Donaldson, Chief Financial Officer

September 3, 2019

Public Hearing Purpose

- Board Approval for FY 2018-19 Installment Purchase Financing as authorized under Section 160A-20 of North Carolina General Statutes

- Issuance of approximately $25,600,540 to finance capital improvement projects, vehicles and equipment

- Approve Resolution supporting Limited Obligation Bond application to the Local Government Commission

ORANGE COUNTY
NORTH CAROLINA

Limited Obligation Bonds Terms

- Security Pledge- Annual Appropriations and County collateral of Southern Campus, Seymour Center and Northern Campus Site added to Master Deed of Trust
- Maturity Term- 5- 20 Year maturities matches with the useful life of the assets
- Estimated Interest Rates- 2-3% subject to market conditions
- Source of Repayment- Property Tax and Sportsplex Fees
- Subordinate Lien to General Obligation Bonds
- Current and Projected Ratings- Aa1/AA+/AA+ from Moody's, Standard & Poor's and Fitch Ratings
- LGC Approval required

ORANGE COUNTY
NORTH CAROLINA

List of Projects to be Financed

Component	Estimated Cost
Northern Campus Project: site preparation and preliminary costs for new detention center, agriculture-environment center, and parks operations base	$10,600,000
Southern Campus Project: improvements to the driveway and access road to the Southern Campus, as well as providing additional parking for the Seymour Center	4,675,000
Seymour Center Building Expansion	990,000
River Park Phase II	298,500
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Sportsplex Improvements/ Equipment	605,036
Community Loan Fund	224,340
Vehicle Replacements	1,030,550
Whitted Building – Elevator Work	154,000
Emergency Services Building Remediation	324,000
Total	**25,600,540**

Note: Vehicle Replacement includes Public Safety, Animal Control and Emergency Services vehicles.

ORANGE COUNTY
NORTH CAROLINA

Key Debt Model Metrics

Debt Ratios	10-Year Payback	Debt to Assessed Value	DS to GF Revenues
2019	71.60%	1.37%	13.44%
2020	63.84%	1.77%	13.53%
2021	65.41%	1.80%	14.59%
2022	65.97%	1.80%	17.94%
2023	66.72%	1.70%	17.18%
2024	68.11%	1.58%	16.23%
2025	69.57%	1.41%	14.80%

ORANGE COUNTY
NORTH CAROLINA

Financing Calendar

Key Dates	Task
August 18	Public Hearing Notice Advertisement in Herald-Sun and News of Orange
September 3	Public Hearing and Board Action Adopting Resolution Supporting LGC Application
August-September	County Submits LGC Application and Credit Reviews
October 1	Board Action Adopting Final Resolution and financing terms
October 1	LGC Approves Limited Obligation Bond Financing
November	Limited Obligation Bond Closing

ORANGE COUNTY
NORTH CAROLINA

Questions/Comments

ORANGE COUNTY
NORTH CAROLINA

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda
Item No. 6-a

SUBJECT: Format for the 2019 Orange County Summit

DEPARTMENT: Economic Development and Community Relations

ATTACHMENT(S):

INFORMATION CONTACT:
Todd McGee, (919) 245-2302
Steve Brantley, (919) 245-2326

PURPOSE: To approve the framework for the 2019 Orange County Summit and to assign roles for members of the Board of County Commissioners.

BACKGROUND: The Board of County Commissioners appropriated $30,000 in the FY 2017-18 budget from the Article 46 sales tax to host an Economic Development Summit in 2018. The BOCC chose to partner with WCHL to broadcast the summit on the radio. The summit occurred on October 17, 2018, from 3 – 7 p.m.

Given the positive feedback generated from the inaugural summit, staff proposes hosting another summit on October 16, 2019. This event would be held at the Whitted Building and would be co-broadcast on the County's cable television channel.

After last year's summit, staff and representatives from WCHL met several times and also solicited feedback from the BOCC on ways to improve the next summit. Among the proposals offered were to broaden the scope beyond economic development to include other County initiatives and issues, such as affordable housing and transportation.

Topics and Panels (3:00 – 7:00 PM)

Hour 1

- ***First segment:*** **BOCC's Approach to Social Justice**

Lead panelist: Penny Rich, Chair, Orange County Board of Commissioners

- ***Second segment:*** **Affordable Housing**

Lead panelist: Dolores Bailey, EmPOWERment
Guest panelists: Representative from Community Home Trust; Corey Root, Partnership to End Homelessness
Commissioner: TBD

Hour 2:

- ***First segment:*** **Public Transportation**

Lead panelist: Theo Letman, Orange County Public Transportation

Guest panelist: Brian Litchfield, Chapel Hill Transit
Commissioner: TBD

- ***Second segment:*** **Tourism/Arts**

Lead panelist: Laurie Paolicelli, Chapel Hill/Orange County Visitors Bureau
Guest panelist: Katie Murray, Orange County Arts Commission
Commissioner: TBD

Hour 3:

- ***First segment:*** **Education: K-12**

Lead panelist:
Panelists:
Commissioner: TBD

- ***Second segment:*** **Workforce Development**

Lead panelist: Bill Ingram, President, Durham Technical Community College
Panelist: Teacher, Orange High School trade skills program
Commissioner: TBD

Hour 4: Economic Development

- ***First segment:*** **Industrial Recruitment**

Lead Panelist: Steve Brantley, Orange County Economic Development Director
Panelists: Bill Ingram, Durham Tech President; representative from ABB or another successful firm
Commissioner: TBD

- ***Second segment:*** **Small Business Services**

Lead Panelist: Steve Brantley, Orange County Economic Development Director
Panelists: TBD
Commissioner: TBD

FINANCIAL IMPACT: The FY 2019-20 budget includes an appropriation of $30,000 from Article 46 sales tax proceeds to host this event.

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.

Discussing Affordable Housing and Public Transportation will bring greater attention to these issues. Providing more opportunities for low- and middle-income families will impact diversity in the community.

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 proposed framework and assign Commissioners to serve on each of the proposed panels.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 6-b

SUBJECT: Acceptance of Guaranteed Maximum Price (GMP) for the Orange County Northern Campus

DEPARTMENT: County Manager's Office

ATTACHMENT(S):
1. Guaranteed Maximum Price Letters from Bordeaux Construction with Attachments

INFORMATION CONTACT:
Travis Myren, Deputy County Manager, (919) 245-2308

PURPOSE: To accept a Guaranteed Maximum Price (GMP) of $36,354,082 as presented by Bordeaux Construction (Attachment 1) for the development of the Orange County Northern Campus.

BACKGROUND: In July 2018, the County retained Bordeaux Construction to serve as its Construction Manager at Risk (CMAR) for the development of the Northern County Campus. The Construction Manager at Risk project delivery method was chosen to improve cost containment and cost certainty compared to other project delivery methods. Cost containment is improved by allowing the Construction Manager to work collaboratively with the project designers to yield the most cost effective design solutions from a construction standpoint. Cost certainty is secured through a contractually binding guaranteed maximum price that is provided to the County prior to start of construction. The CMAR process is also more transparent as the CMAR provides more detailed financial accounting information with the entire project team compared to a general contractor on a design-bid-build project.

In February 2019, the Board of Commissioners reviewed schematic design cost estimates for the Northern County Campus and authorized a total budget of $40.2 million. The Campus, located off of Highway 70 in Hillsborough, is intended to include a replacement Detention Center, Environment and Agriculture Center, and Parks Operations Base. Substantial completion is scheduled for March 9, 2021, and final completion is scheduled for May 9, 2021.

Campus Elements

- **Detention Center**
  The new Detention Center would consist of one hundred forty-four (144) beds in approximately 48,900 square feet. The new facility would replace the existing 40,227 square foot detention facility located in downtown Hillsborough that was originally constructed in 1925 with additions and modifications occurring in the early 1980's and mid-1990's.

- **Environment and Agriculture Center (EAC)**
  The new 17,200 square foot Environment and Agriculture facility would replace the 19,087 square foot office building currently located on Revere Road that houses the Department of Environment, Agriculture, Parks and Recreation, Cooperative Extension, Farm Service Agency, and Soil and Water Conservation.

- **Parks Operations Base**
  The new 8,500 square foot Parks Operations Base would replace scattered facilities and a base and shop at Millhouse Road Park that is used primarily for office space and equipment storage.

Bordeaux Construction advertised a request for qualifications in March 2019 and solicited over 850 firms for 36 different bid packages. Nineteen (19) of those packages included reduced prequalification thresholds and bonding requirements to encourage the participation of small and minority owned businesses. A local and minority business outreach session was held on April 22, 2019.

Competitive bids from first tier subcontractors were opened on August 13, 2019 and on August 23, 2019. These bids were used to identify the lowest, responsible subcontractor bid for each bid package. The bid packages totaled over $31.7 million in construction costs and ranged from a $5.3 million bid for earthwork to a $14,600 bid for lockers. Over twenty-one percent (21%) of the cost of work is anticipated to be contracted with Minority Owned Businesses (MBEs) that are certified with the State of North Carolina Department of Administration (NC DOA). The statutorily required goal for public works projects is ten percent (10%).

After the subcontractor bids were finalized, the Construction Manager led a value engineering exercise to identify cost reduction options that would not affect the functionality of the project elements. Those options were reviewed by County staff and the project architects, and a total of over $466,000 in value engineering options are recommended to reduce the overall cost of the project.

Bordeaux Construction has presented the County with a total guaranteed maximum price (GMP) of $36,354,082 to deliver all of the elements of the Northern Orange County Campus after deducting the value engineering options. The components of the GMP are detailed in Attachment 1 and summarized in the following table:

GMP Component	**Proposed Cost**
Subcontractor Bids (Cost of Work)	$31,269,947
General Conditions & Allowances Tap Fees & Permits Other Misc. Expenses	$1,798,693
Owner's Contingency *Owner Directed Changes*	$600,000

Construction Manager Contingency *Unknown Construction Costs*	$625,399
Early Completion Bonus *1% of Cost of Work* Construction Manager Fee *3.75% of Cost of Work*	$1,628,966
Bonds and Insurance *1.2% of Cost of Work*	$431,076
TOTAL GUARANTEED MAXIMUM PRICE	**$36,354,082**

At the end of the construction project, any unspent owner contingency funds or allowances are retained by the County. If any amount of the Construction Manager contingency is unspent, seventy percent (70%) is retained by the County, and thirty percent (30%) is shared with the construction manager as an incentive to avoid unnecessary construction costs.

The GMP is one of the required elements to seek approval from the Local Government Commission (LGC) to borrow money for the project. LGC approval is scheduled for October 1, and approximately $10 million of the total project costs are recommended for financing in the Fall financing package based on cash flow needs.

Bordeaux Construction has requested a notice to proceed on the initial site work and long lead time materials immediately following acceptance of the GMP in order to avoid winter site conditions and remain on schedule for project delivery. As a result, the proposed GMP is recommended in two parts. The first part (GMP #1) is $10,019,850 million would be allowed to proceed prior to formal approval by the LGC on October 1. This strategy has precedent and poses minimal risk to the County. The notice to proceed for the balance of the project (GMP #2) totaling $26,334,232 would occur following formal approval by the LGC as the construction schedule dictates.

FINANCIAL IMPACT: The Board of Commissioners authorized a total project budget of $40.2 million. Given a GMP of $36.4 million, projected professional fees of approximately $3.3 million, and a furniture, fixtures, and equipment budget of $625,000, the project is expected to be on budget assuming that contingency funds and other allowances are not entirely exhausted during construction.

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: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.
- **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.

The facilities located at the Northern County Campus are designed to provide a safe, efficient, and functional work environment for County employees and an engaging, welcoming, and utilitarian public space for residents. The new Detention Center will offer space consistent with modern correctional standards as well as space for enhanced programming, medical and mental health treatment, attorney consultation, and other due process considerations. The Environment and Agriculture Center will provide improved space for training and education and will be more accessible to its stakeholders. Finally, the Parks Operation Base will allow for a more efficient organization of equipment, improved shop capabilities, and more effective deployment of staff.

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.
- **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 facilities on the Northern County Campus will include photovoltaic systems to produce solar energy. The Environment and Agriculture Center will also use solar energy to produce hot water, and the Detention Center will be heated and cooled using a geothermal based HVAC system.

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

1. After comparing the advantages and disadvantages of using the construction management at risk method for this project versus those methods identified in North Carolina General Statute 143-128(a1)(1) through North Carolina General Statute 143-128(a1)(3), conclude that construction management at risk services is in the best interest of the project and is the preferred method of proceeding with the project;

2. Accept a total Guaranteed Maximum Price (GMP) of $36,354,082 as presented by Bordeaux Construction (Attachment 1) for the development of the Orange County Northern Campus; and

3. Authorize the County Manager to approve change orders up to the total project budget amount.

Attachment 1

BORDEAUX
Construction Company, Inc.

August 28, 2019

Ms. Bonnie Hammersley
County Manager
Orange County
PO Box 8181
Hillsborough, NC

Reference: Orange County Northern Campus – GMP #1 (Early Site & Long Lead Items)

Dear Ms. Hammersley,

Thank you for the opportunity to provide the Guaranteed Maximum Price Proposal #1 (GMP #1) proposal based on the backup attached to this proposal.

Guaranteed Maximum Price #1: $10,019,850

The GMP #1 scope includes the following bid scopes: BP-02A Surveying, BP-03A Building Concrete (bond and reinforcing engineering), BP-05A Structural Steel (bond and detailing), BP-11C DEC/SCSC, BP-13A Prefabricated Steel Cells (engineering), BP-13B Pre-engineered Metal Building, and BP-31A Earthwork (Mobilization, Erosion Control, Clearing, Grading, Offsite Water, Allowances Pertaining to Grading).

In addition to cost of work items above, GMP #1 includes general (full 20 month duration), CM allowances, Building permit allowance, and Owners contingency (partial). CM Contingency, Fee, Early Completion Bonus, and Bonds and Insurances are calculated on each GMP individually. Unused CM allowances, Owner Contingency, Building permit allowance, and Subcontractor allowances will be returned in full to the owner at completion of the project. Unused CM contingency will be returned to Owner with 70% returned to Owner in accordance with Article 5.7 of the Contract.

We are looking forward to beginning construction on the Orange County Northern Campus project. Should you have any questions, please contact me.

Very truly yours,
Bordeaux Construction Company, Inc.

J. Blair Bordeaux, P.E.
President

Enclosure

BORDEAUX
Construction Company, Inc.

August 28, 2019

Ms. Bonnie Hammersley
County Manager
Orange County
PO Box 8181
Hillsborough, NC

Reference: Orange County Northern Campus – GMP #2 (Full project GMP)

Dear Ms. Hammersley,

Thank you for the opportunity to provide the Guaranteed Maximum Price Proposal #2 (GMP #2) proposal based on the backup attached to this proposal.

Guaranteed Maximum Price #1: (previously accepted)	$10,019,850
Guaranteed Maximum Price #2:	**$26,334,232**
Total Guaranteed Maximum Price:	**$36,354,082**

The GMP #2 scope includes all remaining bid scopes not included in GMP#1 plus remaining scope not included in GMP #1 for BP-03A Concrete, BP-05A Structural Steel, BP-13A Prefabricated Steel Cells, and BP-31A Earthwork.

In addition to cost of work items above, GMP #2 includes accepted Value Engineering items, Accepted Alternates, and Owners contingency (remaining). CM Contingency, Fee, Early Completion Bonus, and Bonds and Insurances are calculated on each GMP individually. Unused CM allowances, Owner Contingency, Building permit allowance, and Subcontractor allowances will be returned in full to the owner at completion of the project. Unused CM contingency will be returned to Owner with 70% returned to Owner in accordance with Article 5.7 of the Contract.

We are looking forward to beginning construction on the Orange County Northern Campus project. Should you have any questions, please contact me.

Very truly yours,
Bordeaux Construction Company, Inc.

J. Blair Bordeaux, P.E.
President

Enclosure

BORDEAUX
Construction Company, Inc.

List of Exhibits

Exhibit A – GMP summary
Exhibit B – Alternate Summary
Exhibit C – Value Engineering
Exhibit D – CM Allowance Summary
Exhibit E – Sub Allowance Summary
Exhibit F – Index of Contract Documents – Specifications
Exhibit G – Index of Contract Documents – Drawings
Exhibit H – Division of Project Cost Elements (GC Matrix/Appendix A)

Orange County Northern Campus Construction Manager: Bordeaux Construction Company
GMP proposal
8/28/2019

Bid Package		Low Bidder	GMP #1	GMP #2	Totals	Contract MBE $
01A	General Trades	CB&H Contracting		$ 240,040	$ 240,040	$ 240,040.00
01B	Final Cleaning	CB&H Contracting		$ 18,750	$ 18,750	$ 18,750.00
02A	Surveying	Triangle Surveyors	$ 36,425		$ 36,425	
03A	Building Concrete	Select Concrete	$ 22,500	$ 1,172,450	$ 1,194,950	$ 1,194,950.00
04A	Turnkey Masonry	Brodie Contractors		$ 2,675,000	$ 2,675,000	$ 2,675,000.00
05A	Structural Steel	Steel Technology, Inc.	$ 54,970	$ 1,433,335	$ 1,488,305	$ -
06A	Casework	Blankenship Associates		$ 180,640	$ 180,640	$ 180,640.00
07B	Sprayfoam	MPI		$ 125,055	$ 125,055	$ 125,055.00
07C	Roofing	AAR of NC		$ 1,094,000	$ 1,094,000	$ 164,100.00
07D	Caulk & Sealants	JT Murphy Construction		$ 77,000	$ 77,000	
07E	Firestopping	C.L Downey		$ 58,508	$ 58,508	$ -
08A	Aluminum & Glass	J&H Glass		$ 218,300	$ 218,300	$ 55,107.00
08B	Overhead Coiling Doors	Custom Door & Gate		$ 119,500	$ 119,500	$ 119,500.00
09A	Drywall	Sears Contract		$ 736,700	$ 736,700	$ 736,700.00
09B	Hard Tile	Concordia		$ 72,510	$ 72,510	$ -
09C	Acoustical Ceilings	Acousti		$ 131,000	$ 131,000	$ -
09D	VCT & Carpet	Brock Contract		$ 106,300	$ 106,300	
09E	Epoxy Coatings	Blair Duron		$ 98,447	$ 98,447	
09F	Polished Concrete Flooring	David Allen Co		$ 99,877	$ 99,877	
09G	Painting	DWH Painting		$ 379,573	$ 379,573	
10A	Specialties	Martin Arch.		$ 124,080	$ 124,080	
10B	Operable Partitions	Proven Products		$ 24,440	$ 24,440	$ -
10C	Signage	AOA Signs		$ 88,145	$ 88,145	$ 88,145.00
10D	Lockers	Virginia School Equipment		$ 14,600	$ 14,600	
11B	Food Service Equipment	Deacon Food Service		$ 322,900	$ 322,900	
11C	DEC/SEC	Montgomery Technology	$ 3,498,900		$ 3,498,900	$ -
12A	Window Treatment	Precision Walls		$ 12,910	$ 12,910	
13A	Prefabricated Steel Cells	SteelCell of NA	$ 96,130	$ 1,506,015	$ 1,602,145	$ 29,740.00
13B	Pre-Engineered Metal Buil	Central Builders of Mebane	$ 312,700		$ 312,700	$ 205,756.00
21A	Fire Protection	Carolina Fire Control		$ 710,940	$ 710,940	
22A	Plumbing	Comfort Systems USA		$ 1,882,490	$ 1,882,490	$ 84,712.00
23A	HVAC	Warren-Hay		$ 3,886,394	$ 3,886,394	$ 182,660.00
26A	Turnkey Electrical	Bryant-Durham		$ 4,109,000	$ 4,109,000	$ -
31A	Earthwork	Carolina Sunrock	$ 3,432,661	$ 1,884,680	$ 5,317,341	$ 530,000.00
32A	Chain Link Fencing	Frye Fencing		$ 84,700	$ 84,700	
32B	Landscaping	Norris Landscaping		$ 176,875	$ 176,875	$ -
	VE items accepted			$ (466,493)	$ (466,493)	
	Alternates accepted			$ 417,000	$ 417,000	
Totals			$ 7,454,286	$ 23,815,661	$ 31,269,947	21.2%

General Conditions	$ 1,184,693	$ -	$ 1,184,693
CM Allowances & Tap Fees	$ 533,000	$ -	$ 533,000
Building Permit	$ 81,000	$ -	$ 81,000
Owner's Contingency	$ 50,000	$ 550,000	$ 600,000
CM Contingency; 2% COW	$ 149,086	$ 476,313	$ 625,399
Sub Total	**$ 9,452,065**	**$ 24,841,974**	**$ 34,294,039**
			$ -
Early Completion Bonus, 1%	$ 94,521	$ 248,420	$ 342,940
FEE 3.75%	$ 354,452	$ 931,574	$ 1,286,026
Sub Total	**$ 9,901,038**	**$ 26,021,968**	**$ 35,923,006**
			$ -
Bond & Insurances 1.2%	$ 118,812	$ 312,264	$ 431,076
GMP TOTAL	**$10,019,850**	**$26,334,232**	**$ 36,354,082**

Orange County Northern Campus

Alternates

8/28/2019

	Alternates:	Yes/No	Total Cost	Subcontractor	Bid Package	Sub Cost	Comments
EAC Alt. 1	Provide Steel Trellis at Entry of EAC Building	N	$ 48,208	Misc.		$ -	
	BP-03A - Concrete			Select Concrete	BP-03A	$ 2,000	
	BP-04A - Masonry			Brodie Masonry	BP-04A	$ 15,400	
	BP-05A - Steel			Steel Technologies	BP-05A	$ 28,513	
	BP-09G - Painting			DWH Painting	BP-09G	$ 2,295	
EAC Alt 2	Provide Building Sign for EAC Building	N	$ 6,205	Misc.			
	BP-10C - Signage			AOA Signs	BP-10C	$ 4,205	
	BP-07C - Roofing			AAR Roofing	BP-07C	$ 2,000	
EAC Alt 3	Provide sunshades as noted on alternate plans and specifications	N	$ 17,200				
				J&H Glass	BP-08A	$ 17,200	
EAC Alt 4	Wood look metal soffit Panel	N	$ 32,750				
	BP-07C Roofing			AAR Roofing	BP-07C	$ 32,750	
EAC Alt 5	Preferred Brand Alternate - EAC & POB - Trane	Y	$ -	Warren Hay	BP-23A	$ -	No Cost Change
			$ -			$ -	
EAC Alt 6	Preferred Brand Alternate - EAC & POB - Siemens	Y		Warren Hay	BP-23A		No Cost Change
DET Alt 1	Preferred Brand Alternate - Tyco Raven Institutional Heads at DET	Y	$ -	Carolina Fire Control	BP-21A		No Cost Change
DET Alt 2	Provide 150kW DC Solar Photovoltaic System at DET	Y	$ 417,000	Misc.			
	BP-26A - Electrical - $358,000					$ 358,000	
	BP-07C - Roof - $59,000					$ 59,000	BP-07C to provide VE to reduce cost
DET Alt 3	Preferred Brand Alternate - Detention - Siemens Controls	Y	$ -	Warren Hay	BP-23A	$ -	No Cost Change
DET Alt 4	Preferred Brand Alternate - Detention - Cylinders by Corbin Russwin	Y	$ -	MTS	BP-11C		No Cost Change
				Total Selected Cost		**$ 417,000.00**	

Orange County Northern Campus

Bid package deductions

8/26/2019

Item #	Bldg	Bid Package	Description	Deduction Accepted (Yes/No)	Value	Comments	Action	Info required
1	Det	Misc	Reduce polished concrete scope (polished to sealed)	Y	(5,250.00)	$1.75/sf roughly 3,000sf Need to determine rooms, confirm and cost	MA	Confirm rooms and square footage
2	EAC & POB	BP-03A	Delete MVRA admixture @ EAC & POE	Y	(14,600.00)			
3	POB	BP-03A	Delete insulation & cap @ POB	y	(1,200.00)	Concrete -2665, PEMB -1200, reviewr c	BCC-updated	Revise pricing to provide rigid insulation below slab a perimeter of office wing (gridlines A-B @ E/W elevations & gridlines 1-4 @ North elevation). Retain manufacturers standard flashing and trim termination at base of metal wall panels for full perimeter of building. Select confirmed wash to move insulation from exterio to under slab
4	DET	BP-03A	Revise FF/FL requirements to housing, booking, and corrido only	N	(2,300.00)	FF/FL requirement remains in spec, test	MA	Moseley to coordinate testing scope during concrete pre-install
5	DET	BP-04A	Use smooth face integral color CMU in lieu of ground face @ rec yards and dumpster enclosures @ detention (EAC is brick & CMU)	Y	(10,000.00)			
6	DET & EAC	BP-04A	Delete colored mortar and go with standard grey mortar except at precast head joints	Y	(18,000.00)	At brick only. Precast to be white mortar, white cement. Rec yards & dumpster surrounds to be colored morta @ integral color CMU with dryblock		
7	DET	BP-05A&09G	Delete Galvanizing of all interior terrace level framing (HS columns, closure plate)	Y	(4,269.00)	BP-05A -$10,539 BP-09G $6,270	BCC-updated	Revise cost to reflect painting ceiling only, mezzanin structure to remain HDG
8	DET & EAC	BP-05A	Change all Roof Deck to prime painted instead of galvinize	N	(4,900.00)			
9	DET	BP-04A & 05A	Delete shower wall plate & run CMU to ceiling	N	5,940.00	Detail is preferred to not catch dust easier to keep clean		
10	DET	BP-05A	Revise brick hanger detail to bent plate bolted to wall at DE (7/A5.2.1)	N	(1,847.00)			
11	DET	BP-06A	Change countertops in AA35, AA63, AA88, AA89 & AA90 from SS to P-lam	y	(1,625.00)		BCC-updated	Revise cost to keep AA90 solid surface - Revise fo $1200 for AA90
12	DET	BP-06A	Booking Desk diamond plate from HDG to Polished Aluminum	Y	(646.00)			
13	DET	BP-06A	Adding Aluminum Plate inside west end cavity of Booking Desk	Y	988.00			
14	DET	BP-06A	Delete the AWI/QCP qualification	Y	(650.00)	Still require AWI from manufacture	BCC	Confirm manufacturer AWI certificatio
15	EAC	BP-06A	EAC: Delete WSP-1	Y	(2,770.00)	Wall to be painted accent colo		
16	EAC	BP-06A	EAC: Change all Quartz countertops to SS	N	(7,082.00)		BCC	Revise cost: Retain quartz countertops in Demonstration Kitchen 130S and Restrooms 101 and 103. Revise all other locations to P-LAM
17	EAC	BP-06A	EAC: Change all countertops from Quartz and SS to P-la	Y	(26,136.00)	quartz in kitchen, SS in public bathroom	BCC-updated	updated
18	POB	BP-06A	POB: Change all counters from SS to P-lar	Y	(3,682.00)			
19	EAC	BP-06A	Change to melamine interiors in lieu of plywood @ EA	n			BCC	Melamine already in project. No credit to giv
20	DET	BP-07C	Revise coping to shop fabricated in lieu of prefabricated	y	(10,000.00)		BCC-updated	Confirm if scope includes EAC, revise pricing, shoul be closer to $12-15k
21	DET	BP-07C	Revise roof EJ to membrane and backer rod syste	Y	(10,000.00)		BCC-updated	
22	DET	BP-07C	Roof alternate credit - PV System	Y	(20,000.00)	Adjusts DET Alt 2. Credit not available DET alt 2 isnt accepted	BCC-updated	
23	DET	BP-07E	Add firestop @ POB, delete tags per spec(POB was nc included in bid scope)	Y	1,000.00			
24	EAC & POB	BP-08A	Change 4" vertical mullion @ EAC & POB to 2"	Y	(520.00)			
25	DET	BP-08A	Delete intermediate mullion & change sill mullion at detentio to 2.5"	y	(2,800.00)		BCC-updated	
26	DET & EAC	BP-09B	Delete epoxy grou	N	(1,550.00)			
27	DET	BP-09C	Det: Change tile to standard fine fissured and standard wa mold	Y	(2,860.00)	Base bid was NRC fine fissured		
28	DET	BP-09C	Det: Delete tectum acoustical panels in dayroom	N	(17,050.00)	Fabric panels remair		
29	EAC	BP-09C	EAC: Change tile to Standard Fine Fissured and standard wall mold	Y	(11,500.00)	Specified ceiling tile will remain in EAC Multipurpose Room 102 and EAC Board Room 104		
30	POB	BP-09C	POB: Change tile to Standard Fine Fissured and standard wa mold	Y	(1,080.00)			
31	EAC	BP-09D	Revise LVT to VCT at EAC	N	(7,590.00)			
32	EAC	BP-10B	Delete operable partition @ EAC	N	(40,000.00)	ROM drywall,steel, OP, and coverin		
33	DET, EAC, & POB	BP-10C	Revise Signage Allowance by 30%. Detention goes fron $30,000 to $20,000 and EAC/POB goes from $15,000 to $10,000	Y	(20,962.00)	Lowered OH&P and soft cost		
34	DET	BP-11B	Food Service as per plate by Owner. BCC would need t maintain shop drawings, coordination, rough-in inspection, install labor, and probabyl the washer/dryer. Coordinate kitchen hood, kitchen hood install, and walk-in cooler freezer also	N	(250,000.00)	Will be addressed post GMP for County to be reimbursed (ROM)		
35	DET	BP-11B	BP-11B: Washer/dryer in Issue room OFOI (no specs o called out on FS plans.) - Carried as CM allowance #11	Y	(5,000.00)	Owner to provide W/D in issue room. Rough-in to remain		
36	DET	BP-11C	Change Sallyport/Corridor sliding detention doors with security hardware sets SH6/6A to detention swing doors with security hardware set SH2 – Savings $9,500	N	(9,500.00)			
37	DET	BP-11C	Change security glass type SG13F to SG14F where scheduled – Savings $24,000	N	(24,000.00)	Review to 3/4" or 1" GCP	MA	Post meeting, BCC confirmed that glass was quote per spec. Drawings are less stringent. Moseley to confirm scope
38	DET	BP-11C	Delete top row of light openings at detention hollow met window frame DHM8	N	(12,000.00)			
39	DET	BP-11C	Provide/install 4 racks and UPSs instead of 7 as shown or DWG's for EQ Room – Savings $10,500	Y	(10,500.00)		MA - Updated	Steve confirmed acceptable
40	DET	BP-11C	Series wiring configuration for LPS/DPS door status instead o dual indication – Savings $10,000	N	(10,000.00)			
41	DET	BP-11C	No audio threshold monitoring or IC station beep fo confirmation of call button activation – Savings $8,500	N	(8,500.00)		Travis	Travis to review with sheriff
42	DET	BP-11C	Provide a Computer for Logging instead of a Server – Saving $5,000	Y	(5,000.00)		MA - Updated	Steve confirmed acceptable
43	DET	BP-11C	Lower CA cards from 400 to 200 – Savings $1,00	Y	(1,000.00)			
44	DET	BP-11C	Remove Phase 2 Touch Screen Control Demo/submitta meeting - Savings $10,000	N	(10,000.00)			
45	EAC	BP-11C	Credit transactional window @ EAC	Y	(3,100.00)	Doubled up scope		
46	POB	BP-13B	Change PEMB color line from Signature 300 to Signature 200	N	(1,800.00)			
47	DET	BP-21A	Deduct to remove the small P/A system and convert to we sprinkler	N	(8,500.00)			
48	DET	BP-22A	Furnish Concrete grease interceptor in lieu of specified stee Keep FOG monitoring system	Y	(9,955.00)			
49	DET	BP-22A	Delete the Polyethylene sheet wrapping of UG Cast Iron i kitchen waste piping	Y	(380.00)			
50	DET	BP-22A	Use standard weight cast iron in lieu of XH cast iron for kitche	Y	(2,200.00)			
51	EAC	BP-22A	Delete PHT-1 Geothermal water heater Note: this will require installation of 2 additional GWH and upsizing the gas main int the building and the branch piping into the mechanical room. This is offered as a budget only and subject to verification upon a review of the engineers re-design. There will be additional savings in the mechanical scope for the elimination of WWHP-1 and electrical to both PHT-1 and WWHP-1.	N	(19,400.00)			
52	DET	BP-23A	Allow Triad Drillers into Geothermal drillers spe	Y	(20,000.00)	Would add to MBE		
53	EAC	BP-23A	EAC: RTU 1 Delete condenser coil corrosion coatin	Y	(3,900.00)			
54	EAC	BP-23A	EAC: Delete SS drain par	N	(1,820.00)			
55	DET	BP-23A	Removing final filter but maintain Merv 8 standar	Y	(4,900.00)		BCC	BCC to confirm final scope with Warren Ha
56	DET	BP-23A	Delete roof screens (carried as CM allowance #5	y	(118,000.00)		MA	Leaves budget of $25k for 1 roof screen for RTU-1
57	EAC & POB	BP-23A	Revise EAC/POB spec 230510 to allow earlier HVAC usage (CM allowance #10 carries temp HVAC during construction)	Y	(25,000.00)	Remove last 2 items of 230510		
58	EAC & POB	BP-26A	Substitute aluminum for feeders 110A and larger in building EAC & POB.	Y	(10,000.00)			
59	DET	BP-26A	Substitute EMT conduit for GRC when conduit is larger thar 2"	Y	(18,000.00)	Confirm where scope occurs		
60	DET	BP-26A	Substitute GRC conduit for EMT in secure perimeter area	y	(30,246.00)	Confirm color coded stays		
61	SITE	BP-26A	Remove concrete encased requirements for ductbank excep where it runs under roadways.	N	(13,000.00)			

62	DET	BP-26A	Change NEMA 4X requirement for 1200A SE 'Service Disconnect' to NEMA 3R	y	(5,150.00)	SN to confirm	MA & HH	Steve to confirm with engineer. HH to confirm requirements apply to EAC and Parks Base and follow up with Engineer of Record for recommendation
63	DET, EAC, & POB	BP-26A	Allow the ability to substitute the required manufacturer for th Solar Panels with an 'Equal To'	n	(3,500.00)		BCC	BCC to confirm qualifications with BDE
64	DET, EAC, & POB	BP-26A	Substitute requirement to have inverters installed in NEMA 4x enclosures and allow for installing inverters that are already NEMA 3R rated	y	(2,500.00)	NZ & SN to confirm	MA, HH & BCC	Steve to confirm with engineer. HH to confirm requirements apply to EAC and Parks Base and follow up with Engineer of Record for recommendation. BCC to confirm if pricing includes DET
65	DET	BP-26A	Level 1 sound enclosure in lieu of level :	N	(6,800.00)	Generator		
66	DET	BP-26A	Provide open transition ATS in lieu of bypass isolation switch	n	(7,850.00)		MA	Steve to confirm
67	DET	BP-26A	Provide 24 hour base tank in lieu of 48 hou	N	(3,600.00)	Generator		
68	DET	BP-26A	Specification 263353, 2.10B - Eliminate costs to provide oppurtunity for Owner's representative to observe tests at factory	Y	(4,600.00)			
69	DET	BP-26A	RF Booster system OFOI, electrical infrastructure to remai	N	(65,670.00)	Need to address M/Us from BDE		
70	EAC	BP-31A	Delete gravel walk patl	N	(644.00)			
71	EAC	BP-31A	Delete foundation drain at EAC building	N	(13,012.00)			
72	SITE	BP-32A	Delete Delegated Design requirement	N	(2,000.00)			
73	SITE	BP-32A	Change Vinyl to Galvanized Fence at POI	Y	(3,600.00)			
74	SITE	BP-32A	Gate Option 1: Revise dumpster gates to Fab by Frye Fence Powder coat	Y	(14,900.00)	Delegated design to remain		
75	SITE	BP-32A	Gate Option 2: Revise dumpster gates to chainlink with sla	N	(31,000.00)			
76	SITE	BP-32A	Change Dumpster enclosure from masonry to vinyl chainlink w/ privacy slats - +$9100 fence, $(18,000) masonry	N	(8,900.00)			

					(466,493.00)	Accepted		
					0.00	Maybe (?)		
					(587,875.00)	Rejected		
			Total Available Deductions		(1,054,368.00)			
			Total Accepted Deductions		(466,493.00)			

Orange County Northern Campus

Construction Manager Allowances

ITEM	DESCRIPTION OF WORK	ALLOWANCE QUANTITY	UNIT	SCHEDULED VALUE
1	Temp Electrical	$ 55,000	LS	$ 55,000.00
2	Temp Heat	$ 6,000	LS	$ 6,000.00
3	Temp Access Road	$ 15,000	LS	$ 15,000.00
4	Temp Water	$ 6,000	LS	$ 6,000.00
5	Final Electrical	$ 58,000	LS	$ 58,000.00
6	Rent dumpster	$ 32,000	LS	$ 32,000.00
7	Site Sign	$ 18,000	LS	$ 18,000.00
8	Water tap fees	$ 170,000	LS	$ 170,000.00
9	Roof Screen Add	$ 143,000	LS	$ 143,000.00
10	Temp HVAC usage	$ 25,000	LS	$ 25,000.00
11	Issue Room W/D	$ 5,000	LS	$ 5,000.00
				$ 533,000.00

Orange County Northern Campus

Sub Allowances

8/28/2019

ITEM	DESCRIPTION OF WORK	ALLOWANCE QUANTITY	UNIT	UNIT PRICE	SCHEDULED VALUE
	BID PACKAGE 03A - BUILDING CONCRETE - Select				
1	Unsuitable Soils Removal (TRENCH) and disposal ON-SITE: 100 cy	100	cy	$150.00	$ 15,000.00
3	Replacement of Authorized Excavation of Unsuitable Soils or Rock (TRENCH) with OFF-SITE Aggregate Base Course (ABC) stone material, compacted: 150cy	150	cy	$100.00	$ 15,000.00
	TOTAL FOR BID PKG 3A				**$ 30,000.00**
	BID PACKAGE 4A - MASONRY				
4	Include the sum of $750 per thousand for field face brick as specified in Division 04 Section "Unit Masonry" at Detention	0	m	$750.00	$ -
5	Include the sum of $750 per thousand for field accent brick as specified in Division 04 Section "Unit Masonry" at Detention	0	m	$750.00	$ -
	Include the sum of $350 per thousand for modular face brick as specified in Division 04 Section "Unit Masonry" at EAC	0	m	$350.00	$ -
	Include the sum of $450 per thousand for Norman face brick as specified in Division 04 Section "Unit Masonry" at EAC	0	m	$450.00	$ -
	Include the sum of $750 per thousand for Utility face brick as specified in Division 04 Section "Unit Masonry" at EAC	0	m	$750.00	$ -
	TOTAL FOR BID PKG 4A				**$ -**
	BID PACKAGE 09A - DRYWALL - Sears				
6	GWB wall patch after final paint - $5000 lsum	1	lsum	$5,000.00	$ 5,000.00
	TOTAL FOR BID PKG 9A				**$ 5,000.00**
	BID PACKAGE 09D - VCT & Carpet - Brock				
6	Moisture Vapor Treatment	9726	sf	$4.00	$ 38,904.00
	TOTAL FOR BID PKG 9D				**$ 38,904.00**
	BID PACKAGE 10A - SIGNAGE - AOA Signs				
8	Interior panel signs and vinyl lettering - $45,000 lsum	1	lsum	$45,000.00	$ 45,000.00
	TOTAL FOR BID PKG 10A				**$ 45,000.00**
	BID PACKAGE 11C - DEC/SEC COMBO				
9	Furnish and install 24"x24" fire rated access door and frame - 10 ea	10	ea	$525.00	$ 5,250.00
10	Furnish and install 24"x24" fire rated Security access door and frame - 20 ea	10	ea	$725.00	$ 7,250.00
	TOTAL FOR BID PKG 11C				**$ 12,500.00**
	BID PACKAGE 13A - PREFAB STEEL CELLS - Steel Cell of NA				
11	Security Fixture, type PSH-1, furnish only **Unit Price Only**	0	ea	$945.00	$ -
12	Security Fixture, type PSH-2, furnish only **Unit Price Only**	0	ea	$540.00	$ -
13	Security Fixture, type PDT-1, furnish only **Unit Price Only**	0	ea	$1,645.00	$ -
14	Security Fixture, type PLA-1, furnish only **Unit Price Only**	0	ea	$815.00	$ -
15	Security Fixture, type PWA-1, furnish only **Unit Price Only**	0	ea	$2,745.00	$ -
16	Security Fixture, type PWA-2, furnish only **Unit Price Only**	0	ea	$1,365.00	$ -
17	Security Fixture, type PWA-3, furnish only **Unit Price Only**	0	ea	$1,365.00	$ -
18	Security Fixture, type PWC-1, furnish only **Unit Price Only**	0	ea	$1,210.00	$ -
19	Security Fixture, type PWC-2, furnish only **Unit Price Only**	0	ea	$1,255.00	$ -
	TOTAL FOR BID PKG 13A				**$ -**
	BID PACKAGE 21A - SPRINKLER - Carolina Fire Control				
20	Non-security sprinkler heads provided and installed - 5 ea	5	EA	$250.00	$ 1,250.00
21	Security sprinkler heads provided and installed - 5 ea	5	EA	$350.00	$ 1,750.00
	TOTAL FOR BID PKG 21A				**$ 3,000.00**
	BID PACKAGE 22A - PLUMBING - Comfort Systems				
22	Unsuitable Soils Removal (TRENCH) and disposal ON-SITE: 100 cy	100	cy	$40.00	$ 4,000.00
	TOTAL FOR BID PKG 22A				**$ 4,000.00**
	BID PACKAGE 26A - ELECTRICAL - Bryant Durham				
25	Unsuitable Soils Removal and disposal ON-SITE: 100 cy	100	cy	$30.00	$ 3,000.00
28	Provide security type X2 exit lights with 30' of conduit and wiring - 5 ea	5	EA	$800.00	$ 4,000.00
29	Provide single horn strobe with 30' of conduit and wiring - 5 ea	5	EA	$700.00	$ 3,500.00
30	Provide a unit price per kW DC of additional solar capacity up to 20% of the entire system size	0	kW	$2,250.00	$ -
30	Lump sum allowance for site lighting conduit as required by local utility provider		lsum		$ 8,000.00
31	Lump sum allowance for electrical changes by Food Service Equipment		lsum		$ 5,000.00
	TOTAL FOR BID PKG 26A				**$ 23,500.00**
	BID PACKAGE 31A - SITE (TURNKEY) - Sunrock				
32	Undercut (Mass) Unsuitable Soils & Dispose on site- 8000 cy	13700	cy	$5.10	$ 69,870.00
33	Undercut (Mass) Unsuitable Soils & Dispose off site - 1000 cy	27750	cy	$17.00	$ 471,750.00
34	Undercut (Trench) Unsuitable Soils & Dispose on site- 500 cy	500	cy	$12.00	$ 6,000.00
35	Undercut (Trench) Unsuitable Soils & Dispose off site - 250 cy	250	lsum	$23.00	$ 5,750.00
36	Rock Removal in open areas (Mass) & disposal off site - 100 cy	100	cy	$64.00	$ 6,400.00
37	Rock Removal (Trench) & disposal off site - 100 cy	600	cy	$57.00	$ 34,200.00
38	Replacement of authorized excivation of unsuitable soils or rock (Mass) with on site suitable soils in open areas - 8000 cy	5250	cy	$5.80	$ 30,450.00
39	Replacement of authorized excivation of unsuitable soils or rock (Mass) with off site suitable soils in open areas - 1000 cy	10300	cy	$16.00	$ 164,800.00
40	Replacement of authorized excivation of unsuitable soils or rock (Trench) with off site ABC stone compaced - 950 cy	950	cy	$62.00	$ 58,900.00
41	ABC stone in open areas (Mass) compacted - 400 tons	100	tons	$33.00	$ 3,300.00
42	Geotechnical Fabric - 500 sy	200	syds	$4.00	$ 800.00
43	Subsurface Drains: 100 lf	200	lf	$45.00	$ 9,000.00
	Include a lump sum allowance for rain water cistern at EAC	1	lsum	$7,500.00	$ 7,500.00
44	Include a lump sum allowance for meter fees	1	lsum	$10,000.00	$ 10,000.00
45	Include a lump sum alowance for replacement of stone drives	1	lsum	$20,000.00	$ 20,000.00
46	Include a lump sum allowance for NCDOT performance and idemnity bonds	1	lsum	$25,000.00	$ 25,000.00
	TOTAL FOR BID PKG 31A				**$ 923,720.00**
	BID PACKAGE 32A - Landscaping - Norris				
47	Furnish & Install sod in lieu of seed	5700	sy	$5.31	$ 30,267.00
	TOTAL FOR BID PKG 32A				**$ 30,267.00**
				TOTAL	**$ 1,115,891.00**
					incl in Sub Bid No's

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

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 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.

June 4, 2019	BOCC Regular Meeting
June 6, 2019	BOCC Budget Work Session
June 11, 2019	BOCC Budget Work Session
June 18, 2019	BOCC Regular Meeting
July 23, 2019	BOCC Special Meeting

FINANCIAL IMPACT: NONE

SOCIAL JUSTICE IMPACT: NONE

ENVIRONMENTAL IMPACT: NONE

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

Attachment 1

DRAFT

MINUTES
BOARD OF COMMISSIONERS
REGULAR MEETING
June 4, 2019
7:00 p.m.

The Orange County Board of Commissioners met in regular session on Tuesday, June 4, 2019 at 7:00 p.m. at the Whitted Human Services Center in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Penny Rich and Commissioners Jamezetta Bedford, Mark Dorosin, Sally Greene, Earl McKee, Mark Marcoplos, and Renee Price
COUNTY COMMISSIONERS ABSENT: None
COUNTY ATTORNEYS PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below.)

Chair Rich called the meeting to order at 7:01 p.m.

1. Additions or Changes to the Agenda

Chair Rich noted the following items at the Commissioners' places:
- PowerPoint for Item 4-c Voluntary Agricultural Districts
- PowerPoint (one PowerPoint) for Items 4-d, e, f
- PowerPoint for Item 5-c
- PowerPoint for Item 6-a

Chair Rich said she received a request to move 8-f forward to after item 4-b.

A motion was made by Commissioner McKee, seconded by Commissioner Marcoplos to move item 8-f up to after item 4-b because the property is in attendance.

VOTE: UNANIMOUS

PUBLIC CHARGE

Chair Rich acknowledged the public charge.

Arts Moment

Tinka Jordy, Arts Commission member, introduced the artist:

Dee Stribling is a poet focusing on culture and landscape. Her poems are tributes to friends and places embodying the strength, struggle, and beauty of rural and small town settings. The author of several poetry chapbooks, recent publications include poetry in this spring's edition of NC Coastwatch. In addition to poetry, she's currently working on a memoir about her childhood, a documentary about a very special softball team, and a children's book. She enjoys mixing up a Ph.D. in Geography, and 30+ years at SAS Software with a passion for helping others find their poetry and writing path.

Dee Stribling thanked the Board of County Commissioners (BOCC) for its service to the community, then read three short poems: "Little Girl Morning" about a very young person; "Old Will" about an older person; and "Words" to remember both.

Chair Rich introduced Bonnie Hammersley, who introduced Todd McGee, to introduce the graduating class of the County Government Academy.

Todd McGee, Community Relations Director, said this is the second graduating class and they have toured facilities, heard presentations from the different county departments, and participated in budget exercises. He then recognized the members of the class.

2. Public Comments

a. Matters not on the Printed Agenda

Larry Shirley read the following statement:

- Resident of Carrboro
- Chairman, Interstate Renewable Energy Council
- Former Director, NC State Energy Office
- Former Founding Director, NC Clean Energy Technology Center

Madam Chair and Members of the Commission,

My name is Larry Shirley and I reside in Carrboro, my family's home for the last 14 years. I serve as the Chairman of the Interstate Renewable Energy Council, a national nonprofit working to advance clean energy in states across the U.S., including North Carolina. I am the former Founding Executive Director of the NC Clean Energy Technology Center, the former Director of the NC State Energy Office, and the former Director of the Green Economy for NC. I have spent the entirety of my 40-year career working to ensure a sustainable energy future.

The proposal before you to increase the property tax by one-quarter of a percent to provide additional funding for addressing climate change in our county is one of the most significant long-term climate measures that I have seen before local government bodies in NC. I applaud Commissioner Marcoplos for proposing this measure and wholeheartedly endorse it. It has the potential, although modest in taxpayer impact, of placing Orange County on the map as the leader in North Carolina in placing a dedicated revenue source behind the implementation of its plans to greatly reduce carbon emissions and increase the contribution of renewable energy.

Many communities and counties across the U.S. have set goals for carbon reductions and renewable energy contributions. However, in the South, I am not aware of any counties to yet allocate a dedicated part of their tax base to putting real dollars behind those goals. Many appear to be set for political expedience with little intention of getting serious in actually addressing the many opportunities in energy efficiency and renewable energy that exist before them. With enactment of this measure into the 2019-2020 budget, Orange County has the unique opportunity to demonstrate the will—the political spine, to be more direct—that will be needed to put your goals into action.

I have reviewed the possible measures that have been compiled as examples of how this funding could be used to produce real, tangible results in carbon reductions through energy efficiency and renewable energy generation. I have managed many similar programs to those outlined in my previous state positions and can attest to the fact that they are sound and highly doable. Many of them will yield economic savings to the county budget and reductions in utility costs that will more than return the taxpayer investment over time.

And, finally, please do not get hung up on the fact that this measure was not offered in the very beginning of the budget cycle. The fact that you have it before you is a unique opportunity and challenge to greatly advance the county's work in addressing climate change. Please incorporate this measure into the County's budget when you deliberate and vote over the coming two weeks. On behalf of your constituents, show them that you are truly serious about addressing the greatest single challenge facing our society today.

Thank you for the opportunity to provide comments.

Kim Piracci agreed with the previous speaker, and said to please do this. She said she liked Commissioner Marcoplos' suggestion to increase the property tax by ¼ cents to fund climate change projects

Melissa McCullough said she is an environmental specialist, and she echoed the comments of Larry Shirley, and said there is only a short time to target climate change. She said the best predictor of greenhouse footprint is wealth, with the United States leading the way. She said this is a small tax increase, and they are well past an ounce of prevention. She said this modest tax will be a jumpstart, but the benefits will be significant.

Bill Ward said Orange County residents and businesses use about 3000 GW hours of energy yearly, to operate and maintain their homes and buildings, and 72% of this energy is from fossil fuels. He said Commissioner Marcoplos has realized that the County needs to reduce the usage of fossil fuels. He said the County can decarbonize electricity generation, increase energy efficiency of residents and businesses, and can promote electrification of buildings and houses that use natural gas. He said he would like to see Duke Energy commit to be carbon free by mid-century, as many other energy providers around the country are doing so. He said utility-scale solar and wind energy are less expensive and more efficient than installing solar panels on individual homes. He said he supports Commissioner Marcoplos' proposal.

Sally Robertson said she is the Solar Projects Coordinator for NC Warn, and is a homeowner in Carrboro. She praised the BOCC for being willing to take action on climate change, and wished the federal government and energy providers would do the same. She said clean energy creates jobs, reduces energy bills, and is better for our health.

Lauren Nyland said she lives in Carrboro, and thanked the BOCC for being proactive. She said energy efficiency has decreased her energy bills at her own house. She read the following letter from Kathy Kaufman, who could not attend this evening's meeting:

Dear Commissioners,

I write to strongly support Commissioner Marcoplos' proposal for a 1/4-cent tax increase to fund county efforts to combat climate change. I will be out of town and unable to make these comments in person, so am writing you all today.

Many of the proposals identified by the county sustainability director will save Orange County money going forward, while at the same time help to reduce the County's carbon footprint in line with its commitment under the Global Covenant of Mayors. This is smart policy and simply requires a small upfront investment.

In addition, in order for the entire state of NC to take climate change seriously and reduce statewide carbon emissions, we need to push Duke Energy away from its planned massive investments in natural gas infrastructure and toward the energy of the 21st century being pursued by utilities around the country.

Renewable energy has now crossed the threshold of being less expensive for ratepayers; but fossil fuel infrastructure creates greater profits for Duke Energy, at the expense of ratepayers, under its antiquated 20th century business plan.

One important way to push Duke Energy to change its fossil fuel plans is to reduce our countywide carbon footprint and render them unable to argue that energy use is likely to rise and require new centralized fossil fuel baseload dinosaurs.

The proliferation of energy efficiency measures, solar, and storage in Orange County will do just that.

Thank you for your time.
-Kathy Kaufman

Donell Kerns said many of her comments have already been made, and she supports Commissioner Marcoplos' proposal and wishes the increase would be more significant. She shared a quote from Greta Thernburg, a teen climate activist: "we need to focus every inch of our being on climate change, because if we fail to do so then all our achievements and progress have been for nothing, and all that will remain of our political leaders' legacy will be the greatest failure in human history."

Tom Farkas thanked Commissioner Marcoplos for this initiative. He emphasized if national leadership is in denial about climate change, then state and local governments need to step up. He said these projects are investments in their community. He said this proposal is a win-win, and the tax increase should be more.

Jean Hamilton said she is here to talk about the proposed amendment to reduce the Chapel Hill Carrboro City Schools (CHCCS) district tax, and she wants to keep it as is. She said this has been brought up before years ago. She said the BOCC does not provide resources by limiting funding, and this is an issue of funding both school districts instead of just reducing this tax.

Mark Smith said he lauds Commissioner Marcoplos' proposal, and he held up two examples of electric car technology. He said this technology is largely out of reach for many, because there are no more tax incentives or pilot projects in place. He said he hopes some of this funding can go to spur on more creative solutions in the future.

Suzy Lawrence said she supports Commissioner Marcoplos' proposal. She said she is part of Seniors and Law Enforcement Together (SALT), and has visited many rural households and this tax would help them weatherize their homes. She said she just returned from Haiti, where they took solar panels and light kits. She said this community is eager for solar energy. She said Orange County needs solar energy on County buildings, and that which is done in the United States has impact on the entire world.

Mary Parry said she has been an organizer in Orange County for many years, and climate change has been one of her hardest challenges. She is supportive of Commissioner Marcoplos' proposal of a tax increase. She said Orange County needs to lead, and this can be a teaching moment.

Joal Broun, CHCCS Board Chair, said she is speaking on behalf of her Board, and it has determined it is bad short-term policy to not fund the district at least at the continuation level. She said the district is trying to meet the needs of all of its students, and investing in education is an investment in their future. She said both school districts are the 2nd and 3rd largest employers in the community, and people move to this community because of the schools. She said CHCCS has worked hard to put sustainability programs in place to reduce its carbon footprint. She said CHCCS would prefer to receive full funding, but if the BOCC cannot maintain the current level of funds, the CHCCS ask that the County find ways to support students and families with resources for mental health needs, summer programming, and safety. She said without the continuation budget, some positions will have to be frozen, as the district plans to emphasize maintaining teachers in the classroom.

Edward Mann said he is here on behalf of his aunt and mother, who both own property near for the Mountains to Sea trail (MST). He said he would like to speak about

the possible purchase of 13 acres from Eric Knight at the corner of Highway 54 and Mebane Oaks Road for the potential for a MST hub. He said in August 2016, OWASA approved conditions for the land use for routing of the trail on its property. He said there were a few provisions in the agreement that will prohibit the trail from going across property that adjoins the property being pursued for purchase. He said the first provision from OWASA is that the trail shall be 50 feet from full pull reservoir, which is based on the Jordan Lake Watershed rules. He said there are areas of this property where OWASA only owns 25 feet. He said the second provision is that the trail be 50 feet from neighboring property owners. He said if this cannot be achieved, the County is to work with the property owner to create an agreement. He said no one has contacted his mother or aunt to discuss their neighboring properties, but his aunt and his mother have told him that they will not agree to any terms or conditions. He asked if the BOCC would reconsider, and not proceed with the purchase of this property, as it will not be able to serve the purpose for which it was purchased.

Paul Werner said he is opposed to Commissioner Marcoplos' proposal. He said he has lived in Hillsborough for 30 years, and he has seen his property taxes only go up. He said the Board should look at ways to reduce tax increases, and this is not an efficient use of their taxes.

John Lestina said he wanted to talk about pollution issues. He said his neighbors do not see this as being important, but it has been deemed critical by governments and researchers for many years. He said he is supportive of Commissioner Marcoplos' proposal.

Anna Richards said she wanted to talk about the budget process and transparency. She said she is concerned that all budget amendments made by the Board of County Commissioners should be available to the public up to two weeks in advance of the budget adoption.

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

Commissioner Dorosin petitioned that staff put amendments online as the Manager gets them.

Bonnie Hammersley said this information will be online tomorrow, and does not need to be listed as a petition.

Commissioner Dorosin said there is information in the news about the toxicity of Round Up pesticide, and he petitioned that if Orange County uses it, it should be banned. He said he would also like to get a copy of Carrboro's policy.

Commissioner Dorosin petitioned the Board to have a conversation in the fall about the process of possibly banning single-family zoning. He said a lot of jurisdictions around the country are banning or have banned single-family zoning. He said single-family zoning was devised to prevent African Americans from living in residential neighborhoods. He said he would like to talk about this in order to ban it, as this can have an impact on housing diversity, affordability, gentrification, etc.

Commissioner Dorosin said his amendment about the CHCCS district tax is being misrepresented, and it does not mean there will be a loss of school funding. He said the County funds the schools via a per pupil amount, which is the same across the County. He said CHCCS has a special district tax, which brings in $20 million, which leads to each student in CHCCS receiving an additional $2000 per pupil. He said his proposal is to reduce the inequity, and the CHCCS should come down 1 cent, and the countywide tax

would go up 1 cent. He said the County money is distributed by pupil allocation, with a 60/40 split between CHCCS and Orange County Schools (OCS). He said this would not lead to a loss of funding, but rather an increase.

Commissioner Marcoplos had no comments.

Commissioner Price said she attended the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) and the Capital Area MPO (CAMPO) joint quarterly meeting, and there is a regional effort to move forward together.

Commissioner Price said the Efland community met with planning staff, and that is moving forward.

Commissioner Price asked the County to reserve seats for particular ethnic/ racial groups on various boards and commissions. She said having these voices heard on certain boards is important.

Commissioner Price echoed what Commissioner Dorosin said about single-family housing.

Commissioner Price said the North Carolina Association of County Commissioners; Board of Directors (NCACC BOD) had a meeting this past weekend, and a committee was put together to look at the LMEMCOs.
She said this recommendation will be sent to Secretary Cohen, and if Orange County wants to change, a letter can be written to Secretary Cohen.

Commissioner Bedford said last week she did two one-hour webinars on tailored plans and phase 1, which Orange County begins on November 1, 2019. She said those receiving Medicaid services for mental health and/or substance use disorder should receive letters about their providers at the end of June or early July.

Commissioner Bedford requested for Chair Rich to resend the Board letter to Cohen with a highlight.

Commissioner Greene said she had no comments.

Commissioner McKee said he thought these budget amendments were available to the public until this past weekend, and he endorsed Commissioner Dorosin's petition. He said he realized this document is just the intent of the Board, but the lack of information intimates a lack of transparency, and anyone that has any comments on Commissioner Marcoplos' (or any other proposed amendment) will be unable to speak until the night of the budget adoption. He said it is rare to make adjustments to the budget on the final night.

Commissioner McKee said there is an amendment for a 13% increase to the Board of County Commissioners salaries, which would amount to a 40% cumulative increase in salaries since 2015-2016, with a 30% reduction in formal meetings.

Chair Rich said Carrboro is celebrating Pride Month this month.

Chair Rich met with the various Mayors and Managers about the Greene Tract, and there will be a joint community meeting in September. She said Mayor Hemminger said she would put this item to a vote on the Chapel Hill Town Council at the end of September.

Commissioner Dorosin asked if the specifics of that, on which Chapel Hill will be voting, are known.

Chair Rich said it would be on that which Carrboro and the County have already voted: reconfiguring the Greene tract.

Chair Rich said if there is something on the agenda that affects the towns, she has asked the clerk to send that item to the towns' clerks. She said she would like this practice to exist both ways.

Commissioner Price referred to the energy tax proposal, and asked if Bonnie Hammersley would find out more about weatherization program.

Bonnie Hammersley said yes.

Commissioner McKee requested that the Board of County Commissioners recuse him for item 4-c since one farm belongs to his family, and will sit out the entire process for that item.

A motion was made by Commissioner Price, seconded by Commissioner Marcoplos to accept this recusal.

John Roberts said this recusal should only be for the McKee Farm Voluntary Agricultural District (VAD).

VOTE: UNANIMOUS

4. Proclamations/ Resolutions/ Special Presentations

a. Proclamation Recognizing Albert Lindy Pendergrass

The Board considered voting to approve a proclamation recognizing the life and services of Albert "Lindy" Pendergrass for the people of Orange County and authorize the Chair to sign.

BACKGROUND: Lindy Pendergrass was a law enforcement leader and throughout his life worked tirelessly to keep the Orange County community safe. Lindy Pendergrass served 26 years in the Chapel Hill Police Department and 32 years as the elected Sheriff of Orange County. At the time of his retirement in 2014, Sheriff Pendergrass was the oldest and longest serving Sheriff in the State of North Carolina.

Chair Rich read the Proclamation:

ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION RECOGNIZING
ALBERT LINDY PENDERGRASS

WHEREAS, Albert "Lindy" Pendergrass was a law enforcement leader in Orange County and throughout his life worked tirelessly to protect and serve the people of Orange County; and

WHEREAS, Lindy Pendergrass was born and grew up in Orange County as the son of a police officer; and

WHEREAS, Mr. Pendergrass served in the United States Marine Corps for 4 years; and

WHEREAS, Lindy Pendergrass joined the Chapel Hill Police Department in 1956 and served for 26 years, working his way up the chain of command to the rank of Major; and

WHEREAS, Lindy Pendergrass was elected Sheriff of Orange County in 1982 and served in that capacity for 32 years until his retirement in 2014; and

WHEREAS, at the time of his retirement, Sheriff Pendergrass was 81 years old, making him the oldest and longest serving Sheriff in the State of North Carolina; and

WHEREAS, Lindy Pendergrass was recognized by the Governor of North Carolina with induction into The Order of the Long Leaf Pine in 2013; and

WHEREAS, Lindy Pendergrass served the people of Orange County in a law enforcement capacity for 58 years; and

WHEREAS, our entire community mourns the passing of Lindy Pendergrass on May 19, 2019 and expresses our sincere sympathy to his wife, Sue Copeland Pendergrass, and family and friends;

NOW, THEREFORE, we, the Orange County Board of Commissioners, on behalf of the residents of Orange County, express our deep appreciation, gratitude and respect for Lindy Pendergrass, who over his lifetime provided over a half a century in law enforcement, protecting the residents and visitors of Orange County.

This the 4th day of June 2019.

A motion was made by Commissioner McKee, seconded by Commissioner Price for the Board to approve and authorize the Chair to sign the proclamation.

VOTE: UNANIMOUS

b. Proclamation Recognizing Lee Pavao

The Board considered voting to approve a proclamation recognizing the life and services of Lee Pavao for the people of Orange County and authorize the Chair to sign.

BACKGROUND: From dedication to improving the lives of children and older adults, to leadership in advancing smart, sustainable economic development, and to being a champion for parks and recreational assets, Lee Pavao was a strong advocate for Orange County and North Carolina.

Lee Pavao served Orange County through multiple volunteer and leadership programs including the Orange County Task Force for Senior Needs in Southern Orange, the Chapel Hill Senior Center, the Robert and Pearl Seymour Center, the Chapel Hill Parks and Recreation Commission, the Public Library Board and Foundation, the Ronald McDonald House, the Orange County United Way, and the Orange County Visitors Bureau. Mr. Pavao also served on the Chapel Hill Town Council for two terms and as Chapel Hill Mayor Pro Tem from 2000-2001. Mr. Pavao was a long time Orange County volunteer and civic leader.

The Board of Commissioners joins with County residents in mourning the passing of Mr. Pavao at his home on May 13, 2019 surrounded by family.

Janice Tyler, Department on Aging Director, read the Proclamation:

ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION RECOGNIZING
LEE PAVAO

WHEREAS, through his tireless work in various sectors of the community, Lee Pavao served Orange County on multiple community and leadership programs; and

WHEREAS, a graduate of the University of Massachusetts Dartmouth, Lee joined J. Walter Thompson Company in New York and was assigned to the Miami office before being called to serve with the US Army at Fort Benning from 1956-1958; and

WHEREAS, Lee and his wife Joan retired to Chapel Hill, NC in 1988, and while Joan passed away in 1990, Lee used his years of award winning advertising and business skills to dedicate countless hours to the Orange County Department on Aging, including the Orange County Task Force for Senior Needs in Southern Orange, the Chapel Hill Senior Center and the Robert and Pearl Seymour Center; and

WHEREAS, Mr. Pavao also served the community through his work with the Chapel Hill Parks and Recreation Commission, the Public Library Board and Foundation, the Ronald McDonald House, the Orange County United Way, and the Orange County Visitors Bureau; and

WHEREAS, Lee was elected to the Chapel Hill Town Council for two terms, serving as Chapel Hill Mayor Pro Tem from 2000-2001; and

WHEREAS, Lee was an active Board Member of the Orange County Visitors Bureau for many years, growing Orange County jobs and the economy through tourism; and

WHEREAS, Lee had great passion for his work with older adults to bring a modern one-stop-shop senior center to Chapel Hill, which culminated in 2007 with the opening of the Robert and Pearl Seymour Center; and

WHEREAS, in 2012, Mr. Pavao received the Order of the Long Leaf Pine award for his 30 years of volunteer service in Orange County; and

WHEREAS, Lee Pavao, a long time Orange County volunteer and civic leader, died at his home on May 13, 2019 surrounded by family; and

WHEREAS, Lee's sense of humor, generosity, and compassion for others will be greatly missed;

NOW, THEREFORE, we, the Orange County Board of Commissioners, on behalf of the residents of Orange County, express our deep appreciation, gratitude and respect for the services rendered by Lee Pavao to the County and beyond over the course of his lifetime.

This the 4th day of June 2019.

A motion was made by Commissioner Price seconded, by Commissioner Bedford for the Board to approve and authorize the Chair to sign the proclamation.

VOTE: UNANIMOUS

His daughter thanked the Board of County Commissioners for recognizing her father being a force a nature, and he had such a kindness and no malice in this man. She thanked them for giving him the conduit for doing his work. He did not judge and on behalf of her family, they have such gratitude to the Board for giving him this second life after his wife died.

8-f Tax Refund Request– John C. Guibert III (MOVED UP)

The Board will consider a resolution denying a refund request submitted by John C. Guibert III.

John Guibert said he and his wife are here for a property tax refund. He said he received a call from staff today that they would be recommending a denial of this request. He said this was a surprise because they had thought it was going to be approved. He asked if it fair or legal to tax people for property they do not own. He said the property they do not own belongs to Lake Orange, Inc. He said Lake Orange, Inc. has been charged with that tax since the 1976, and he and his wife have been charged since they moved there in 2002, which is double taxation. He said he and his wife discovered this issue last year, and County staff has been aware of this situation for a long time. He said staff told him to conduct and file a new survey, which he did. He said staff accepted the survey, and he is requesting a refund of taxes for the past 5 years, which is the longest amount possible, per the statute of limitations.

Dwane Brinson, Tax Administrator, said the deed on this property conveys the area between 615 and 620, and the issue all along has been that staff cannot determine where the 615 and 620 line is. He said Lake Orange is taxed on 43-50 acres between the 615 and 620 lines, but staff has never known where these lines are. He said to correct the issue, property owners are being asked to get a new survey to prove the boundaries of the land. He said the Guiberts have had a survey completed, and once the public record is corrected, the files can be updated. He said the Guibert's property was updated in February 2019, and property tax is as of January 1, 2019. He said the issue is corrected, but staff cannot support going back 5 years retroactively to pay these refunds.

John Roberts said the land records do not demonstrate clear ownership, and create a lapage issue (overlapping and conflicting ownership claims). He said this could be clarified through a quiet title action, possibly through some extensive title work between the landowners around Lake Orange and Lake Orange, Inc. He said he has been unable to justify retroactive repayment of taxes pursuant to statute.

Judith Guibert said it is important to remember that Lake Orange has been paying taxes on this property also, which is double taxation.

Commissioner Marcoplos asked if there have been similar issues with other property owners in the same area.

Dwane Brinson said yes, several families have provided updated surveys, and staff has updated the records moving forward; but none going back retroactively.

John Roberts said the Guiberts did provide a survey, and it showed a new property line for them, but only shows an access easement on the other side, as opposed to a different landowner.

John Guibert said a detailed survey was filed in February 2019, which was accepted by County staff. He said staff had an opportunity to resolve this back in the 1980s, but did not. He said what he has submitted is accurate and he is seeking a refund from 2014.

John Roberts said it does show a new line, but it shows an easement instead of ownership.

Commissioner Dorosin asked if, going forward, these folks will not get taxed on this property.

Dwane Brinson said that is correct.

Commissioner Dorosin asked if the Guiberts use the land, maintain it, etc.

John Guibert said egress and ingress, and pays a recreational fee to Lake Orange, Inc. to get to the lake, and Lake Orange, Inc. retained ownership of the strip of land between his property and the lake. He said he knew he did not own the land, but he did not know he was being taxed on it.

Commissioner Dorosin asked Dwane Brinson if both parties have paid taxes on this land.

Dwane Brinson said staff has been unable to determine this, and has never known the location of the 615/620 line around the Lake. He said Lake Orange, Inc. has been taxed

on a set number of acreage, per the deed, and owns between 615 and 620, but there is nothing on record contradicting the 1973 survey of the original subdivision.

Commissioner Price asked if the statute of limitations could be explained.

Dwane Brinson said one can request a refund up to 5 years, if there was a clerical error or an illegal tax.

Commissioner Price asked if the statute is applicable in this case.

Dwane Brinson said the County has been taxing the property based on what is on public record, which has now been corrected, and the County can correct its records moving forward.

Commissioner Price asked if there is a process to tax the land.

Dwane Brinson said the Guiberts' tax value has been reduced, due to new survey, and staff has adjusted the value accordingly.

A motion was made by Commissioner Greene, seconded by Commissioner Marcoplos to delay the discussion on the refund request submitted by John C. Guibert III until the Board can receive additional information from the Tax staff.

Commissioner Dorosin said he is unsure what information can be provided, and staff needs to develop a plan to deal with this issue holistically once and for all, and the motion should have some instruction within it.

Chair Rich said if the Board reverses this recommendation, there is likely to be other residents in the area who will make the same request.

Commissioner Dorosin said he would be in favor of awarding the refund, and he realized there may be others out there like the Guiberts, but if there is a double taxation, the County has received unjust enrichment.

Commissioner Greene said she would withdraw the motion, and would welcome other property owners, in the same situation, to come forward as well.

Commissioner Dorosin said there still needs to be a plan to resolve this.

Chair Rich said is it not clear to her that the land it was doubly taxed.

Commissioner Greene said she made the motion because there is much that is not clear.

Commissioner McKee said the motion is valid, and he wants to know about other landowners so the County can resolve the issue all at once, as opposed to piecemeal.

Commissioner Greene said her motion is to postpone the vote, in order to learn more information about the issue.

Commissioner Marcoplos agreed to this friendly amendment.

John Roberts said if there is a double taxation issue, the Guilberts would be entitled to the five years back payment.

John Roberts said awarding funds, without full details, puts the Board at risk of personal liability to any taxpayer in the County who wants to challenge this. He said he does not see this as a high risk, but it is a risk nonetheless. He would recommend pausing the issue, determining if double taxation has occurred, and award the refund if so.

Commissioner Greene said this does not change the motion, and she agrees.

Commissioner McKee clarified that the motion is to not award anything at this time, but come back to this after staff reviews the process.

Chair Rich said yes.

Commissioner McKee said he agrees.

VOTE: UNANIMOUS

c. <u>Voluntary and Enhanced Agricultural District Designation: Multiple Farms</u>

The Board considered applications from six (6) landowners/farms to certify qualifying farmland within the Caldwell, Cedar Grove, High Rock/Efland, and Cane Creek/Buckhorn Voluntary Agricultural Districts; and vote to enroll the lands in the Orange County Farmland Preservation Voluntary and Enhanced Voluntary Agricultural District programs.

Gail Hughes, Soil Conservationist, and Commissioner McKee will recuse themselves when talking about the McKee Farm.

BACKGROUND: Orange County's Voluntary Farmland Preservation Program started in 1992. There are 109 farms in both the Voluntary Agricultural District (VAD) and the Enhanced Voluntary Agricultural District (EVAD) program totaling 14,303* acres as of December 2018.

The County's Voluntary Farmland Protection Ordinance (VFPO) outlines a procedure for the Agricultural Preservation Board to review and approve applications for qualifying farmland, and to make recommendations to the Board of Commissioners concerning the establishment and modification of agricultural districts. Section VII of the VFPO contains the requirements for inclusion in a voluntary agricultural district. To be certified as qualifying farmland, a farm must:

a) Be located in the unincorporated area of Orange County;
b) Be engaged in Agriculture as that word is defined in NC GS 106-581.1
c) Be certified by the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture as being a farm on which at least two-thirds of the land is composed of soils that are best suited for providing food, seed, fiber, forage, timber, forestry products, horticultural crops and oil seed crops;
d) Be managed in accordance with the Natural Resources Conservation Service and NC Soil and Water Conservation Service defined erosion-control practices that are addressed to said highly-erodible land; and have a current conservation farm plan and/or forestry management plan associated with the current usages and owner;
e) Be the subject of a non-binding conservation agreement, as defined in N.C.G.S. §121-35, between the County and the owner that prohibits non-farm use or development of such land for a period of at least ten years, except for the creation of not more than three lots that meet applicable County zoning and subdivision regulations.

The Orange County Agricultural Preservation Board reviewed the findings of the staff assessments for the attached applications for the Orange County Voluntary Agricultural District program at the March and May 2019 meetings. All farm applications were reviewed and verified to have met or exceeded the minimum criteria for certification into the program.

The Agricultural Preservation Board voted unanimously to recommend approval of the certification for six (6) farms and their inclusion in the Voluntary and/or the Enhanced Voluntary Agricultural District program. The certification documentation is on file in the DEAPR/Soil and Water Conservation District office. The farms are described briefly below:

Brief Farm Descriptions:

1) Owners, Lynn and Teresa Holloway, and Alene Holloway, have submitted an application to enroll three (3) parcels of land totaling 122.05 acres as qualifying farmland for the Voluntary Agricultural District program (VAD) in the Cedar Grove Agricultural District. The farm operation includes tobacco, small grains, and managed woodland. The farm has been evaluated against each of the VAD certification requirement standards and meets or exceeds all of the measures above.
2) Owners, Howard and Karen McAdams (McAdams Farm), have submitted an application to enroll one (1) of parcel of land totaling 22.68 acres as qualifying farmland for the

Voluntary Agricultural District (VAD) program in the High Rock/Efland Agricultural District. The farm operation includes livestock, pasture, and managed woodland. This acreage will be an addition to the existing farmland in the VAD program. The farm has been evaluated against each of the VAD certification requirement standards and meets or exceeds all of the measures above.

3) Owners, Claude Hughes and Linda Sakiewicz, have submitted an application to enroll one (1) parcel of land totaling of 2.56 acres as qualifying farmland for the Voluntary Agricultural District (VAD) program located in the Cane Creek/Buckhorn Agricultural District. The farm includes livestock and pasture, and will be an additional acreage to their existing farmland in the VAD program. The farm has been evaluated against each of the VAD certification requirement standards and meets or exceeds all of the measures above.
4) Owners, Susan Snipes Nichols and Karen Snipes Sexton, have submitted an application to enroll two (2) parcels of land totaling 268.33 acres as qualifying farmland for the Voluntary Agricultural District (VAD) program in the Cane Creek/Buckhorn Agricultural District. The farm operation includes corn, soybeans, small grains, hay crops, and managed woodland. The farm has been evaluated against each of the VAD certification requirement standards and meets or exceeds all of the measures above.
5) Owners, Virginia McKee and Heirs, have submitted an application to enroll one (1) parcel of land totaling of 162.28 acres as qualifying farmland for the Voluntary Agricultural District (VAD) program located in the Caldwell Agricultural District. The farm includes livestock, pasture, hay crops, soybeans, small grains, and managed woodland. The farm has been evaluated against each of the VAD certification requirement standards and meets or exceeds all of the measures above.
6) Owner, Mark Miller, has submitted an application to enroll five (5) parcels of land totaling 177.74 acres as qualifying farmland for the Voluntary Agricultural District (VAD) program in the Caldwell Agricultural District. The farm operation includes livestock, pasture, hay crops, and managed woodland. The farm property has been evaluated against each of the VAD certification requirement standards and meets or exceeds all of the measures above.

Gail Hughes made the following PowerPoint presentation:

Orange County Voluntary
Farmland Preservation Program
Voluntary and Enhanced Voluntary
Agricultural District Program
Orange County Board of Commissions Meeting
June 4, 2019

Orange County VAD/EVAD Program
Benefits of Agricultural Districts

- **Voluntary Agricultural District (VAD)** is a 10 year commitment for farm to be in active farm production, but the landowner can withdraw from the VAD at any time, for any reason, with a 30 day notification to the Agri. Preservation Board.
- **Enhanced Voluntary Agricultural District (EVAD)** is an irrevocable 10 year commitment to be in active farm production, therefore the “enhanced” qualifies farm for up to 90% cost share rates and a priority for state and federal grants funds.

Benefits include: (listing a few)

- Makes public more aware of the local agricultural and its vital role in the economics of the county;
- Recorded notice of agricultural district property is recorded at County Land Records office;
- Land search on all properties within a ½ mile radius has notification of the agricultural status; therefore, the agricultural landowner has increased protection from nuisance lawsuits.
- Agricultural Preservation Board can request public hearings for proposed condemnation of VAD land and utility assessments may be suspended or waived on EVAD land if not connected to the utility.
- Farm may receive up to 25% of gross sales from the sale of non-farm products and still maintain its zoning exemption as a bona fide farm. (EVAD only)
- VAD District signs are placed on farms, for public to know location of VAD/EVAD farms

Lynn and Teresa Holloway; Alene Holloway

- VAD – 122.05 acres – Cedar Grove Agricultural District – 3 parcels of land
- Tobacco, grain crops, and managed woodland

Howard and Karen McAdams; McAdams Farm

- VAD – 22.68 acres - High Rock/Efland Agricultural District – 1 parcel of land
- Hay crops, and managed woodland.
- Additional Acres to the existing farmland in the VAD program
- Included in the Century Farm program (100 years in the same family ownership)

Claude Hughes and Linda Sakiewicz; Bracken Brae Farm

- VAD – 2.56 acres – Cane Creek/Buckhorn Agricultural District - 1 parcel of land
- Livestock and pasture land
- Additional acres to their existing VAD farmland in the program (105.9 acs)

Susan Snipes Nichols and Karen Snipes Sexton

- VAD – 268.33 acres – Cane Creek/Buckhorn Agricultural District – 2 parcels of land
- Corn, soybeans, small grains, hay crops, and managed woodland
- Most commonly known as Anilorac Farm Dairy on Dairyland Rd.
- Included in the Century Farm Program (100+ years in same family ownership)

Mark Miller

- VAD – 177.74 acres – Caldwell Agricultural District -5 parcels of land
- Beef, pasture, hay crops, and managed woodland

A motion was made by Commissioner Dorosin, seconded by Commissioner Price to approve and authorize the Chair to certify the six (5) farm properties (which will total 756 acres with the McKee farm; designate them as a Voluntary Agricultural District farm within the Caldwell, Cedar Grove, High Rock/Efland, and Cane Creek/Buckhorn Voluntary Agricultural Districts; and enroll the lands in the Orange County Farmland Preservation Program; Voluntary and Enhanced Voluntary Agricultural District (VAD and EVAD) programs (on the first 5 farms).

VOTE: UNANIMOUS

Virginia McKee and Heirs (David Stancil, Department of Environment, Agriculture, Parks and Recreation Director (DEAPR), presented this item)

- VAD - 162.28 acres – Caldwell Agricultural District – 1 parcel of land
- Beef cattle, pasture, hay crops, corn, soybeans, small grains, and managed woodland
- Made application for the Century Farm Program (100+ years in same family ownership)

Orange County Voluntary and Enhanced Voluntary Agricultural Program

- The Agricultural Preservation Board has approved all of the farms as presented.
- Requesting approval from Commissioners to accept six (6) farms into the VAD program.
- 756 acres* in the Voluntary Agricultural District program

* = rounded acres

A motion was made by Commissioner Greene, seconded by Commissioner Price for the Board to approve this VAD for the McKee Farm.

VOTE: 6-0 (with Commissioner McKee's recusal)

THE NEXT THREE ITEMS WERE ALL DONE AS ONE WITH ONE MOTION AT THE END – D, E, F

d. Resolution of Approval – Conservation Easement on Cedar Grove Windy Hill Farm and Approval of Budget Amendment #10-A

The Board considered voting on a resolution to approve the purchase of and acceptance by Orange County of an agricultural conservation easement for Cedar Grove Windy Hill Farm, and approve Budget Amendment #10-A and authorize the Chair to sign.

BACKGROUND: The acquisition of conservation easements to protect highly important natural and cultural resource lands in Orange County is a longstanding goal of the Board of Commissioners, and is a priority of the Lands Legacy program. Since 2001, the County has partnered with landowners and other entities to protect 2,647 acres of significant natural areas and prime farmland with permanent conservation easements, leveraging over $3 million in outside funding and grants toward these easements.

Over the past several years, DEAPR has worked with Geoffrey (deceased) and Jane Gledhill and the Eno River Association on a project to conserve the approximately 39-acre Cedar Grove Windy Hill Farm located on Carr Store Road in Cedar Grove Township. The farm property is located in the Upper Eno Protected Watershed, a priority watershed for acquiring agricultural easements in a dual effort to protect prime farmland and drinking water quality. The farm has over 500 feet of riparian buffer of a tributary of the East Fork Eno River and Lake Orange, which supplies drinking water to the Town of Hillsborough.

Ms. Gledhill intends to grant a permanent conservation easement that will restrict future development to protect prime farmland and streams, as well as scenic views of the farmland from Carr Store Road. All non-agricultural development rights will be extinguished through the conservation easement. Future farm activities will be in accordance with a Conservation Plan prepared for this farm by the Orange Soil & Water Conservation District.

The planned agricultural conservation easement would be held jointly by Orange County and the Eno River Association. The easement would complement the technical assistance from the Orange Soil and Water Conservation District and protect a farm located just 1/3 mile from Cedar Grove Rural Crossroads Historic District (listed on the National Register of Historic Places).

David Stancil made the following PowerPoint presentation for all three items (4-d, e, f)

Windy Hill Farm (Gledhill)
Spring Crest Farm (Woods)
Holden-Roberts Farm (Anderson)
June 4, 2019

Windy Hill Farm Conservation Easement

Carr Store Road

Photos of land

Funding Partners:

$ 65,700 (44%)	Orange County (Lands Legacy)
$ 15,000 (10%)	Eno River Association
$ 39,655 (26%)	NC ADFP Trust Fund Grant
$ 29,400 (20%)	Landowner donation (Gledhill family)
$149,755 (100%)	Total Easement

Commissioner Bedford read the resolution: (after the motion after Item 4-f)

ORANGE COUNTY BOARD OF COMMISSIONERS RESOLUTION
Approval of Conservation Easement
between
Orange County and the Eno River Association
and
Jane Gledhill

WHEREAS, Orange County has adopted goals that promote the preservation of natural areas, wildlife habitat, prime farmland, and open space in the County; and

WHEREAS, Orange County established the Lands Legacy Program for the purpose of protecting the most significant natural and cultural resources through partnerships with landowners and other conservation entities; and

WHEREAS, one component of the Lands Legacy Program is the acquisition of conservation easements on prime farmland within water supply watersheds; and

WHEREAS, the Cedar Grove Windy Hill Farm property includes approximately 39 acres in the Upper Eno protected watershed, consisting of a majority of prime agricultural soils, and includes 500 linear feet of stream buffer to a tributary that drains to Lake Orange – a drinking water supply reservoir for the Town of Hillsborough; and

WHEREAS, Jane Gledhill, the owner of the Cedar Grove Windy Hill Farm property, wishes to grant a permanent conservation easement to Orange County and the Eno River Association, which will protect the prime farmland and riparian corridors that exist on the property; and

WHEREAS, a conservation easement on this approximately 39 acres would ensure the preservation of this farmland and stream buffers for future generations and help compensate the owner for this long-term commitment;

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Commissioners does hereby 1) accept on behalf of Orange County the conservation easement for land owned by Jane Gledhill; 2) approve the execution of this conservation easement agreement with Jane Gledhill, in accordance with the terms of the proposed easement agreement, subject to final review by staff and the County Attorney; 3) authorize the Chair and the Clerk to sign the easement agreement on behalf of the Board, with a closing to occur on or about September 30, 2019; and 4) authorize County staff to sign any and all closing documents upon consultation with the County Attorney.

BE IT FURTHER RESOLVED that the Board thanks Jane Gledhill for the civic-minded granting of this conservation easement through the Lands Legacy Program.

This the 4th day of June, 2019

Jane Gledhill accepted this resolution, and thanked the BOCC.

VOTE: UNANIMOUS

e. Resolution of Approval – Conservation Easement on Spring Crest Farm and Approval of Budget Amendment #10-B

The Board considered voting on a resolution to approve the purchase of and acceptance by Orange County of an agricultural conservation easement for Spring Crest Farm, and approve Budget Amendment #10-B and authorize the Chair to sign.

BACKGROUND: The acquisition of conservation easements to protect highly important natural and cultural resource lands in Orange County is a longstanding goal of the Board of Commissioners, and is a priority of the Lands Legacy program. Since 2001, the County has partnered with landowners and other entities to protect 2,647 acres of significant natural areas and prime farmland with permanent conservation easements, leveraging over $3 million in outside funding and grants toward these easements.

Over the past year, DEAPR has worked with Kimberly Woods on a project to conserve approximately 70 acres of Spring Crest Farm located on Pearson Road in Cedar Grove Township.

The farm property is located in the Little River Protected Watershed, a priority watershed for acquiring agricultural easements in a dual effort to protect prime farmland and drinking water quality. The farm has over 2,000 feet of stream frontage on a tributary of the South Fork Little River, which supplies drinking water for the City of Durham.

Mrs. Woods intend to grant a permanent conservation easement that will restrict future development to protect prime farmland and streams, as well as scenic views of the farmland from Pearson Road. All non-agricultural development rights will be extinguished through the conservation easement. Future farm activities will be in accordance with a Conservation Plan prepared for this farm by the Orange Soil & Water Conservation District.

The planned agricultural conservation easement would be held by Orange County. The easement would enhance the protection of this **Century Farm**. The easement would expand and complement assistance from the Orange Soil and Water Conservation District that will restore vegetative stream buffers, fence cattle from the stream, and provide an alternative source of water with separate funding from the NC Conservation Reserve Enhancement Program (CREP). CREP will require a permanent riparian buffer easement held by the State of North Carolina which totals approximately 1.5 acres for the 70-acre property.

David Stancil made the following PowerPoint presentation:

Spring Crest Farm

Photos of land

Funding Partners:

$ 131,000 (51%)	Orange County (Lands Legacy)
$ 64,000 (25%)	NC ADFP Trust Fund Grant
$ 61,000 (24%)	Landowner donation (Woods family)
$ 256,000 (100%)	Total Easement

Commissioner Greene asked if the CREP could be explained.

David Stancil said this is a program that is offered through the USDA Natural Resource Conservation Service, as well as the State. He said this program is available to farmers and rural landowners to help fund things like exclusion fencing to keep livestock out streams, etc. He said it is a separate program that is able to work in conjunction with the County's easement program.

ORANGE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
Approval of Conservation Easement
between
Orange County
and
Kimberly Woods

WHEREAS, Orange County has adopted goals that promote the preservation of natural areas, wildlife habitat, prime farmland, and open space in the county; and

WHEREAS, Orange County established the Lands Legacy Program for the purpose of protecting the most significant natural and cultural resources through partnerships with landowners and other conservation entities; and

WHEREAS, one component of the Lands Legacy Program is the acquisition of conservation easements on prime farmland within water supply watersheds; and

WHEREAS, the Spring Crest Farm property includes approximately 70 acres in the Little River protected watershed, consisting of a majority of prime agricultural soils, and includes 2,000 linear feet of tributaries that drain to the Little River Reservoir – a drinking water supply reservoir for the City of Durham; and

WHEREAS, Kimberly Woods, the owner of the Spring Crest Farm property, wishes to grant a permanent conservation easement to Orange County, which will protect the prime farmland and riparian corridors that exist on the property; and

WHEREAS, a conservation easement on this approximately 70 acres would ensure the preservation of this farmland and stream buffers for future generations and help compensate the owner for this long-term commitment;

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Commissioners does hereby 1) accept on behalf of Orange County the conservation easement for land owned by Kimberly Woods; 2) approve the execution of this conservation easement agreement with Kimberly Woods, in accordance with the terms of the proposed easement agreement, subject to final review by staff and the County Attorney; 3) authorize the Chair and the Clerk to sign the easement agreement on behalf of the Board, with a closing to occur on or about September 30, 2019; and 4) authorize County staff to sign any and all closing documents upon consultation with the County Attorney.

BE IT FURTHER RESOLVED that the Board thanks Kimberly Woods for her civic-minded granting of this conservation easement through the Lands Legacy Program.

This the 4th day of June, 2019.

f. Resolution of Approval – Conservation Easement on Holden-Roberts Farm and Approval of Budget Amendment #10-C

The Board considered voting on a resolution to approve the purchase of and acceptance by Orange County of an agricultural conservation easement for Holden-Roberts Farm, and approve Budget Amendment #10-C and authorize the Chair to sign.

BACKGROUND: The acquisition of conservation easements to protect highly important natural and cultural resource lands in Orange County is a longstanding goal of the Board of Commissioners, and is a priority of the Lands Legacy program. Since 2001, the County has partnered with landowners and other entities to protect 2,647 acres of significant natural areas and prime farmland with permanent conservation easements, leveraging over $3 million in outside funding and grants toward these easements.

Over the past several years, DEAPR has worked with Nels and Nancy Anderson on a project to conserve approximately 57 acres of Holden-Roberts Farm located on St. Mary's Road in Eno Township.

The farm property is located in the Lower Eno Protected Watershed, a priority watershed for acquiring agricultural easements in a dual effort to protect prime farmland and drinking water quality. The farm has over 2,500 feet of stream frontage on tributaries to Buckwater Creek, a major tributary of the Eno River, which supply drinking water for the City of Raleigh. The Andersons intend to grant a permanent conservation easement that will restrict future development to protect prime farmland and streams, as well as scenic views of the farmland from St. Mary's Road. All non-agricultural development rights will be extinguished through the conservation easement. Future farm activities will be in accordance with a Conservation Plan prepared for this farm by the Orange Soil & Water Conservation District.

The planned agricultural conservation easement would be held jointly by Orange County and the Eno River Association. The easement would enhance the protection of this historic farm, which is listed on the **National Register of Historic Places**. It would also complement the technical assistance from the Orange Soil and Water Conservation District and will also protect stream buffers.

David Stancil made the following PowerPoint presentation:

Holden-Roberts Farm Easement

Funding Partners:

$	85,000 (27%)	Orange County (Lands Legacy)
$	84,460 (27%)	NC ADFP Trust Fund Grant
$	71,698 (23%)	City of Raleigh (Upper Neuse initiative)
$	69,750 (23%)	Landowner donation (Anderson family)
$	310,908 (100%)	Total Easement

ORANGE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
Approval of Conservation Easement
between
Orange County and the Eno River Association
and
Nels and Nancy Anderson

WHEREAS, Orange County has adopted goals that promote the preservation of natural areas, wildlife habitat, prime farmland, and open space in the county; and

WHEREAS, Orange County established the Lands Legacy Program for the purpose of protecting the most significant natural and cultural resources through partnerships with landowners and other conservation entities; and

WHEREAS, one component of the Lands Legacy Program is the acquisition of conservation easements on prime farmland within water supply watersheds; and

WHEREAS, the Holden-Roberts Farm property includes approximately 57 acres in the Lower Eno protected watershed, consisting of a majority of prime agricultural soils, and includes 2,500 linear feet of tributaries that drain to Falls Lake – a drinking water supply reservoir for the City of Raleigh; and

WHEREAS, Nels and Nancy Anderson, the owners of the Holden-Roberts Farm property, wish to grant a permanent conservation easement to Orange County and the Eno River Association, which will protect the prime farmland and riparian corridors that exist on the property; and

WHEREAS, a conservation easement on this approximately 57 acres would ensure the preservation of this farmland and stream buffers for future generations and help compensate the owner for this long-term commitment;

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Commissioners does hereby 1) accept on behalf of Orange County the conservation easement for land owned by Nels and Nancy Anderson; 2) approve the execution of this conservation easement agreement with Nels and Nancy Anderson, in accordance with the terms of the proposed easement agreement, subject to final review by staff and the County Attorney; 3) authorize the Chair and the Clerk to sign the easement agreement on behalf of the Board, with a closing to occur on or about September 30, 2019; and 4) authorize County staff to sign any and all closing documents upon consultation with the County Attorney.

BE IT FURTHER RESOLVED that the Board thanks Nels and Nancy Anderson for their civic-minded granting of this conservation easement through the Lands Legacy Program.

This the 4th day of June, 2019.

Commissioner Marcoplos asked if staff is sending a thank you letter to Raleigh for its assistance in funding this easement.

David Stancil said staff has done so in the past, and can do so again after the closing, etc.

Commissioner Greene said she will mention gratitude at the next UNRBA, as she is the BOCC representative. She said there is ongoing discussion about being able to claim that preservation of land does help with the health of the lake, as it is better to not put pollutants in the lake in the first place, as opposed to taking them out after the fact.

A motion was made by Commissioner Bedford, seconded by Commissioner Marcoplos for the Board to adopt and authorize the Chair to sign the all three resolutions (for win) approving the acceptance by Orange County of the conservation easements, and authorize the Chair and the Clerk to sign the conservation easement agreements, subject to final review by staff and County Attorney, with a closing and recordation of the documents expected to occur on or about September 30, 2019, and approve Budget Amendment #10-A, #10-B and #10-C.

VOTE: UNANIMOUS

g. <u>Resolution Endorsing HR 1384 – Improved Medicare for All</u>

The Board considered voting to approve a Resolution Endorsing HR 1384 - Improved Medicare for All and authorize the Chair to sign.

BACKGROUND: Based on a petition submitted at the Board's May 21, 2019 meeting, the attached resolution is proposed for Board consideration.

PUBLIC COMMENT:

Nina Schlosky said she is here on behalf of the local community organization Healthcare for All Y'all, whose goal is to provide information on how to solve current healthcare problems. She said as a country, the United States pays twice as much for healthcare, and many people do not even have healthcare. She said over 100 congressmen endorse this bill, and they are trying to gather local support for this bill. She said single payer is the best resolution to this problem.

Commissioner Price read the resolution:

ORANGE COUNTY BOARD OF COMMISSIONERS
RESOLUTION ENDORSING HR 1384 - IMPROVED MEDICARE FOR ALL

WHEREAS, studies show that universal healthcare will not be achievable without serious downward pressure on out-of-control healthcare costs in the US; and

WHEREAS, the US has the highest costs in the world, spending on average double per capita what most other countries spend per capita, even as 12.5% of adults had no health insurance at all in the first half of 2018, which is worse than 2013 and is expected to rise as premiums increase without checks; and

WHEREAS, according to the CDC, only 8.5 million people got plans from healthcare.gov for 2019; and

WHEREAS, out-of-pocket costs for individuals with insurance is forcing them to delay care at extraordinary rates, noting that more than half of 18-44 year olds did not get care in the 12 months preceding February 2018; and

WHEREAS, 45% of adults age 19-64 are now **underinsured**, many of whom are on employer-based private insurance plans; and

WHEREAS, the cost of health insurance continues to rise while workers' wages and benefits continue to stagnate and fall; and

WHEREAS, nearly 60% of for-profit insurance revenue of Cigna, Anthem, Humana, Aetna, and United Healthcare is now coming from Medicare and Medicaid; and

WHEREAS, public dollars are used to subsidize private insurance companies, with ACA subsidies and more and more Medicaid and Medicare being taken over by private for-profit companies, who then deny care; and

WHEREAS, these high costs and meager coverages do not contribute to higher health outcomes with the US ranking lowest in the world when compared to similar countries and people are dying at increasing rates; and

WHEREAS, the establishment of a Medicare for All single payer system in the United States will free millions of workers who are currently dependent on their employers for health insurance, with workers not only having greater security in access to care for themselves and their families, but also greater flexibility to change jobs and professions or start their own business to suit their unique skill sets (19% of people age 50-64 say they are staying in current jobs rather than change or retire because of health insurance needs, even as many young people out of college are unable to occupy these jobs); and

WHEREAS, over 1,000 national, regional and local unions, state labor federations and central labor councils have endorsed Medicare for All and organizations like the National Nurses United, the Labor Campaign for Single-Payer and Physicians for a National Health Program have made single-payer a priority in their work such that the campaign represents a major opportunity to build relationships with and forge solidarity with the leading edge of the labor movement; and

WHEREAS, abolishing the health insurance industry will require an unprecedented level of mobilization and organization;

Commissioner Price read the following:

NOW THEREFORE be it resolved that the Board of Commissioners of Orange County, North Carolina does hereby endorse HR 1384, which adheres to the requirements below:

a. **A single program** - not a patchwork of multi-payer state and federal systems.
b. **Comprehensive coverage** - *all* medically necessary services requiring a medical professional will be covered.
c. **Free at the point of service** - no more shifting costs onto the sick: no premiums, no copays, no deductibles, and no coinsurance.
d. **Universal coverage** - coverage for all U.S. residents.
e. **Jobs** - replacement and severance for those affected by the transition.

This the 4th day of June 2019.

A motion was made by Commissioner Price, seconded by Commissioner Bedford for the Board to approve and authorize the Chair to sign the resolution.

Commissioner McKee said he has some concerns, and clarified that this is seeking to abolish the entire current, private, health insurance industry in the United States.

Chair Rich said, as the industry exists in its current form.

Commissioner McKee said it does not say “current form” in the resolution.

Nina Arshavsky said the single-payer system suggests that the entire healthcare industry (hospitals, doctors, etc.) stays intact, and what changes is how the money is paid to private providers. She said it will be paid similarly to how it is currently paid by Medicare; essentially extending Medicare insurance to everybody in the country, as opposed to going through private health insurance, which cares more about profits than patients.

Commissioner Greene suggested a wording change to “revamping health care delivery will require an unprecedented level of mobilization, etc.”

Commissioner McKee said he questions the whole concept, because the Veteran’s health care program is similar to this, and it is riddled with inefficiencies, delays, and lack of service. He said this is good rhetoric, but it is short on details. He said this will do away with the insurance companies, which will effect stockholders, and, in turn, affect the portfolios of millions of United States residents and their retirement plans. He asked if there is a plan in place to address this.

Nina Arshavsky said all medical insurance companies have insurance business in other areas. She said the local group invited Mendel Porter, a former Cigna executive, to speak, and he said the industry will not be destroyed because it has other business interests. He said some of those who work in the private industry will have job opportunities to work in the extended system, but some jobs will be redundant. She said doctors are burning out due to the administrative strains, and many hours are spent dealing with billing issues, and this change would allow the entire system to work more efficiently.

Commissioner McKee asked if another business line in Blue Cross/Blue Shield could be identified, and the specifics of other employment opportunities could be explained.

Commissioner Dorosin said this resolution is to expand universal health care for all Americans, and the details that Commissioner McKee is concerned about would not exist in a resolution. He said he will support the resolution as he wants to show support for universal healthcare.

Commissioner Greene agreed with Commissioner Dorosin that this is an overall endorsement of universal healthcare, but the phrase that sticks out to her is: “19% of people age 50-64 say they are staying in current jobs rather than change or retire because of health

insurance needs even as many young people out of college are unable to occupy these jobs." She said the United States is the only country that links health care entitlement to jobs.

Chair Rich called the question.

VOTE: Ayes, 6; Nays, 1 (Commissioner McKee)

Commissioner Dorosin asked if item 6-a could be moved up since people are here for that item.

The Board agreed by consensus.

Commissioner McKee said he will not ask to be recused from item 6-a, but disclosed that he is an engineer for Summit Engineering. He referred back to the previous opinion of the County Attorney stating that he did not need to be recused. He said Summit Engineering has no association with this project, and neither does he.

THE BOARD MOVED UP ITEM 6A- TO BEFORE THE PUBLIC HEARINGS (ITEM 5)

6. Regular Agenda

a. Major Subdivision Preliminary Plat Application – Fairway Hills

The Board received the Planning Board recommendation, review, and considered a decision on a Major Subdivision Preliminary Plat application proposing a 20 lot single-family residential subdivision in accordance with the provisions of Section 2.15 *Major Subdivisions* and *Article 7: Subdivisions* of the Unified Development Ordinance (UDO).

BACKGROUND: Fairway Hills was originally submitted as Class A Special Use Permit (SUP) Major Subdivision application (originally called Occoneechee Hills) proposing the creation of 27 single family lots. The proposal was ultimately renamed, revised, and the number of proposed lots was reduced to 20. This revision removed the SUP requirement for the Major Subdivision and reclassified the review process in accordance with Section 2.15 of the UDO.

The basic facts concerning the current application are as follows:

Owners:	Beth Porter and Thomas Bradford 11810 Wakehurst Drive North Chesterfield, VA 23236
Applicant(s)/Developers:	Old NC 86 Partners, LLC C/o Jim Parker 504 Meadowland Drive Hillsborough, NC 27278
Consultants:	Summit Design and Engineering Services C/o Tim Smith, PE 504 Meadowland Drive Hillsborough, NC 27278
Location:	2715 US 70 East, Hillsborough, NC 27278**.** See Attachment 2 for a general location of the parcel.
Parcel Information:	a. **PINs**: 9884-32-3275; and 9884-31-9874. b. **Size of Parcel**: 41.97 acres in area total. c. **Zoning of Parcels**: Rural Residential (R-1) and Lower Eno Protected Watershed Protection Overlay District.

d. **Township**: Eno.
e. **School District**: Orange County Schools.
f. **Future Land Use Map Designation**: Rural Residential.
g. **Growth Management System Designation**: Rural Designated.
h. **Existing Conditions/Physical Features**: The property has one 2,286 square foot single-family dwelling built in approximately1956 and four accessory structures. The site has varying topography, two stream features, moderate cleared areas near structures, and woodlands.
i. **Roads**: Existing vehicular access to the parcel is via a private drive along US Highway 70 East.
j. **Water and Sewer Service:** The property is not located within a primary utility service area. It is designated on the Water and Sewer Management Planning and Boundary Agreement (WASMPBA) as Hillsborough Long-term Interest Area. The existing and proposed homes will utilize individual private wells and septic systems.

Surrounding Zoning/Land Uses:

a. **NORTH**: Single-family residences and undeveloped property on lots ranging from 5 to 99 acres in area. All zoned R-1.
b. **SOUTH**: Occoneechee Golf Course and Club; Single-family residences on lots ranging from 1.1 to 131 acres in area. All zoned R-1.
c. **EAST**: Single-family residences and undeveloped property on lots ranging from 0.8 to 5.2 acres in area. All zoned R-1.
d. **SOUTHWEST**: Occoneechee Golf Course and Club (south of US Highway 70 East) and undeveloped property. All zoned R-1.

Development Process, Schedule, and Action: The typical cadence for the review of a Major Subdivision is as follows:

4. **FIRST ACTION** – Submission of a Concept Plan application containing a proposed layout for the project based on the “Flexible Development” option as outlined in Section 7.12 of the UDO.
   STAFF COMMENT: As previously indicated the original application for the project, as a 27 lot major subdivision, was submitted on January 7, 2019 as part of a Class A Special Use Permit application. After the holding of a neighborhood information meeting (NIM) a revised Concept Plan was submitted on or about March 25, 2019 reducing the number of proposed lots to 20 (a 26% reduction in the number of proposed lots).
5. **SECOND ACTION** – Planning staff schedules a Neighborhood Information Meeting (NIM) to invite property owners within 1,000 feet of the subject property to review the proposal.
   STAFF COMMENT: Staff held the required meeting on February 13, 2019 to review the originally proposed 27 lot layout consistent with the requirements of Section 2.7 of the UDO. As a result of comments from the public at this meeting, as well as concerns over finding sufficient soils to support 27 individual septic systems, the applicant reduced the number of proposed lots. The submittal of a revised Concept Plan (i.e. 20 proposed lots) did not require the scheduling/holding of a new NIM under the provisions of the UDO.

6. **THIRD ACTION** – The Planning Board reviews and takes action on the Concept Plan application approving either the 'conventional' or 'flexible development' layout.
   STAFF COMMENT: The Concept Plan application package was approved at the April 3, 2019 Planning Board meeting with a 'flexible development' layout. Agenda materials, including approved minutes, for this meeting can be viewed at: http://www.orangecountync.gov/AgendaCenter/Planning-Board-26. An excerpt of the approved minutes from this meeting are contained in Attachment 6.
7. **FOURTH ACTION** – The Planning Board reviews and makes a recommendation on the Preliminary Plat application.
   STAFF COMMENT: At its May 1, 2019, regular meeting the Board voted 7-3 to recommend approval of the Flexible Development option for Fairway Hills. Agenda materials for his meting can be viewed at: http://www.orangecountync.gov/AgendaCenter/Planning-Board-26. An excerpt of the draft minutes from this meeting are contained in Attachment 6.
8. **FIFTH ACTION** – The BOCC reviews and takes action on the Preliminary Plat application.
   STAFF COMMENT: The review and decision to approve or deny the Preliminary Plat is scheduled for the June 4, 2019 BOCC regular meeting. If approved, and once all construction activities have been completed or appropriate financial assurances have been approved, staff will sign off on a Final Plat, which will be recorded in the Orange County Registrar of Deeds Office.

Proposal: The petitioner has submitted a Major Subdivision Preliminary Plat application proposing to develop 20 single-family residential lots at a density of approximately 1 dwelling unit per 2.1 acres of gross land area and approximately 15.54 acres of common open space to be held/controlled by a homeowners association. Proposed lots range in size from 42,785 square feet (smallest) to 125,765 square feet (largest).

Subdivision Type	Number of Lots	Average Lot Size	Area in Open Space	Open Space Percentage
Major Subdivision with Flexible Development Plan	20	56,594 sq. ft. (1.3 acres) 40,000 sq. ft. (min. lot size)	15.54 acres provided (13.51 acres in HOA Common Areas plus 2.03 acres held by HOA in easements) (13.85 acres required)	37% (33% required)

In accordance with the provisions of Section 7.12.5 (B) (6), cluster flexible development subdivisions are permitted to reduce required minimum setbacks (i.e. front, side, and rear) by 25%. As denoted within the application, and on the preliminary plat, the applicant is proposing to observe:

9. Front yard setback of 30 ft. (40 ft. typically required) from the front property line/edge of right-of- way.

   STAFF COMMENT: Per the UDO the 30 ft. front yard setback applies to corner lots (i.e. a parcel fronting on 2 streets) as well.

10. Side yard setback of 15 ft. (20 ft. typically required); and
11. Rear yard setback of 15 ft. (20 ft. typically required).

Staff has determined the Preliminary Plat application is consistent with the Concept Plan approved by the Planning Board at its April 3, 2019 regular meeting.

STAFF COMMENT: The proposal is in accordance with the anticipated densities, impervious requirements and minimum lots sizes for parcels located within:

a. The Rural Residential land use category as defined within the adopted
b. Comprehensive Plan,
c. Rural Designated areas of the County as denoted on the Growth Management
d. Systems Map, and
e. Lower Eno Protected Watershed Protection Overlay District.

Roads: The proposal involves the creation of two new public roads, constructed to NC Department of Transportation (NC DOT) standards, serving the proposed lots. Specifically, the project calls for:

12. The reservation of 5-feet of additional right-of-way along the frontage of US Highway 70 East to accommodate future roadway expansion;

13. Construction of a single access road called "Birdie Lane" affording vehicular ingress/egress from US Highway 70 East located within 50-foot right-of-way, 20-foot improved travel ways and required ditch sections. Development of the roadway will include construction of right (westbound) and left (eastbound) turn lanes within the existing 100-foot right-of-way for US Highway 70 East at the development's entrance; and

14. Construction of a roadway called "Bogey Court" within 50-foot right-of-way, 20-foot improved travel ways, ditch sections, and two terminating in two culs-de-sac with 40-foot radii.

STAFF COMMENT: The applicant has coordinated with the NC DOT District Engineer regarding the location and design of these road improvements. Staff has determined the proposed roadway construction and layout is consistent with the requirements of the UDO.

Staff has determined there was no reasonable opportunity for creation of a 'stub out' street to ensure future roadway connectivity to adjacent parcels due to concerns over potential impacts to adjacent streams/water features, topography, and potential impacts to existing development and road networks.

County and NC DOT staff have determined proposed access onto US Highway 70 East is sufficient for ingress/egress and the provision of County services including emergency vehicle access.

Utilities – Water and Sewer: The applicant is proposing to serve the project with individual wells and septic systems developed on each lot. The Preliminary Plat Sheet C-3 denotes suitable soil locations for septic sites and individual wells for the 20 proposed single-family lots.

STAFF COMMENT: Orange County Environmental Health has indicated that it does not foresee problems with the proposed layout with respect to finding suitable soils to support development of septic tanks and individual well sites.

Individual well and septic permits will be required for each lot as it is developed.

Note: Neither the UDO nor Environmental Health has subdivision standards for the maximum number of wells in an area. This is due in part to Orange County's fractured geology and subsurface hydric composition.

Stormwater Drainage: Drainage will be engineered according to applicable County regulations, as embodied within the UDO, governing the development of Stormwater Control Measures (SCMs) at the time of permit application/commencement of land disturbing activities.

Stormwater review is required within the Lower Eno Protected Watershed Protection Overlay district when land disturbance activities exceed 21,780 square feet (one half acre). Sheet C-4 of the submittal indicates approximately 8.02 acres of initial land disturbance is proposed for the project. Staff has already determined this project will disturb sufficient land area to require stormwater review and permitting. Review and permitting of SCMs shall be administered by the County's Engineering and Erosion Control division.

As indicated on the submitted Preliminary Plat, drainage will be handled through a system of ditches located within proposed road rights-of-way and Common Open Space. The type of SCM required shall be determined at the stormwater permitting stage of the project after the Preliminary Plat has been approved.

> *STAFF COMMENT:* The applicant has submitted a preliminary stormwater analysis for staff review and comment.

Open Space: Open space for the project is broken down on Sheet C-3 of the submittal as follows:

15. Primary Open Space (i.e. wetlands, streams, floodplains, slopes greater than 25%, natural areas/wildlife corridors, etc.) – 6.43 acres (280,082 square feet);
16. Secondary Open Space (i.e. Open space access, woodlands, slopes between 15% and 25%, scenic views, etc.) – 7.08 acres (308,354 square feet); and
17. Type "E" Buffer and access areas to Common Open Space (i.e. 75-foot wide buffer along US Highway 70 East and 20-foot Access Easements along perimeter) – 2.03 acres (88,444 square feet).

The total area reserved as Common Open Space is approximately 15.54 acres (37% of the site).
These areas are composed of lawn, fields and forested areas with existing, mature, vegetation and trees with an approximate height of between 50 to 80 feet. All 20 lots are adjacent and/or have access to Primary and/or Secondary Common Open Space areas.

> *STAFF COMMENT:* Staff has determined the proposed open space meets the requirements of the UDO.

Land Use Buffer: The Preliminary Plat indicates there will be a 75-foot Type "E" land use buffer along US Highway 70 East. The buffers are comprised of existing, dense, vegetation composed of existing, mature, shrubs and trees with an approximate height of between 20 to 80 feet. Sheets C-3 and C-9 indicate that the buffer will be augmented when preserved vegetation is not sufficient to meet the minimum Type "E" landscape requirements (i.e. a minimum of 7-8 canopy trees, 4-13 understory trees and 58-77 shrubs per 100 linear feet of buffer). Additional emphasis will be given to utilizing the appropriate evergreen trees and shrubs to maximize the opacity of the buffer.

> *STAFF COMMENT:* Section 6.8.6 (D) of the UDO requires that this project maintain a 75-foot land use buffer separating the project from adjacent Arterial Roadways (US Highway 70 East). Staff has determined the proposed Common Open Space and

land use buffers meet the requirements of the UDO. The minimum landscape requirements for this Type "E" buffer will also be verified by Staff prior to the recordation of the Final Plat.

Note: a portion of the buffer allows for individual well and septic areas. If utilized, however, the pro-rated amount of plantings would be required elsewhere within the 75-foot Type "E" land use buffer.

Park/Recreation Space: Per Section 7.11.6 *Payments in Lieu of Dedication* of the UDO, subdivision developments are required to provide recreation amenities for local residents or make a payment in lieu to the County for future public park development. In this instance the applicant has indicated there will be trail systems in the open space for residents but there will not be dedicated public recreation areas (i.e. playground, etc.).

The property in question is located within the R-10 Cheeks park district requiring a payment of $455 per lot. The applicant has agreed to pay the County $8,645 for the payment in lieu fee. The County will be able to utilize this money for public parkland development within the vicinity of the project to benefit all residents.

STAFF COMMENT: The aforementioned fee gives the applicant credit for the existing residence thereby reducing the total required fee by $455.

In accordance with Section 7.11.6 (B) of the UDO, staff has determined there is no recreation and/or open space sites designated within the adopted Comprehensive Plan for the property and that development of the subdivision will not impede identified park/recreation projects.

The proposed payment in lieu amount is consistent with the requirements of the UDO.

Attachment 3 contains additional staff comments for this project.

Courtesy Review: While this project is not within a required Courtesy Review area with the Town of Hillsborough, staff has submitted copies of the Preliminary Plan to Town Staff. To date, staff has not received any comments from the Town other than the site is in their long-term interest area, as delineated within WASMPBA, and that no municipal water or sewer services are nearby or planned in the future.

Analysis: As required under Section 2.15.3 (C) of the UDO, the Planning Director is required to: '*Determine if the plat and application conform with applicable regulations' and 'submit a recommendation'* on the Preliminary Plat to the Planning Board for consideration. In analyzing this request, the Planning Director offers the following:

1. The application has been deemed complete in accordance with the requirements of Section 2.2 and 2.15.3 of the UDO.
2. Copies of the materials have been reviewed commented on by parties indicated in Section 2.15.3 (C) (3) of the UDO.
3. Staff has determined that the property is of sufficient size and design to support the proposed subdivision.
4. The proposal appears consistent with the various goals outlined within the Comprehensive Plan concerning development, including:

a. Land Use Overarching Goal: *Coordination of the amount, location, pattern, and designation of future land uses, with availability of County services and facilities sufficient to meet the needs of Orange County's population and economy consistent with other Comprehensive Plan element goals and objectives.*
b. Land Use Goal 2: *Land uses that are appropriate to on-site environmental conditions and features and that protect natural resources, cultural resources, and community character.*
c. Land Use Goal 3: *A variety of land uses that are coordinated within a program and pattern that limits sprawl, preserves community and rural character, minimizes land use conflicts, supported by an efficient and balanced transportation system.*

5. Staff has determined that the proposed subdivision is consistent with the provisions and goals of the Comprehensive Plan.

Based on this analysis, the Planning Director recommends the Major Subdivision Preliminary Plat application for Fairway Hills be approved in accordance with the Resolution of Approval contained within Attachment 7.

As a general reminder, the Resolution of Approval contains declarations and conditions of approval associated with this project. Said conditions are tied to specific subdivision requirements, as articulated within the UDO, or are directly associated with an applicant's proposal/design (i.e. percentage of open space, setbacks, minimum to maximum lot size, passive recreation areas, etc.). These conditions apply to this specific request based on the requirements of the UDO for major subdivision projects not exceeding 20 proposed lots. These 'conditions' are an attempt to memorialize applicable development standards as they relate to the project and the enforcement of the UDO. The imposition of these 'conditions' should not be confused with actions the County can take for Conditional Zoning or Special Use Permit applications, which potentially have broader discretion and scope.

As this project represents a regulated 'by right' subdivision, the applicant can only be held to the standards contained within the UDO, specifically the provisions of Section 2.15 *Major Subdivisions* and Article 7 *Subdivisions.*

Patrick Mallett, Planner II, made the following PowerPoint presentation:

June 4, 2019
BOCC Agenda Item 6a:
Fairway Hills
Preliminary Plat
Review and Recommendation for 20-lot Major Subdivision off US Highway 70 East
Orange County Planning Department

Vicinity Map
Vicinity Map
Land Use Element of the Comprehensive Plan
Growth Management System
Flexible Design Option: Existing Conditions
Site Photos
Site Photos
Site Photos
Site Photos

Site Photos
Site Photos
Site Photos
Site Photos
Preliminary Plat: Site Plan
Preliminary Plat: Landscape Plan
Preliminary Plat Summary
Flexible Design Attributes

- Average lot size – 1.3 acres (56,594 sq. ft.).
- Density is 1 dwelling unit per 2.1 acres.
- Open Space is 15.54 acres (37% of site) containing:
  - Primary Open Space 6.43 Acres;
  - Secondary Open Space 6.99 Acres; and
  - Buffers and Perimeter 2.03Acres.
- 100 foot building setbacks along perimeter.
- 75 foot Type "E" Landscape Buffer along US 70.
- 50 foot well/septic setbacks along perimeter.

RECOMMENDATION:

The Manager recommends the Board:

1. Receive the Planning Board and Planning Director's recommendations on Preliminary Plat application for the Fairway Hills Subdivision;
2. Discuss the proposal as desired; and
3. Approve the Preliminary Plat and Resolution of Approval contained in Attachment 7.

Commissioner Greene asked if there is any plan for repurposing the existing house.

Patrick Mallett deferred to the applicant.

Tim Smith, Summit Design, made a PowerPoint presentation, which included plat designs and photos. He also gave an overview of the area.

Tim Smith said they have increased the building setback dimension to 120 feet along Highway 70.

Tim Smith said they are preserving the 75-foot buffer and existing vegetation along Highway 70, as well as adding additional plantings to meet the requirements for the Type B buffer.

Chair Rich asked if the house will be salvaged.

Tim Smith said the house is considerably old, and there is no plan to move it, but it may be possible to recycle the materials.

Commissioner Dorosin referred to the open spaces, and the path to them on the perimeter of the land, and asked if it is possible to access the path without walking across others' properties.

Tim Smith said they will provide access through easements for each lot to access the open space. He said the intent is for all to have access to all open spaces, and this will be on the final plan.

Commissioner Marcoplos said there are HOA regulations, and lot maintenance provisions. He asked if gardens will be allowed under the lot maintenance provisions.

Tim Smith said these are draft items, and he thinks garden will be allowed.

Commissioner Marcoplos said he would also like to include that future HOAs cannot remove gardens.

Tim Smith said he would refer that to the developer, but he sees no reason why these conditions would not be accepted.

Commissioner Marcoplos said many HOAs do not allow clotheslines, and he suggested that these be irrevocably allowed.

Tim Smith said okay.

Commissioner Price referred to the open space to the east, which backs up to other existing properties, and asked if that will be open to the adjoining property owners.

Tim Smith said it is not the intent, but it will remain as it is now.

Commissioner Price asked if there is going to be a barrier.

Tim Smith said no, it will be in its natural state.

Commissioner Price said there will be only one entrance and exit on Highway 70, and asked if the Department of Transportation (DOT) is going to add a turn lane.

Tim Smith said a left turn lane will be part of the project, as well as a deceleration right turn lane heading west.

Commissioner Price asked if this will go from Lawrence Road to the entrance.

Tim Smith said there will be a 200 foot deceleration lane.

Commissioner Greene asked if two entrances were considered.

Tim Smith said DOT did not want it, and it is cleaner with only one entrance.

Chair Rich asked if the payment in lieu (PIL) for the open space could be explained.

Patrick Mallett said the PIL is determined by the number of units in the park district that it is in. He said the fee must be paid prior to the recordation, and the money goes into the park funds for parks and recreation in that area. He said it is a substantial amount of money.

Commissioner McKee asked if that is standard for all projects.

Tim Smith said yes.

Commissioner Dorosin said the preliminary plat summary says the average lot size is 1.3 acres, and there was some discussion with the Planning Board about this. He asked if the size of the houses has been determined.

Tim Smith said that will depend on the size of the lot, but right now the developer is proposing about 4-5 bedrooms, around 3500-4500 square feet.

Commissioner Price asked if there is a timeline for this development and the road construction.

Tim Smith said the plan is to build the infrastructure for the roads and create the lots by late 2019/early 2020.

Patrick Mallett said the interior roads will have to be built to DOT standards prior to recordation, and it would be in the developer's interest to do the turn lanes on 70 upfront and work their way inward.

Patrick Mallett said DOT has reserved 5 feet of additional right-of-ways due to known capital improvements to 70 that are coming online after this project.

Commissioner Price said it will be important to have good public relations on this, as the roads will be a mess.

PUBLIC COMMENT:

Paul Noe said he is a resident of Eno Township, and he and his neighbors have been to a lot of the meetings and have expressed their concerns. He said the primary concern is the large size of the homes going on well and septic, when there are no plans to have city water out there any time soon. He said as this development goes in, and others too, he would like to know the demand that will be placed on the water supply. He said he is concerned that he and his neighbors will have to spend their own money to dig deeper wells, due to the demand on the water supply. He said the County has assured him and his neighbors that this will not happen, but he would like to know to whom they should turn if this does happen. He requested that the Board take these concerns to heart, and for future development issues.

Commissioner Bedford asked Planning staff if the Planning Board has requested that the department study the stormwater runoff.

Michael Harvey, Current Planning and Zoning Supervisor, said the Planning Board requested that staff provide feedback. He said there are stormwater regulations for more restrictive areas, and staff has been directed to provide pros and cons to the Planning Board on this issue. He said when modifying stormwater regulations can increase costs, and this needs to be understood prior to making a decision. He said current regulations state that a developer cannot increase the amount of stormwater leaving a site, and he is confident that this will be the case with this development, but staff is responding to the Planning Board's request to look at the pros and cons of modifying the standard.

Michael Harvey referred to Commissioner Dorosin's question on recreational access, and said that Article 7 of the Unified Development Ordinance (UDO) requires Pedestrian Open Space Access (POSA) easement. He said the applicant is responsible for providing the POSA, so that internal lot owners can access all open spaces. He said the applicant is aware of this, and this provision will be complied with.

Commissioner Marcoplos said it would be useful to have a reply to the water supply and well issue raised by the member of the public, in order to have it on record.

Patrick Mallett said the well and septic issues are of the greatest concern to the neighbors. He said this is a consideration of the preliminary plat, and there are still DOT driveway permits to be secured; stormwater and erosion control permit that must be obtained; a land disturbance permit; as well as septic and well permits, which are required for each and every lot.

Chair Rich asked if the BOCC approved the preliminary plat, will changes then come back to the BOCC.

Patrick Mallett said at this level, the preliminary plat is all that the BOCC would review and approve. He said if there were significantly changes then it would go back through the Planning Board process.

Michael Harvey said the BOCC is potentially approving the breaking up of this ~40-acre parcel into 20 lots, with 37% open space, accessing via a public road network. He said individual lot owners will have to go through the appropriate permitting processes, which will include erosion control, stormwater, environmental health, well, and septic, etc. He said it is conceivable that one could purchase lot 10, and not be able to build a 4-bedroom house due to septic and well concerns.

Phil Vilaro from the onsite water protection section from Orange County Environmental Health, said he has worked in Orange County for 17 years. He said there are subdivisions in the vicinity with smaller wells, and he is unaware of any mass extinction or contamination of wells caused by a subdivision with lots of this size. He said the wells would be built to higher standards than other existing, surrounding lots. He said hard rock wells are unpredictable, but there is no precedent in Orange County for wells running dry because of new wells being dug on neighboring land. He said he has never heard of it happening during his tenure in Orange County. He said in North Carolina, one has the right to drill a well on your property.

Commissioner McKee said this subdivision is not inconsistent with other ones approved by the BOCC in Orange County and in Chapel Hill. He said he is not concerned about the size of the homes. He referred to the access to the open space, and said due to the small size of the whole parcel, it would not be onerous to interior lot owners to walk to the path to access open space.

Commissioner Dorosin referred to the size of the houses and points raised by the Planning Board, and said one thing that may be worth looking at is a PIL for affordable housing. He said it would be good to reconcile large houses with the BOCC's goals for

affordable housing with some kind of inclusionary zoning models that Chapel Hill uses, with incentives, etc. He said this is a topic for further discussion.

Chair Rich said there is a constant goal to get affordable housing, and asked if there is there a way to get those density bonuses; to think outside the box.

A motion was made by Commissioner Marcoplos, seconded by Commissioner Bedford for the Board to approve the Preliminary Plat and Resolution of Approval contained in Attachment 7.

VOTE: UNANIMOUS

MOVED BELOW

5. Public Hearings

Michael Burton, GIS Senior Project Coordinator, presented this item:

a. <u>Public Hearing on Renaming a Portion of Teer Road to Flatrock Road</u>

The Board conducted a public hearing on the renaming of a portion of Teer Road (Secondary Road 1100) to Flatrock Road

BACKGROUND: North Carolina General Statute §153A-239.1 (NCGS §153A-239.1) grants a county the authority to rename any road within a county as provided by the statute and by a County Ordinance after the Board of County Commissioners has held a public hearing. The Public hearing must be held at least ten days prior to the renaming the road and a notice of the time, place and subject matter of the hearing prominently posted at the courthouse, in at least two public places in the township where the road is located, and the notice of the hearing must be published in a newspaper of general circulation published in the County.

The Orange County Board of Commissioners adopted an Ordinance entitled “An Ordinance to Assign and Regulate Road Names, House and Building Numbers in Orange County” (the “Addressing Ordinance”) on December 13, 2011. The Addressing Ordinance allows the Addressing Administrator to rename a road according to NCGS § 6-34(b)(2)(a) which provides, “Road names may be changed by the Address Administrator when the road name is a duplicate of another road name within a designated postal area or within Orange County and interferes with the accurate dispatch of emergency service or postal delivery. In addition, a road name may be changed when one road has two commonly used names or where portions of what appears to be the same road has two or more names.”

The Addressing Administrator is considering a road name change of a portion of Teer Road (Secondary Road 1100) to Flatrock Road. Originally Teer Road was a single road, but the Cane Creek Reservoir now intersects Teer Road. This has caused duplicate named road segments and prevents free travel from one segment of the road to the other. The duplicate name road segments on Teer Road interfere with the accurate dispatch of emergency vehicles. Orange County Emergency Services has requested that a portion of Teer Road (Secondary Road 1100) be renamed to avoid the inaccurate dispatch of emergency vehicles.

The Address Administrator has corresponded with all of the land owners that would be affected by the renaming of the road and the land owners agree with the renaming of the road and with the new name of the road.

In addition, the Address Administrator contacted the North Carolina Department of Transportation to ensure that the State Board of Transportation approval was not required to rename this portion of the road in accordance with NCGS §153A-239.1. As required by North Carolina law, a Notice of this Public Hearing was published in the *News of Orange* on Wednesday, May 15, 2019, *The Herald Sun* on Sunday, May 19, 2019, and posted at the following locations:

a. Orange County Courthouse
b. Piedmont Feed & Garden Center on Highway 54
c. Intersection of Teer Road and Bradshaw Quarry Road

NCGS §153A-239.1 requires that after renaming a road, the County shall notify the local postmaster with jurisdiction over the road, the Board of Transportation, and any city within five miles of the road.

A motion was made by Commissioner McKee, seconded by Commissioner Greene to open the Public Hearing.

VOTE: UNANIMOUS

Public Comments:

NONE

A motion was made by Commissioner McKee, seconded by Commissioner Greene to close the Public Hearing.

VOTE: UNANIMOUS

Commissioner Dorosin clarified that there used to be two Teer Roads.

Michael Burton said originally there was one, and now there are two. He said the reservoir took a portion of that road out, so it is no longer passable, which leads to great confusion for Emergency Services.

b. <u>Public Hearing on Renaming a Portion of Apple Mill Road to Rip's Nook Road</u>

The Board conducted a public hearing on the renaming of a portion of Apple Mill Road (Secondary Road 1225) to Rip's Nook Road.

Michael Burton presented this item:

BACKGROUND: North Carolina General Statute §153A-239.1 (NCGS §153A-239.1) grants a county the authority to rename any road within a county as provided by the statute and by a County Ordinance after the Board of County Commissioners has held a public hearing. The Public hearing must be held at least ten days prior to the renaming the road and a notice of the time, place and subject matter of the hearing prominently posted at the courthouse, in at least two public places in the township where the road is located, and the notice of the hearing must be published in a newspaper of general circulation published in the County.

The Orange County Board of Commissioners adopted an Ordinance entitled "An Ordinance to Assign and Regulate Road Names, House and Building Numbers in Orange County" (the "Addressing Ordinance") on December 13, 2011. The Addressing Ordinance allows the Addressing Administrator to rename a road according to NCGS § 6-34(b)(2)(a) which provides, "Road names may be changed by the Address Administrator when the road name is a duplicate

of another road name within a designated postal area or within Orange County and interferes with the accurate dispatch of emergency service or postal delivery. In addition, a road name may be changed when one road has two commonly used names or where portions of what appears to be the same road has two or more names."

The Addressing Administrator is considering a road name change of a portion of Apple Mill Road (Secondary Road 1225) to Rip's Nook Road. Originally Apple Mill Road was a single road, but the Cane Creek Reservoir now intersects Apple Mill Road. This has caused duplicate named road segments and prevents free travel from one segment of the road to the other. The duplicate name road segments on Apple Mill Road interfere with the accurate dispatch of emergency vehicles. Orange County Emergency Services has requested that a portion of Apple Mill Road (Secondary Road 1225) be renamed to avoid the inaccurate dispatch of emergency vehicles.

The Addressing Administrator has corresponded with all of the land owners that would be affected by the renaming of the road and land owners agree with the renaming of the road and with the new name of the road. In addition, the Address Administrator contacted the North Carolina Department of Transportation to ensure that the State Board of Transportation approval was not required to rename this portion of the road in accordance with NCGS §153A-239.1.

As required by North Carolina law, a Notice of this Public Hearing was published in the *News of Orange* on Wednesday, May 15, 2019, *The Herald Sun* on Sunday, May 19, 2019, and posted at the following locations:

d. Orange County Courthouse
e. Piedmont Feed & Garden Center on Highway 54
f. Intersection of Apple Mill Road and Teer Road

NCGS §153A-239.1 requires that after renaming a road, the County shall notify the local postmaster with jurisdiction over the road, the Board of Transportation, and to any city within five miles of the road.

Commissioner Dorosin asked if there is a process for picking these names.

Michael Burton said residents are asked for a majority vote on three names. He said the neighbors picked the names on which to vote.

A motion was made by Commissioner Bedford, seconded by Commissioner McKee to open the Public Hearing.

VOTE: UNANIMOUS

Public Comments:

NONE

A motion was made by Commissioner Bedford, seconded by Commissioner McKee to close the Public Hearing.

Chair Rich said one resident wants a low house number, and asked if staff can accommodate this request.

Michael Burton said yes.

VOTE: UNANIMOUS

c. <u>Zoning Atlas Amendment - 2616 Old Greensboro Road (PIN 9758-42-4098)</u>

The Board held a public hearing, receive the Planning Board recommendation, and consider action on a property owner initiated amendment to the Zoning Atlas for a parcel of property at 2616 Old Greensboro Road. Specifically, the applicant is requesting the property be rezoned:

From: Existing Commercial (EC-5); Rural Buffer (RB); University Lake Protected Watershed Protection Overlay District

To: EC-5; University Lake Protected Watershed Protection Overlay District to ensure existing non-residential land uses are conforming to the requirements of the Unified Development Ordinance (UDO) to ensure existing non-residential land uses are conforming to the requirements of the Unified Development Ordinance (UDO).

BACKGROUND: In 2016, staff initiated a review of several properties throughout the County that were split zoned (i.e. residential and non-residential zoning designations), zoned nonresidential where there was no corresponding non-residential land use, and where existing zoning boundaries did not allow for the logical use of property.

As reported at that time, there were many instances where previous staff had drawn zoning district boundaries in a manner encompassing the actual land use (i.e. building) while excluding other areas, most notably parking, septic fields and/or required land use buffers. Staff worked with several property owners, including the current applicant, in an attempt to address these problems by updating the zoning designations on various parcels.

2616 Old Greensboro Road, further identified utilizing Orange County Parcel Identification Number (PIN) 9758-42-4098, is an approximately 4 acre parcel of property split zoned RB and 1 EC-5. EC-5 is the general use zoning designation specifically crafted to capture “grandfathered” non-residential uses in existence prior to the adoption of zoning in each township. In this case, Bingham Township (including this property) was originally zoned in 1981.

The property has been used as a self-storage facility, wood working shop, and residence since approximately 1977. Current zoning designations split the existing non-residential land uses into separate districts (i.e. portions are located within both the EC-5 and RB general use zoning designations).

When staff initiated zoning atlas amendments in 2016, the property owner requested this property not be considered to allow additional opportunity to review impacts. Since that time, the property owner has elected to submit the required zoning atlas amendment application seeking to proceed with a rezoning of the property, eliminating the existing split zoning and zone the entire parcel EC-5, consistent with staff’s original proposal in 2016.

It is unclear why the original zoning effort undertaken in the Bingham Township, which occurred in 1981, failed to capture the various non-residential land uses that were in existence on the property. This request, however, will address this matter by rezoning the property entirely to EC-5.

Development Process, Schedule, and Action: The typical cadence for the review of a General Use Rezoning and Zoning Atlas amendment is:

g. **FIRST ACTION** – Submission of a General Rezoning application with required supporting documents by the property owner.
STAFF COMMENT: Mr. Stan Lawton, the property and business owner, submitted the required materials on February 4, 2019. Staff determined the application to be complete on February 27, 2019.

h. **SECOND ACTION** – The Planning Board receives the application and staff prepared materials and makes a recommendation on the Rezoning request.
STAFF COMMENT: Staff presented this request and the Planning Board made a unanimous recommendation to approve the request at its May 1, 2019 regular meeting.

i. **THIRD ACTION** – The BOCC holds a public hearing on the request; receives the application materials and recommendations, and takes action on the request.
STAFF COMMENT: Staff will present these materials and facilitate the public hearing at the BOCC's June 4, 2019 regular meeting.

Site specific information on the property, and request, is as follows:

Township:	PIN:	Owner:	Existing Zoning:	Request:
Bingham	9758-42-4098	Thomas Lawton 2616 Old Greensboro Chapel Hill, NC 27516	Rural Buffer (RB) (2.65 acres) AND Existing Commercial (EC-5) (1.43 acres) University Lake Protected Watershed Overlay District	Expand the existing EC-5 zoning designation to the entire parcel (4.08 acres) ensuring all structures associated with operation are located within the appropriate district.

Public Notifications: In accordance with Section 2.8.7 of the UDO:

j. May 1, 2019 Planning Board Meeting: Notices of the date, time, location, and purpose of the meeting were sent via first class mail to all property owners within 1,000 feet of the subject parcel on April 16, 2019. A sign advertising the date, time, location, and purpose of the meeting was posted on the property on April 18, 2019.

k. June 4, 2019 BOCC Public Hearing: Notices of the date, time, location, and purpose of the public hearing were mailed to the same residents, via first class mail, on May 20, 2019. A sign denoting the date, time, location, and purpose of the public hearing was posted on the property on May 24, 2019.

Legal ads advertising the date, time, location, and purpose of the BOCC public hearing were included in the News of Orange and the Durham Herald Sun on May 22, 2019 and again on May 29, 2019.

JPA Review: This request is located within the Rural Buffer (RB) zoning district and within the
Joint Planning Area (JPA) with the Town of Carrboro having review opportunity. In accordance with the provisions of the JPA, the Town of Carrboro was notified of this request on April 11, 2019. To date, no comments have been received from the Town.

Planning Board Recommendation: At its May 1, 2019 meeting, the Planning Board voted unanimously to recommend **approval** of the Statement of Consistency and the ordinance approving the Zoning Atlas Amendment. Agenda materials from the May 1, 2019 meeting can be viewed at:
https://www.orangecountync.gov/AgendaCenter/Planning-Board-26.

Planning Director's Recommendation: The Planning Director has found the request consistent with several provisions of the 2030 Comprehensive Plan, notably:

18. ECONOMIC DEVELOPMENT ELEMENT:

a. Objective ED-1.5: *Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.*

a. CHAPTER 5: LAND USE ELEMENT:

b. Land Use Overreaching Goal: Coordination of the amount, location, pattern and designation of future land uses, with availability of County services and facilities sufficient to meet the needs of Orange County's population and economy consistent with other Comprehensive Plan element goals and objectives.

c. Land Use Goal 1 – Fiscally and environmentally responsible, sustainable growth consistent with the provision of adequate services and facilities and a high quality of life.

d. Land Use Goal 4: Land development regulations, guidelines, techniques and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

Based on this analysis, the Director recommends approval of the zoning atlas amendment application subject to the approval of:

i. The Statement of Consistency, as contained in Attachment 6, indicating that the proposed zoning atlas amendment is consistent with the adopted Plan, and the request is reasonable and in the public interest; and

ii. The Ordinance amending the Orange County Zoning Atlas as contained in Attachment 7.

VOTE: UNANIMOUS

Patrick Mallett made the following PowerPoint presentation:

June 4, 2019
BOCC Agenda Item 5c:
Lawton Rezoning
Review and Recommendation on
Zoning Atlas Amendment/General Use Rezoning
Orange County Planning Department

Vicinity Map

Site: Existing Conditions & Zoning

Zoning Exhibit

Site Summary

Land Use Element of the Comprehensive Plan

Growth Management System

Summary

- Part of 2016 Staff initiated Rezoning cases.
- Staff recommended rezoning all to EC-5.
- Put on hold while owner considered long-term plans.
- Has operated as a storage business since 1977. Prior to that was a wood working and truss business for several decades.
- Bingham township was zoned in 1981.
- Zoning did not capture all the non-residential uses.
- Planning Board voted unanimously to recommend approval of the rezoning.

Site Photos
Sign and entrance along Old Greensboro Road

Site Photos
Main storage building

Site Photos
Enclosed outdoor storage and original wood shop

Site Photos
Office and residence

Site Photos
Eastern property line and koi ponds

Site Photos
Entrance at Old Greensboro Road facing west

Site Photos
Entrance at Old Greensboro Road facing east

RECOMMENDATIONS:
The Manager recommends the Board:

1. Review the proposed Zoning Atlas amendment materials;
2. Receive the Planning Board's recommendation;
3. Close the Public Hearing;
4. Deliberate on the petition as desired,
5. Consider the Planning Director's recommendation, and
6. Decide accordingly and/or adopt the Statement of Consistency, contained within Attachment 6, and the Ordinance amending the Zoning Atlas, contained within Attachment 7, as recommended by the Planning Board and Staff.

A motion was made by Commissioner McKee, seconded by Commissioner Marcoplos to open the Public Hearing.

VOTE: UNANIMOUS

Public Comments:

NONE

A motion was made by Commissioner McKee, seconded by Commissioner Marcoplos to close the Public Hearing.

VOTE: UNANIMOUS

A motion was made by Commissioner Bedford, seconded by Commissioner McKee for the Board to adopt the proposed amendments by approving the Statement of Consistency outlined in Attachment 6 and the Unified Development Ordinance as outlined in Attachment 7, as recommended by the Planning Board and the Planning Director.

VOTE: UNANIMOUS

7. Reports
NONE

8. Consent Agenda

- Removal of Any Items from Consent Agenda
- Approval of Remaining Consent Agenda

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

VOTE: UNANIMOUS

- Discussion and Approval of the Items Removed from the Consent Agenda

a. Minutes
The Board approved the minutes from May 14 and 16, 2019 as submitted by the Clerk to the Board.

b. Motor Vehicle Property Tax Releases/Refunds
The Board adopted a resolution, which is incorporated by reference, to release motor vehicle property tax values for four taxpayers with a total of six bills that will result in a reduction of revenue, in accordance with NCGS.

c. Property Tax Releases/Refunds
The Board adopted a resolution, which is incorporated by reference, to release property tax values for four taxpayers with a total of thirteen bills that will result in a reduction of revenue in accordance with North Carolina General Statute 105-381.

d. Fiscal Year 2018-19 Budget Amendment #10
The Board approved budget ordinance amendments for fiscal year 2018-19 for Juvenile Crime Prevention Council; and miscellaneous.

e. Schools Adequate Public Facilities Ordinance – Approval and Certification of 2019 Report
The Board approved and certified the 2019 Schools Adequate Public Facilities Ordinance Technical Advisory Committee (SAPFOTAC) Report and certified portions of the Report.

f. Tax Refund Request– John C. Guibert III
The Board considered this item earlier in the meeting.

g. Orange County ABC Board Travel Policy

The Board approved the Orange County Alcoholic Beverage Control (ABC) Board's adoption and continued use of Orange County's Travel Policy.

9. County Manager's Report

Bonnie Hammersley said she just sent an email to the Board for the solid waste fee waiver for those impacted by the storm on April 5. She said this will be widely distributed, and refunds can be made retroactively for those residents with receipts. She said staff also completed a crisis track, which identified all the properties that could have suffered storm damage.

Bonnie Hammersley said the Board has budget work sessions on June 6 and June 11th.

10. County Attorney's Report

NONE

11. *Appointments

a. Adult Care Home Community Advisory Committee – Appointments

A motion was made by Commissioner Dorosin seconded by Commissioner Marcoplos to appoint the following to the Adult Care Home Community Advisory Committee:

- Position 4: Joan Rehm to an At-Large position for a One Year Initial Term ending 06/04/2020.
- Position 9: Olivia Fisher to an At-Large position for a One Year Initial Term ending 06/04/2020.
- Position 11: MaryLou Gelblum to an At-Large position for a One Year Initial Term ending 06/04/2020.
- Position 12: Karen Green-McElveen to an At-Large position for a One Year Initial Term ending 06/04/2020.

VOTE: UNANIMOUS

b. Alcoholic Beverage Control Board – Appointment and Chair Selection

The Board considered making an appointment to the Alcoholic Beverage Control Board.

A motion was made by Commissioner Price seconded by Commissioner Bedford to appoint the following to the Alcoholic Beverage Control Board:

- Position 5: Elizabeth Carter to an At-Large position for a First Full Term ending 06/30/2022.

VOTE: UNANIMOUS

A motion was made by Commissioner Dorosin, seconded by Commissioner Price to appoint Keith Bagley as the Chair to the ABC Board for FY 19-20.

VOTE: UNANIMOUS

c. Board of Health – Appointments

The Board considered making appointments to the Board of Health.

A motion was made by Commissioner Dorosin, seconded by Commissioner Price to appoint the following to the Board of Health:

- Position 2: Dr. Jennifer Deyo to the At-Large Pharmacist position for a Second Full Term with a term ending of 06/30/2022.
- Position 9: Dr. Sam Laris to the At-Large Dentist position for a Third Full Term* with a term ending date of 06/30/2022.

VOTE: UNANIMOUS

d. <u>Orange County Parks and Recreation Council – Appointment</u>

The Board considered making an appointment to the Orange County Parks and Recreation Council.

A motion was made by Commissioner Marcoplos, seconded by Commissioner Price to appoint the following to the Orange County Parks and Recreation Council:

- Position 3: Jennifer Moore to the Cedar Grove Township position for a Partial Term with a term ending 03/31/2021.
  (The above recommendation applicant does not live in Cedar Grove Township. Please refer to the recommendation letter for details).

VOTE: UNANIMOUS

12. Information Items

The Board received the following information items:

- May 21, 2019 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
- Memorandum Regarding Orange County's Role in Transportation Decision Making Processes
- Memorandum Regarding Triangle Regional Freight Plan
- Memorandum – Community Child Protection Team Report

13. Closed Session

NONE

14. Adjournment

A motion was made by Commissioner Price seconded by Commissioner McKee to adjourn the meeting at 10:08 p.m.

Commissioner Greene said she appreciated the information item/memorandum that was provided as general overview to the BOCC on the role it plays in various transportation decision-making processes. She said she found this extremely helpful.

VOTE: UNANIMOUS

Penny Rich, Chair

Donna Baker
Clerk to the Board

Attachment 2

DRAFT

MINUTES
BOARD OF COMMISSIONERS
BUDGET WORK SESSION
June 6, 2019
7:00 p.m.

The Orange County Board of Commissioners met in regular session on Thursday, June 6, 2019 at 7:00 p.m. at the Southern Human Services Center in Chapel Hill, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Penny Rich and Commissioners Jamezetta Bedford, Mark Dorosin, Sally Greene, Earl McKee, Mark Marcoplos and Renee Price
COUNTY COMMISSIONERS ABSENT: None
COUNTY ATTORNEYS PRESENT: None
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, and Deputy Clerk II Sherri Ingersoll (All other staff members will be identified appropriately below.)

Chair Rich called the meeting to order at 7:01 p.m.

Travis Myren noted the following items at the Board of County Commissioners' (BOCC) places:

- Green sheet: requested information regarding Board of County Commissioners dues and National Association of Counties (NACo) costs
- Purple sheet: Capital Improvement Plan (CIP) changes suggested by staff
- Pink sheet: Suggested amendments to the operating budget

Chair Rich asked if additional amendments can be made before the meeting on June 11th.

Bonnie Hammersley said changes can be made until the end of the business day on June 10.

Chair Rich said it would be best to get amendments to staff before the June 10th meeting in case staff needs to do additional research.

1. Discussion with County Departments within the following Functional Leadership Teams (including Operations, Capital, and Fee Schedule Changes):
Human Services

- **Aging, Pg. 44**
- **Cardinal Innovations, Pg. 91**
- **Child Support Services, Pg. 93**
- **Health Department, Pg. 268**
- **Housing and Community Development, Pg. 278**
- **Human Rights and Relations, Pg. 292**
- **Library Services, Pg. 299**
- **Social Services, Pg. 375**
- **Non-Departmental, Pg. 313**

Community Services

- **Animal Services, Pg. 54**
- **Cooperative Extension, Pg. 99**
- **Department of Environment, Agriculture, and Parks & Recreation, Pg. 122**
- **Economic Development, Pg. 139, including Article 46 Sales Tax Fund, Pg. 62**
- **Orange County Public Transportation, Pg. 333**
- **Planning and Inspections, Pg. 350**
- **Solid Waste, Pg. 390**
- **Sportsplex, Pg. 399**
- **Non-Departmental, Pg. 306**

BACKGROUND: The County Manager presented the FY 2019-20 Recommended Operating Budget on May 2, 2019. Since then, the Board has conducted two public hearings to receive residents' comments regarding the proposed funding plan. On May 23, 2019, the Board discussed recommended FY 2019-20 budgets for Durham Technical Community College – Orange County campus, Chapel Hill-Carrboro City Schools Board of Education and Orange County Schools Board of Education, as well as reviewed and discussed recommended FY 2019-20 funding for Outside Agencies. On May 30, 2019, the Board discussed recommended FY 2019-20 budgets for the Fire Districts, as well as the Public Safety, General Government, and Support Services Functional Leadership Teams.

Tonight's work session offers the Board an opportunity to review and discuss the recommended budgets directly with County departments, Cardinal Innovations and Sportsplex, within the remaining Functional Leadership Teams, including operations, capital, and department fee schedule change recommendations.

Functional Leadership Teams:
The following Functional Leadership Teams are scheduled to attend tonight's work session:

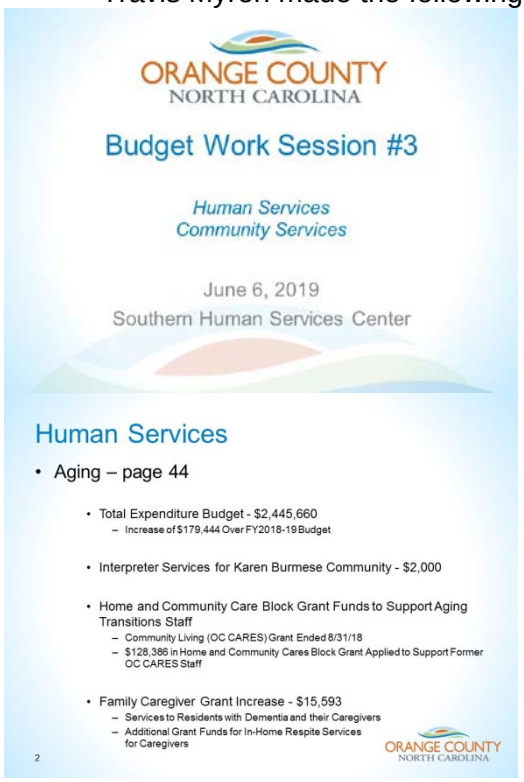
Human Services:

- Aging
- Cardinal Innovations
- Child Support Services
- Health Department
- Housing and Community Development
- Human Rights and Relations
- Library Services
- Social Services

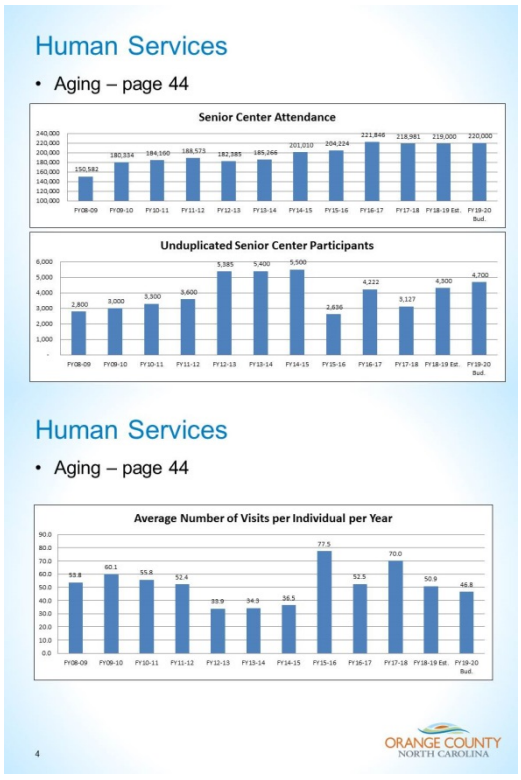
Community Services:

- Animal Services
- Cooperative Extension
- Department of Environment, Agriculture, and Parks & Recreation
- Economic Development, including Article 46 Sales Tax
- Orange County Public Transportation
- Planning and Inspections
- Solid Waste
- Sportsplex

Travis Myren made the following PowerPoint presentation:



Commissioner McKee arrived at 7:03 p.m.



Commissioner Price asked if an explanation could be given as to why the operations had a fluctuation over the years, as the estimated revised budget is going down.

Janice Tyler, Aging Director, said this is related to an Adminstration for Community Living (ACL) grant, which was over a three year period, and ended last August.

Commissioner Price asked if there is an end date for the grant for extended transportation services.

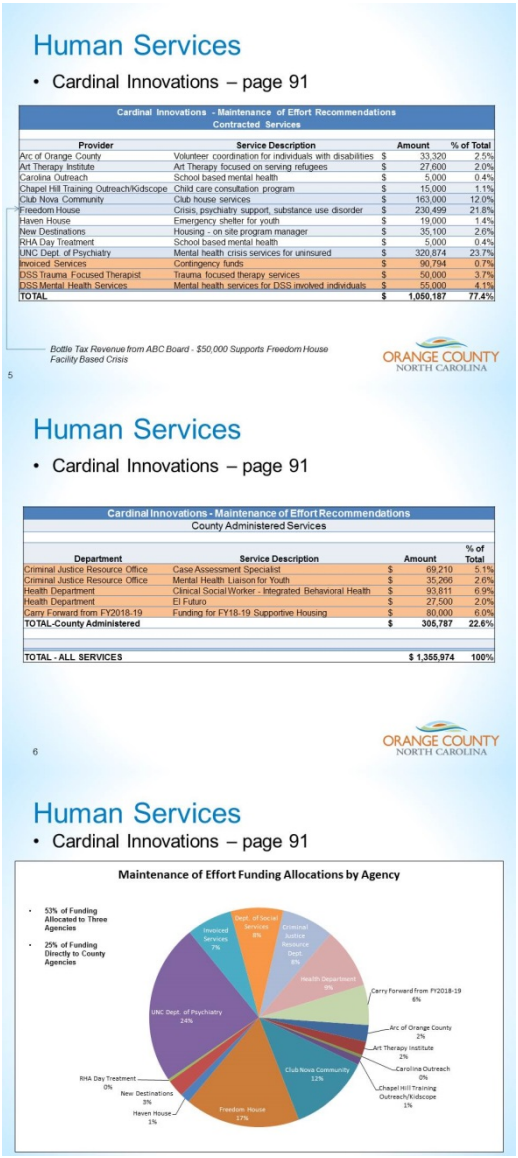
Janice Tyler said the renewal will go for another two years, after the end of this year. She said this grant is fund through the Metropolitan Planning Organization (MPO). She said her department is very involved with Orange County Public Transit (OCPT).

Commissioner Price referred to recent hot weather, and heard that Aging was giving out fans to those in need. She asked if the department has enough fans to give out.

Janice Tyler said the department received a $1,000 private donation for fans, which is sufficient for now.

Chair Rich said the Sheriff's office also hands out fans.

Travis Myren continued the presentation:



Human Services

- Cardinal Innovations – page 91

Cardinal Innovations - Maintenance of Effort Recommendations
Contracted Services

Provider	Service Description	Amount	% of Total
Arc of Orange County	Volunteer coordination for individuals with disabilities	$ 33,320	2.5%
Art Therapy Institute	Art Therapy focused on serving refugees	$ 27,600	2.0%
Carolina Outreach	School based mental health	$ 5,000	0.4%
Chapel Hill Training Outreach/Kidscope	Child care consultation program	$ 15,000	1.1%
Club Nova Community	Club house services	$ 163,000	12.0%
Freedom House	Crisis, psychiatry support, substance use disorder	$ 230,499	21.6%
Haven House	Emergency shelter for youth	$ 19,000	1.4%
New Destinations	Housing - on site program manager	$ 35,100	2.6%
RHA Day Treatment	School based mental health	$ 5,000	0.4%
UNC Dept. of Psychiatry	Mental health crisis services for uninsured	$ 320,874	23.7%
Invoiced Services	Contingency funds	$ 90,794	0.7%
DSS Trauma Focused Therapist	Trauma focused therapy services	$ 50,000	3.7%
DSS Mental Health Services	Mental health services for DSS involved individuals	$ 55,000	4.1%
TOTAL		$ 1,050,187	77.4%

Bottle Tax Revenue from ABC Board - $50,000 Supports Freedom House Facility Based Crisis

ORANGE COUNTY NORTH CAROLINA

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Human Services

- Cardinal Innovations – page 91

Cardinal Innovations - Maintenance of Effort Recommendations
County Administered Services

Department	Service Description	Amount	% of Total
Criminal Justice Resource Office	Case Assessment Specialist	$ 69,210	5.1%
Criminal Justice Resource Office	Mental Health Liaison for Youth	$ 35,266	2.6%
Health Department	Clinical Social Worker - Integrated Behavioral Health	$ 93,811	6.9%
Health Department	El Futuro	$ 27,500	2.0%
Carry Forward from FY2018-19	Funding for FY18-19 Supportive Housing	$ 80,000	6.0%
TOTAL-County Administered		$ 305,787	22.6%
TOTAL - ALL SERVICES		$ 1,355,974	100%

ORANGE COUNTY NORTH CAROLINA

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Human Services

- Cardinal Innovations – page 91

Maintenance of Effort Funding Allocations by Agency

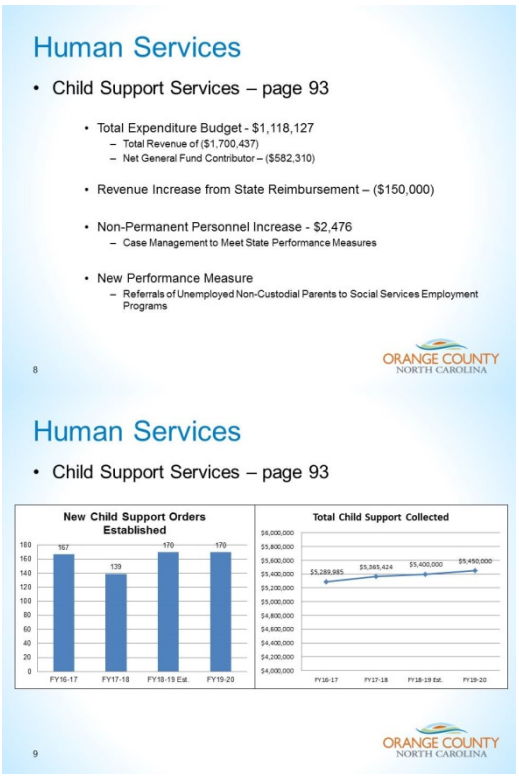
- 53% of Funding Allocated to Three Agencies
- 25% of Funding Directly to County Agencies

Chair Rich asked if the Freedom House will be accepting more money this year, as it did not apply for outside agency funding.

Travis Myren said yes, Freedom House received funds last year and a portion of those funds were not used, and thus reallocated; but Freedom House is still a significant recipient of funding.

Commissioner Price said the PowerPoint slide states OPC, but this is now called the Central Community Board, as it includes Alamance and Caswell counties.

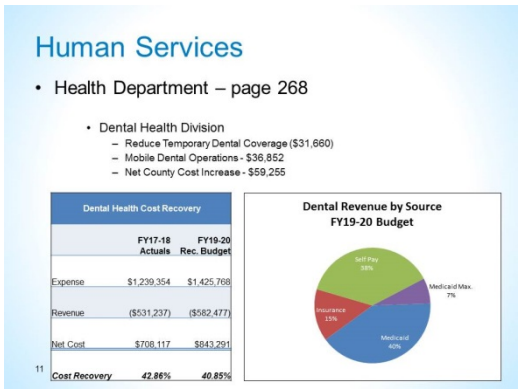
Travis Myren continued the presentation:



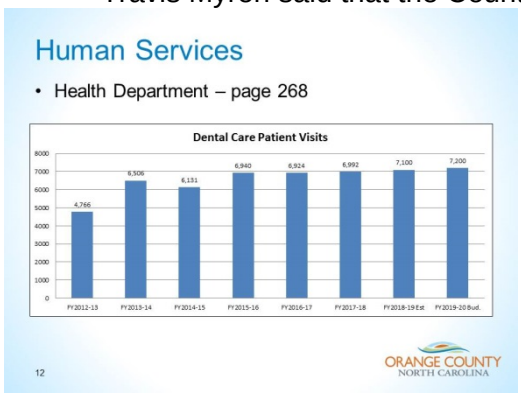
There were no questions for Child Support Services.



Travis Myren said the Health Department works with lots of data with different systems, and the additional position is needed as the County's Information Technology support is needed to support other divisions.



Travis Myren said that the County is now providing mobile dental operations.



Commissioner Marcoplos referred to the IT support position, and asked if this will be a contracted person, or a service that can be called when needed.

Quintana Stewart, Health Director, said this will be a person who will help navigate the new electronic health records system, so the department can pull out the necessary data.

Commissioner Dorosin asked if this is a temporary position or will it become an ongoing need.

Quintana Stewart said it is intended to be a temporary position.

Commissioner Price asked if the employees listed on p. 271 are the Navigators.

Quintana Stewart said yes.

Paul Laughton said there is a corresponding reduction in another line item regarding this.

Commissioner Dorosin asked if there is a rationale for bringing the Navigators in house.

Quintana Stewart said the program has become disjointed, due to having two locations. She said there is a desire to have consistency, and it was unfair to the Navigators that the department was contracting them out when others were getting benefits as employees. She said the Navigators will now also be able to get benefits.

Commissioner Dorosin asked if the Navigators will still be recruited from the neighborhoods, and be a grassroots effort.

Quintana Stewart said yes, the only difference is that they will be County employees.

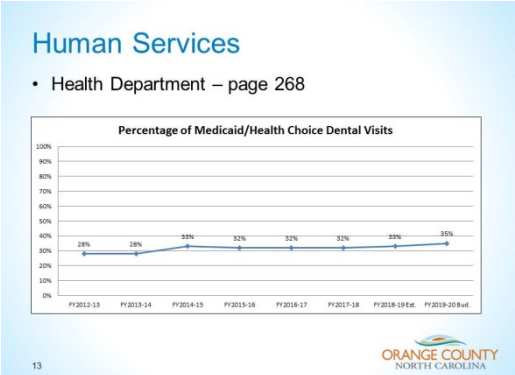
Commissioner Bedford asked if it is possible to get a copy of the report on behavioral health services.

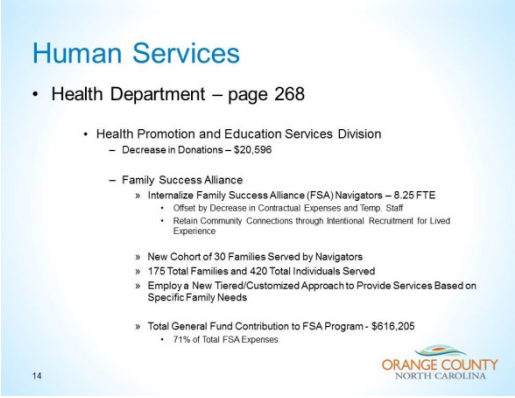
Quintana Stewart said she is scheduled to present this to the Board of County Commissioners in the near future, and will get this information soon.

Travis Myren said the analysis is done, and awaiting approval of the cover letter. He said it is a different population than the Criminal Justice report, but there are similar gaps.

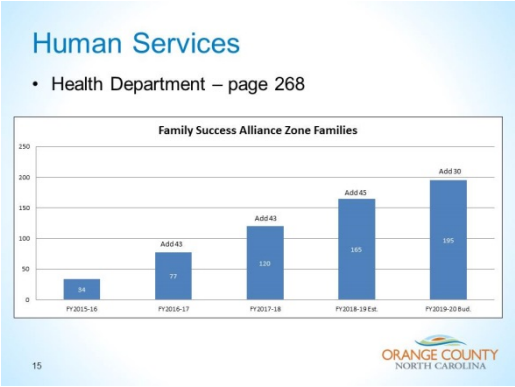
Chair Rich asked if there will be a trust problem with the Navigators becoming employees. She said there is a trust that has been built with the community, and asked if that trust will remain if the Navigators are County employees rather than community members.

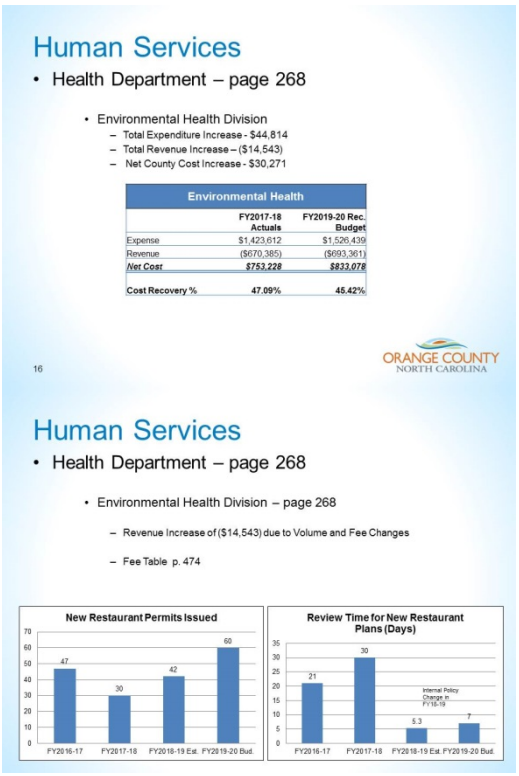
Quintana Stewart said she does not anticipate any concerns, as the Navigators will be still be an active part of the community. She said staff will closely monitor this situation.





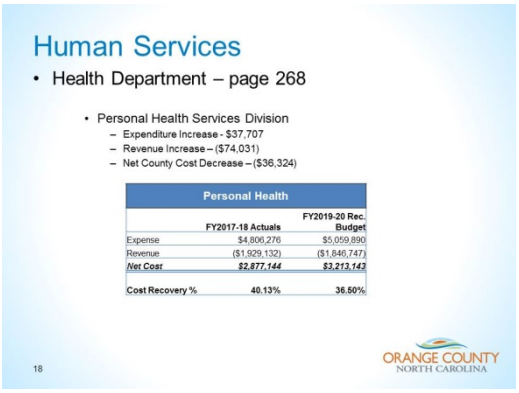
Commissioner Greene said the Family Success Alliance (FSA) is a great program, but since it is a pipeline progam, she wants to put a marker on it for the continued sustainability of the program in the future. She said she is concerned how the program will keep going if there is not ongoing funding.



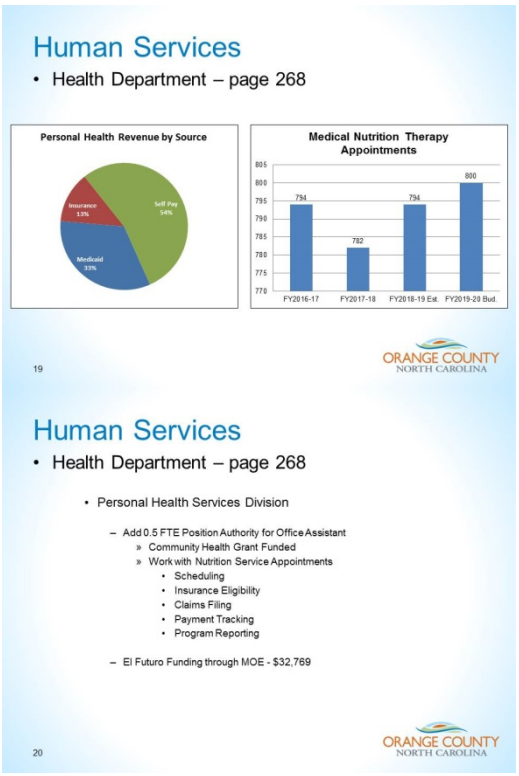


Commissioner Dorosin asked if the cost recovery is calculated through program fees.

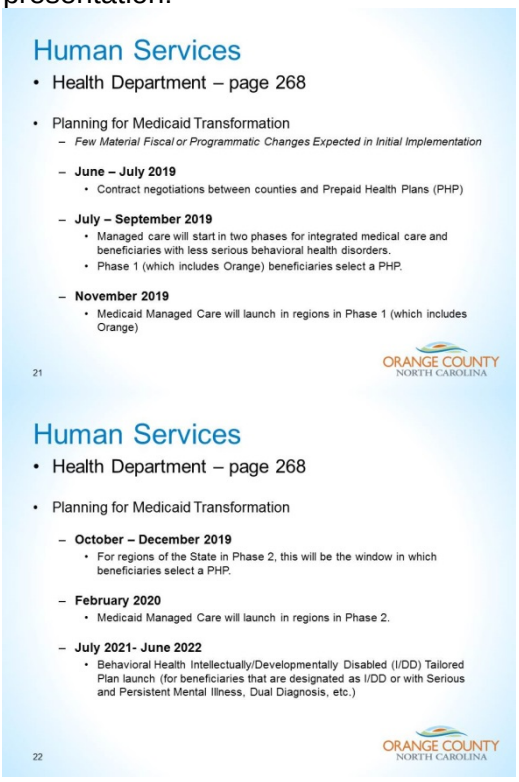
Travis Myren said yes, it is related to fees, such as restaurant inspections, and well and septic inspections. He said the review time expectation has changed dramatically, due to department and staff changes. He resumed the presentation:

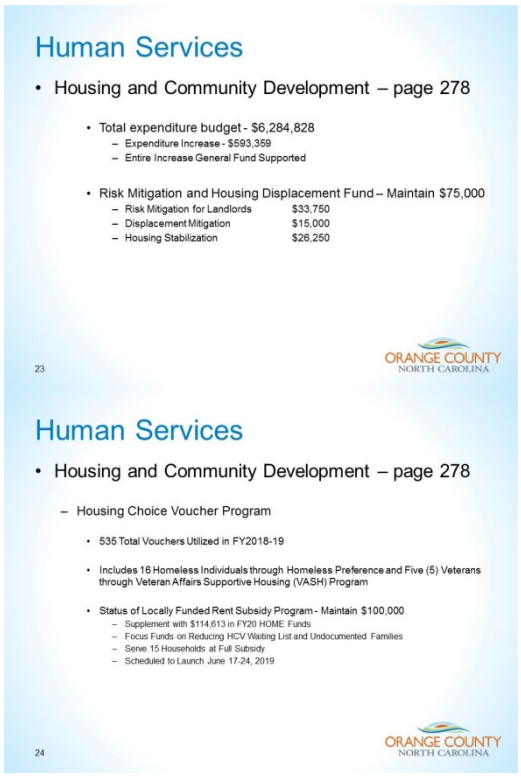


Travis Myren said cost recovery has slipped a bit, but this is not concerning due to the overall size of the budget. He resumed the presentation:



Travis Myren referred to the status of Medicaid, and said Quintana Stewart will be negotiating with prepaid health plans to get them under contract to begin in late summer, and have them in place when enrollees will start to select their plans. He resumed the PowerPoint presentation:





Commissioner Dorosin said 535 vouchers have been utilized, and asked if all of these people have been able to find somewhere to live.

Sherrill Hampton, Housing Director, said this year there were only 3 or 4 persons who were not served, due to their voucher expiring, even after an extension. She said the local rate is really good, and extends up to 120 days.

Commissioner Dorosin asked if the chart reflects that fewer vouchers were allocated.

Sherrill Hampton said no, there are 623 regular vouchers, and 5 VASH vouchers. She said there were a number of deaths, voluntary EOPs, and absorptions from other jurisdictions because Orange County did not have the manpower to open the waiting list and move it. She said it is important to note that as of July 1, the number will increase, as the number of people who were absorbed and new people coming in, will not show up until that time.

Commissioner McKee asked if people are being connected with training and other programs to help them move into another financial situation, where subsidy will not be needed.

Sherrill Hampton said yes, we have a good program with the Department of Social Services (DSS) for self sufficiency.

Commissioner McKee said it is important to encourage this, and to make sure people rotate in and out of the program.

Commissioner Price referred to those facing homelessness, and asked if there is a process to determine those with whom the Housing Department works, and those with whom the Partnership To End Homelessness (PTEH) works.

Sherrill Hampton said the two entities work together. She said that before she joined the County, there was a preference added for homelessness, so when the random lottery is done, the homeless are given preference.

Commissioner Price said the Housing Department does a great deal and expressed gratitude to Sherrill Hampton. She asked if there is a status update on the condition of the housing stock for low income residents.

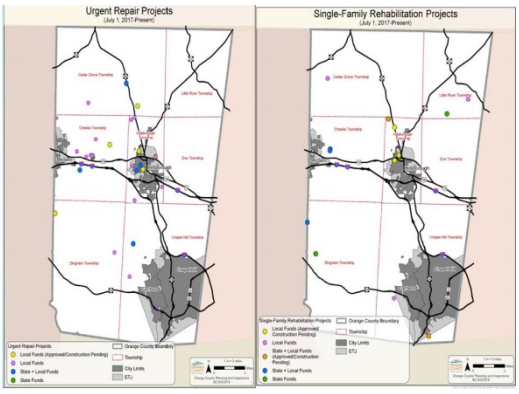
Sherrill Hampton said she is proud of her staff, and the County went from 2 houses in 2017 to 40 by the end of 2019, which is a great accomplishment. She said staff is finding that the level of substandardness is high, and her department has had to supplement the funds. She said another finding is that there are lot of well and septic issus, and her department works closely with the Health Department, who assesses the situation to bring it in line with state regulations. She said part of the rehab program has been carved out for well and septic repair, and is part of the budget. She said the highest well cost $13,800.

Commissioner Price referred to the budget line item for housing rehabilitation, and asked if this is increasing from $375,000 to $754,000 because more funding is needed.

Sherrill Hampton said yes, the funds are for urgent repair, the well and septic repair, and comprehensive rehabilitation goes even higher. She said this replenishes the funds, and there are several jobs forthcoming that will have relatively high costs. She said staff is focusing on making the best and most efficient decisions.

Travis Myren resumed the presentation:



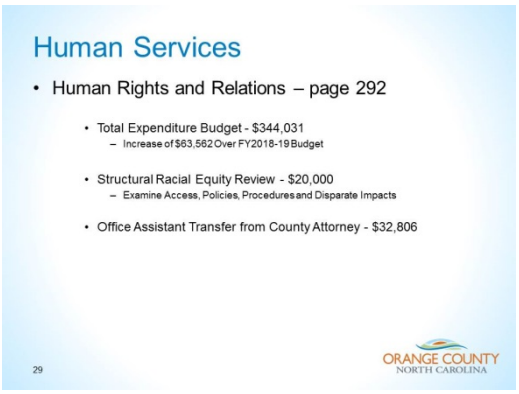


Travis Myren said there is a lot of acitivity in the central and western parts of the County.

Commissioner Marcoplos asked if seniors are given prioity.

Sherrill Hampton said yes, the urgent critical repair program is at 50% and is only for elderly, physically challenged, and low income individuals.

Travis Myren resumed the presentation:



Commissioner Greene said the racial equity analysis seems to be a major issue to tackle, and asked if this encompasses specific items.

Annette Moore, Human Rights and Relations Director, said they plan to assemble a team to look at County policies and procedures, and work with the Government Alliance on Race and Equity (GARE), and in cohort with other County and State agencies, to come up with a plan on how to undo racism in our agencies and how this effort can be expanded across the board with common language.

Commissioner Price asked if Annette Moore could explain the areas of discrimination for the 19 fair housing complaints.

Annette Moore said the most common complaint that staff is seeing is disability cases. She said the other common issue is familial status cases. She gave an example of a housing provider that told people that they could only have three people in a two bedroom unit. She said there are providers out there that believe this type of discimination is acceptable. She said staff is going a lot of training for housing providers and residents on rights. She said there is also a big push by the Department of Housing and Urban Development (HUD) to look at sexual harrassment in public housing, and her staff will be doing some work around this area.

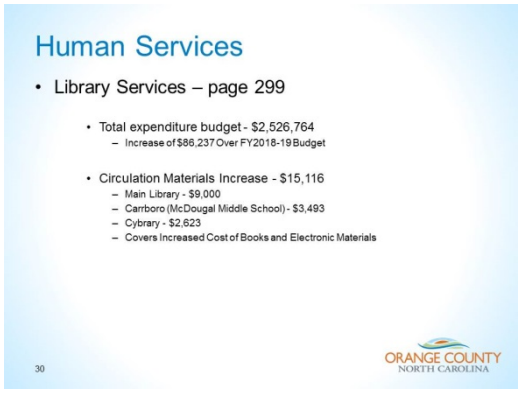
Commissioner Dorosin said none of these complaints are unusual, and this has been a big year for the department, which is a good thing. He said there has been incredible work done here, but going forward, everyone needs do a better job communicating about local programs, what the County is doing, how it is doing it, promoting the work of this area and

events, and engaging input from the community. He said he hopes Orange County will continue be on the cutting edge on civil rights.

Annette Moore agreed and said her department is doing a self assessment, and is learning a lot. She said she expects all will see a difference going forward.

Chair Rich said she would like to get a calendar of events set early, to avoid overlapping programs and conflicting events. She said coordination could be better handled.

Travis Myren resumed the presentation:



Travis Myren said that the only change is for increased circulation materials to be shared between the three locations.

Chair Rich asked if the digital library is growing.

Lucinda Munger, Library Director, said yes, and there is still only about 1,000 items. She said the good news is that digital content does not take up shelf space and does not have to be processed; however, cost is the bad news, as a digital collection is very expensive. She said the digital collection is very popular.

Commissioner Price asked if the library has enough computers.

Lucinda Munger said yes, and about half go unused during the day and staff is looking to reallocate them for better usage.

Commissioner Price commended the variety of acitivities avaiable at the library, especially for young people.

Chair Rich said residents are fortunate to have great accessibliity through the different locations, and can get materials easily through the Orange County library.

Lucinda Munger said the frequency of the courier service has greatly increased, and staff wants to transfer items back and forth. She says there is a good chance one can get one's item within 48 hours.

Travis Myren said that the CIP is still holding funds for the Southern Branch. He said the Arts Center is no longer participating, and Carrboro is evaluating parking options. He said the project is making progress, but some redesign work is needed due to the Arts Center stepping out of the project. He said the operating costs will be about $660,000 for the new branch when it opens.

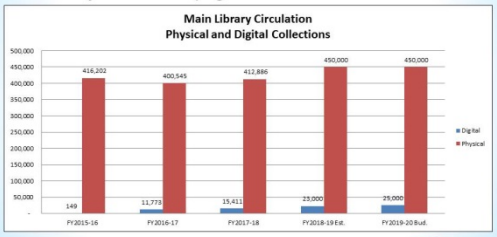
Commissioner McKee asked if this cost is to be borne by the County, and when the BOCC can expect to get an update on the project.

Bonnie Hammersley said yes, the cost will be borne by the County, and staff will have more information after the summer break. She said an email was sent today to the Board of County Commissioners with a brief update, but staff is not in a position to talk about it right now.

Travis Myren said the email did not actually go out today, but will go out tomorrow morning. He resumed the presentation:

Human Services

- Library Services – page 299



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ORANGE COUNTY NORTH CAROLINA

1

Human Services
Capital Investment Plan Projects

- Orange County Southern Branch Library - $5.6 million (p. 39)
  - Carrboro Partnership and Development Agreement
    - 50 Dedicated Parking Spaces
    - Redesign Required
      - Arts Center No Longer Participating
      - Town of Carrboro Evaluating Options for Parking
      - County Evaluating Space Options
    - New Budget and Schedule Pending
  - Operating and Capital Costs to be Reevaluated Based on New Space Allocations
    - Net New Annual Operating Costs for Southern Branch Library Currently Estimated at Over $659,000

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ORANGE COUNTY NORTH CAROLINA

2
3

Human Services

- Social Services – page 375
  - Total expenditure budget - $20,319,204
    - Increase of $872,400 Over FY2018-19 Budget
      - » Revenue Increase of ($298,610)
      - » Net County Cost Increase of $573,791
  - Administration Division
    - Low Income Energy Assistance Program Administration Revenue Increase - $13,347 to Offset Staff Costs
    - Convert Facilities Maintenance Tech III (Lead Worker) from Time Limited to Permanent Status
    - Decrease in Overtime and Temporary Personnel – ($40,395)
    - Decrease in Building Lease Costs – ($18,000)
    - Technology Replacements - $26,696

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ORANGE COUNTY NORTH CAROLINA

4

Human Services

- Social Services – page 375
  - Public Assistance
    - Revenue and Expenditure Increase of $162,544 for State Allocation of LIEAP and Crisis Intervention
    - Decrease of ($10,690) in Special Assistance to Adults due to Fewer Individuals Served
  - New State Mandated Performance Measures
    - Required by General Statute 108A-74
    - Original MOU Adopted in June 2018
    - Manager Authorized to Approve Annual Renewals

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ORANGE COUNTY NORTH CAROLINA

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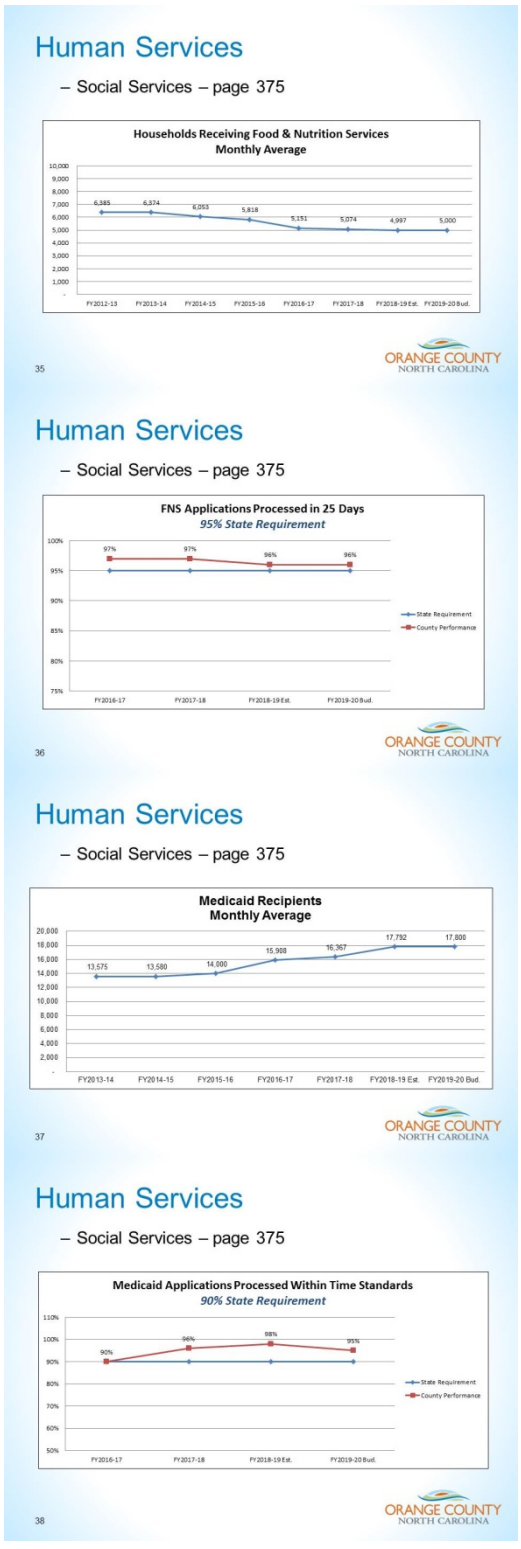


Commissioner Price asked if the Medicaid increase is due to more children.

Nancy Coston, Social Services Director, said this is mainly families with chidren, and when the Affordable Care Act (ACA) came about, staff screened for Medicaid but some families had not come in.

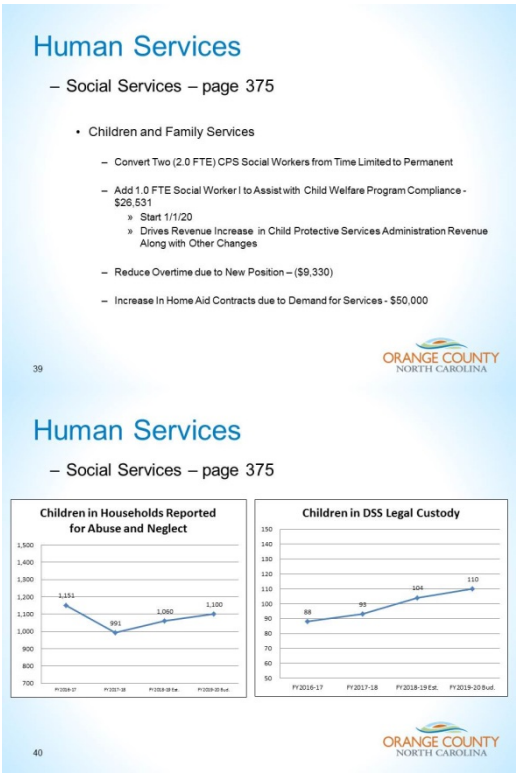
Commissioner Dorosin asked if Orange County is comparable with other counties in this area.

Nancy Coston said there is a misconception that Orange County has no low income families. She said there are many families where the parents are not eligible for Medicaid, but the children are, and the poverty rate is still very high in the County.

Commissioner Dorosin said these families are possibly at greater risk, and it is more challenging.

Nancy Coston said that everything costs more, and it is harder for families.

Travis Myren resumed the presentation:



Commissioner McKee asked if there is any way to determine the source for the increase in neglect.

Nancy Coston said staff has to identify contributing factors, and parental substance abuse, domestic violence and mental health issues are the consistent causes in about 80% of cases. She said it involves all kinds of drugs and alcohol, and the domestic violence situations are complex, and often result in requiring DSS custody.

Commissioner Marcoplos asked if these increases are happening across the country.

Nancy Coston said yes, and Orange County is slightly slower in increasing foster care numbers, than other counties. She said this is a big problem.

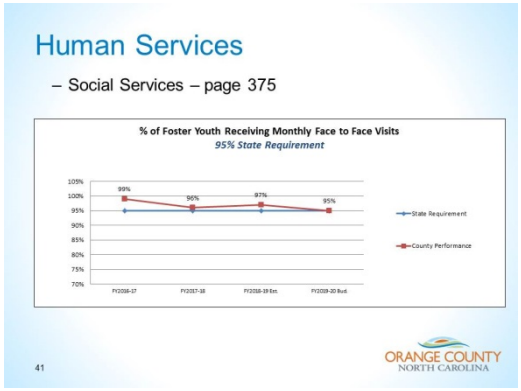
Chair Rich asked if all of the kids are being fostered.

Nancy Coston said yes. She said the majority of children are in family foster care, with the next largest group being therapuetic foster care through the mental health system. She said the latter are still with families, but there is additional treatment and funding through the mental health system. She said kinship care is also used a lot, followed by a small group of very challenging children who do not do well in family foster care. She said some children are in emergency rooms for a horribly long time, and it can be very difficult to find good placements for some children.

Commissioner Price asked if the Social Worker 1 position is an entry level position.

Nancy Coston said yes, it is an entry level social worker position, but it is not a Child Protective Services Social Worker. She said this position will work alongside Child Protective Services social workers to allow them to provide better focus.

Travis Myren said the funding for this position is for 6 months, starting in January. He resumed the presentation:



Commissioner McKee asked if this reduction in face to face visits is because of case load.

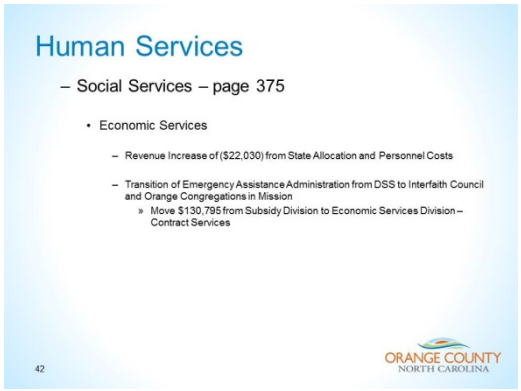
Nancy Coston said yes, it is difficult to meet the needs. She said children that are placed in other states are a challenge, and this is a hard measure to meet.

Commissioner McKee said the state requirement is misleading, and asked if it must be at the 95% level.

Nancy Coston said yes, wherever the children are, DSS staff need to get to them.

Commissioner McKee said that if the trend starts to drop, the BOCC needs to know this.

Travis Myren resumed the presentation:



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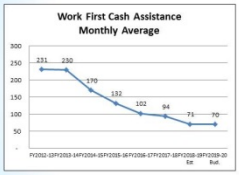
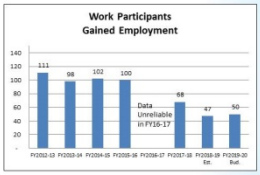
Human Services

– Social Services – page 375





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ORANGE COUNTY
NORTH CAROLINA

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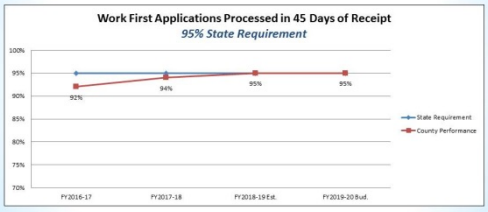
Human Services

– Social Services – page 375



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ORANGE COUNTY
NORTH CAROLINA

3

Human Services

– Social Services – page 375

- Subsidy
  - Increase Foster Care and Adoption Payments - $207,304
    - » Increase in Number of Children in DSS Custody
    - » State Policy Change Increasing the Age for Eligibility from 18 to 21
  - Increase in Child Care Subsidy for Day Care - $128,199
    - » Funded by Transfer from Social Justice Funds
    - » Driven by Increased Demand

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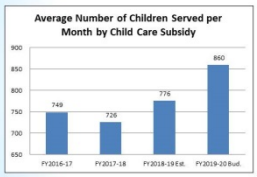
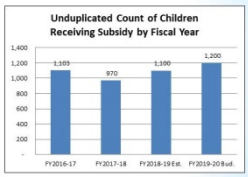
ORANGE COUNTY
NORTH CAROLINA

4

Human Services

– Social Services – page 375





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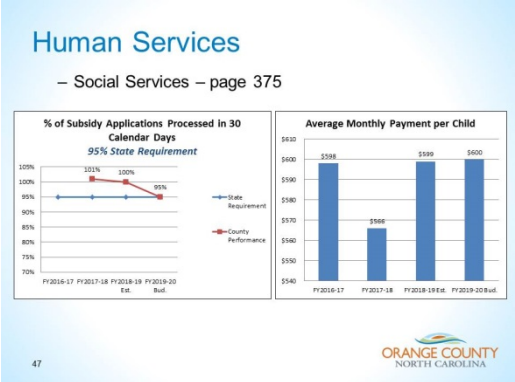
ORANGE COUNTY
NORTH CAROLINA



Commissioner Dorosin asked if there are eligible families who are not getting subsidies.

Nancy Coston said DSS started a wait list again a couple of months ago. She said this happens all the time, but the state gave more money, and staff can start to clear the wait list. She said there are over 100 now, and about $500,000 in state funds has come in. She said more people are getting employed now, and the trend is back up, but she thinks things are back on track now.

Commissioner Dorosin said he would be interested in a review of an annualized update on how the County is doing with poverty related issues in different departments. He said he would like updates more frequenty, and to maybe learn about particular areas that are persistently problematic and need to be addressed. He said he wants to know how the County should prioritize. He said perhaps the County should focus on the FSA, child care subsidies, or Pre-K and housing, all of which have complicating issues. He said it would be helpful to evealuate maintaining the socioeconomic needs of the community the same way that the BOCC prioritizes budgetary outcomes, as well as substantive outcomes.

Commissioner Marcoplos said since the BOCC will be getting the results of the poverty study in the fall, that might be a good time to pull in more information.

Quintana Stewart, Health Director, said staff is working on updating that report now.

Commissioner Dorosin asked if the report incorporates other areas.

Bonnie Hammersley said yes, this is for the whole Human Services team.

Chair Rich said this would be a good petition to get a quarterly update, and will address it at the next meeting.

Chair Rich asked if there is an update on the balance of the Social Justice fund.

Bonnie Hammersley said there is $200,000 in the recommended budget. She said there was $328,000, and $128,000 has been removed.

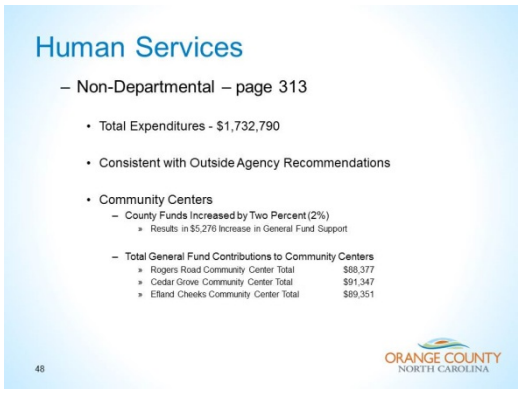
Commissioner Price asked if emergency revenue to OCIM is working well.

Nancy Coston said yes, this has been a good partnership, and DSS is contracting with OCIM to deal with walk in emergencies for cases in which DSS is not already involved. She said this contract was the right decision.

Commissioner Price asked if the County is prepared for a direct or indirect hit, or a disaster.

Nancy Coston said the County is definitely working on a plan, and has been internally discussing sheltering concerns. She said each event brings new opporutnities, but flooding has been a consistent problem.

Travis Myren resumed the presentation:



Commissioner McKee referred to the outreach programs and summer enrichment programs that require transportation, and asked if staff has looked at how to facilitate bus service for this travel.

Travis Myren said yes, staff has looked into this and can look further.

Commissioner McKee said transportation is an ongoing issue, and the County should keep this in-house, so private transportation is not needed. He said this is an issue for community centers arranging travel for special field trips, and private coaches are expensive, and other options bring up insurance issues.

Commissioner Greene said this is an issue for the Rogers Road Community Center right now.

Commissioner Dorosin asked if school buses could be used during the summer.

Chair McKee said there are insurance and availability issues.

Commissioner Greene said church vans in the vacinity of Rogers Road are not big enough, and there are also liability issues.

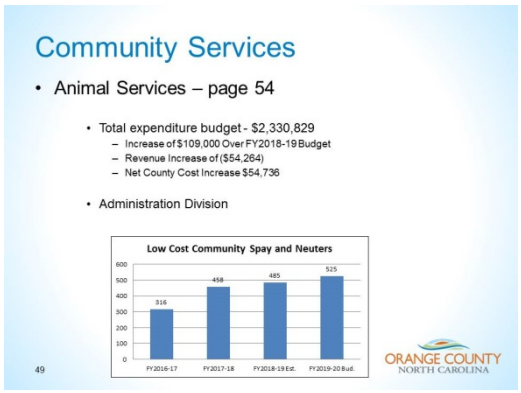
Commissioner Dorosin asked if this topic can be added to the next school collaboration meeting agenda, as this is critical issue.

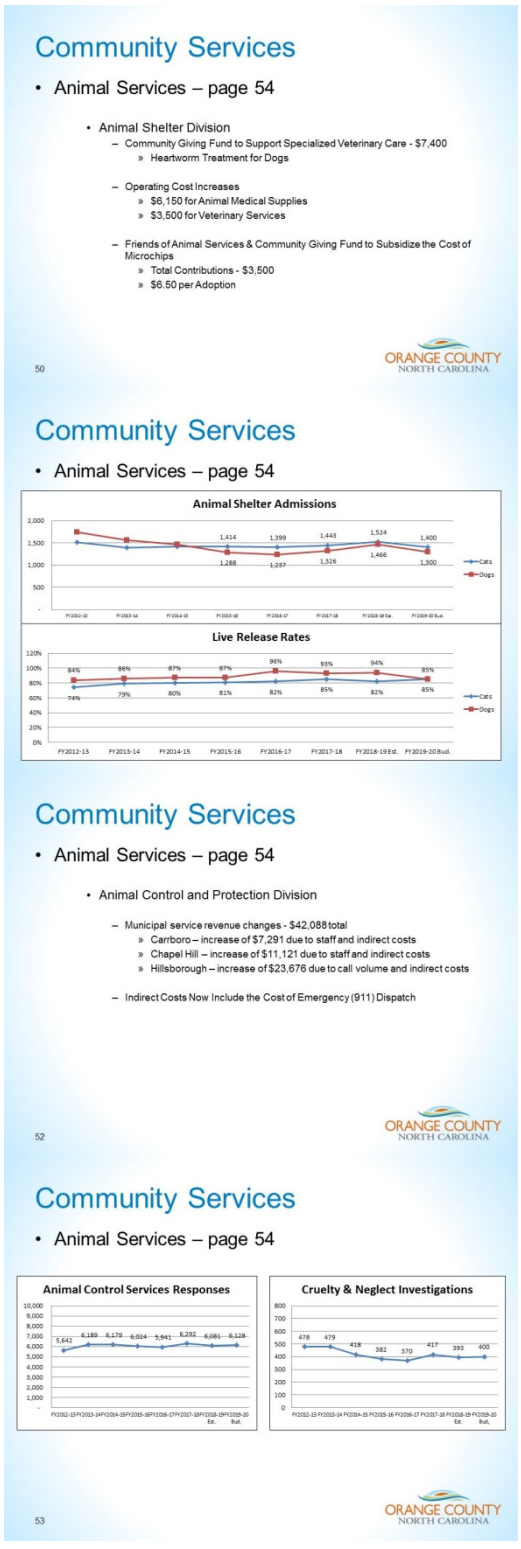
Commissioner McKee said he is working with Orange County Schools (OCS) now on this issue.

Commissioner Marcoplos said he wanted to recognize Coby Austin, who has been leading the the FSA, but is leaving the County tomorrow.

The Board wished her good luck in the future.

Travis Myren continued the presentation:





Commissioner Dorosin asked if Animal Services's number one priority for the coming year, could be identified.

Bob Marotto, Animal Services Director, said staff is continuing to work to provide subsidized spay and neuter services for pets. He said this program has been broadened, due

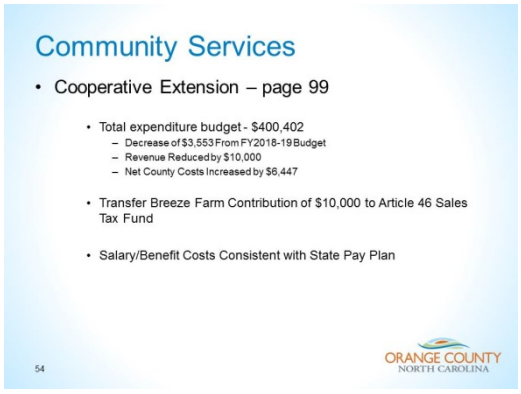
to getting a grant for low income families, which is a primary community-oriented objective. He said staff wants to broaden outreach through local communities.

Chair Rich asked if the barn cats are working cats.

Bob Marotto said yes, and the County has a barn cat program, and these animals provide services to farm settings. He said this program started in late 2017, and staff continues to work on this. He said staff is working with people to get these cats spayed and neutuered.

Commissioner McKee said barn cats are notoriously difficult to work with, as they may appear regularly, or not be seen for weeks. He said these cats are wild animals.

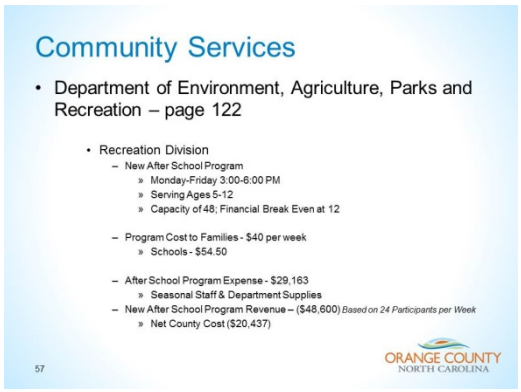
Travis Myren resumed the presentation:



Commissioner Price said 4-H offers great programs, and the increase is phenomenal.

Travis Myren resumed the presentation:





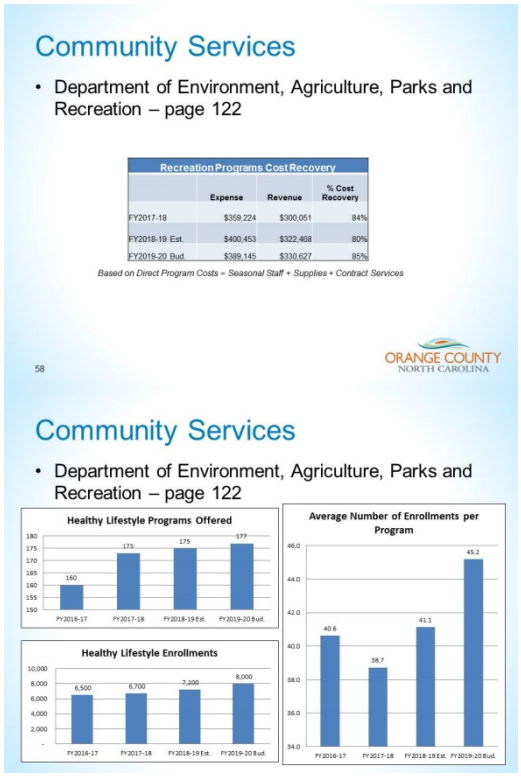
Commissioner Dorosin asked if the after school program will be held in the schools.

David Stancil, Department of Environment, Agriculture, Parks and Recreation (DEAPR) Director, said it will be held at the Central Rec center.

Chair Rich asked if additional staff is needed.

David Stancil said no, seasonal employees will run the program.

Travis Myren resumed the presentation:

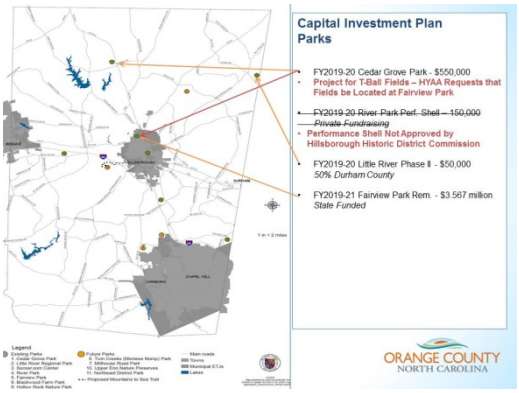




Commissioner Dorosin asked if the County is planning another LocalFest.

Travis Myren said it is under the Article 46 funds (page 63).

Bonnie Hammersley said staff has talked about doing it in the spring, because of conflicting events.



Commissioner Marcoplos clarified that there probably will not be a performance shell in the River Park.

David Stancil said entertainers generally bring out temporary stages, which is sometimes a blessing in disguise, as there is flexibility in being able to vary the location of the stage. He said the Hillsborough Historic District Commission was concerned about the natural setting, and did not approve the shell in River Park.

Travis Myren resumed the presentation:



Commissioner Dorosin referred to line item allocated for "memberships for fieldhouse operations" and asked if this line item is calculated according to a certain formula.

John Stock, Sportsplex Director, said this is a best guess, and staff has looked at how the memberships have grown, and seen the velocity on an ongoing basis.

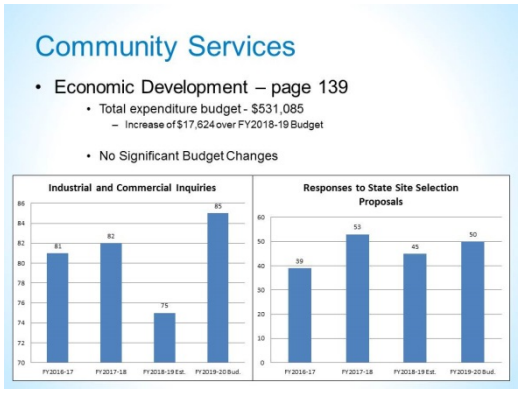
Commissioner Price asked if the front door renovations will have a vestibule for energy efficiency.

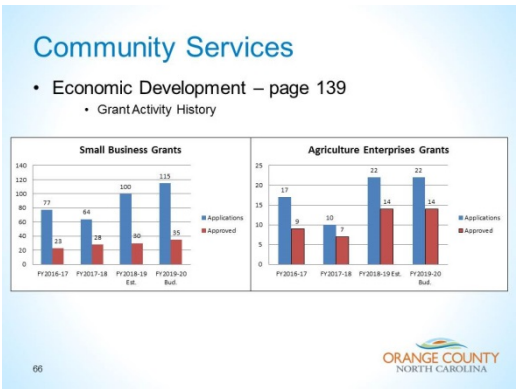
John Stock said this is a concern, and staff has not contemplated this. He said it is an awkward situation and the cost would be significant. He said the current doors are wearing with age, and need replacing. He said staff can consider this question further.

Commissioner Price asked if there is a plan to do anything about the overhang and the bird problem.

John Stock said yes, staff has tried to handle this, and knows something needs to done to deal with the bird problem.

Travis Myren resumed the presentation:





Commissioner Dorosin asked if the maximum amount of money is being given out.

Steve Brantley, Economic Development Director, said the business grants are running at a ratio of 3-4 times the ask on a quarterly basis, versus the amount of funds available. He said the subcomittees that review these applications are not really maxing out the grants, but giving maybe 30-50% of a request in order to cover as many applicants as possible.

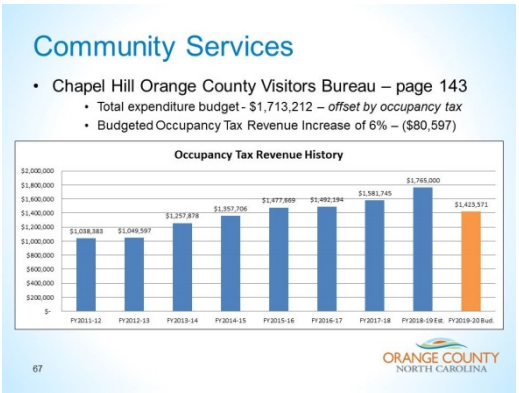
Commissioner Dorosin asked if all available funds are being given out.

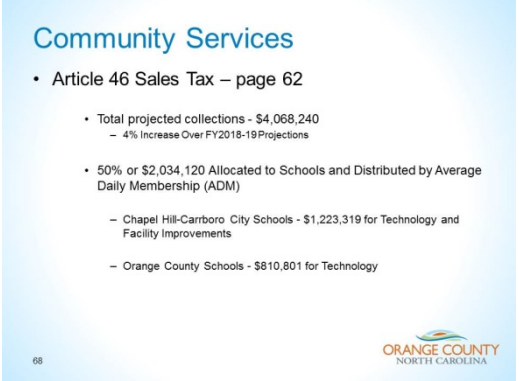
Steve Brantley said yes.

Commissioner Price said it is important to note the return on investment of the agriculture grants.

Tyrone Fisher, Cooperative Extension, said that the Breeze Farm is a great example. He said additional programs are bringing in additional revenue, so the invesment has continued to pay off.

Travis Myren resumed the presentation:





Commissioner Dorosin asked if the Visitor's Bureau's budgeted amount is going down because of the expected occupancy tax revenue increase.

Laurie Paolicelli, Visitor Bureau (VB) Director, said no, and the VB is carrying forward a fund balance of $238,000. She said the actual budget will be the same, and the occupancy tax is continuing to increase.

Chair Rich asked if the Board of County Commissioners could get a list of the facility and technology work that is being done.

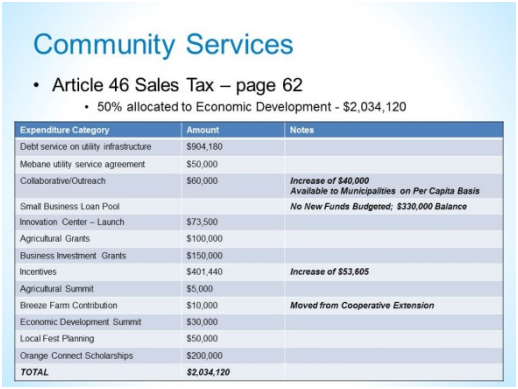
Paul Laughton, Budget Director, said it is itemized in the Capital Improvement Plan (CIP) book under the Article 46 section. He said the Article 46 funds are above the amount being spent in the schools.

Commissioner McKee said the County needs to publicize this, as the percentage is not the only thing being given by the BOCC to fund the school systems.

Travis Myren said there is a table that can be distributed that outlines the various sources.

Chair Rich said it would be good for the BOCC to have this, as the BOCC has been getting emails about this lately.

Travis Myren resumed the presentation:



Community Services

- Article 46 Sales Tax – page 62
  - 50% allocated to Economic Development - $2,034,120

Expenditure Category	Amount	Notes
Debt service on utility infrastructure	$904,180	
Mebane utility service agreement	$50,000	
Collaborative/Outreach	$60,000	***Increase of $40,000 Available to Municipalities on Per Capita Basis***
Small Business Loan Pool		***No New Funds Budgeted; $330,000 Balance***
Innovation Center – Launch	$73,500	
Agricultural Grants	$100,000	
Business Investment Grants	$150,000	
Incentives	$401,440	***Increase of $53,605***
Agricultural Summit	$5,000	
Breeze Farm Contribution	$10,000	***Moved from Cooperative Extension***
Economic Development Summit	$30,000	
Local Fest Planning	$50,000	
Orange Connect Scholarships	$200,000	
TOTAL	***$2,034,120***	

Commissioner Price asked if the original amount in the loan pool could be identified.

Steve Brantley, Economic Development Director, said that the amount was $200,000, which was transferred from the Visitors Bureau to the loan pool. He said this money returns to the County with a minor amount of interest. He said the demand has not been as strong since the County started the grant program, but it is still very active.

Commissioner Marcoplos asked if staff could given an example of collaborative outreach transaction.

Travis Myren said Carrboro has sponsored a festival, and asked the County to co-sponsor it, and Chapel Hill has sponsored a luncheon and asked the County for funds.

Commissioner Marcoplos asked if this is based on a discretionary need.

Steve Brantley said it gives flexibility for unseen, miscellaneous requests.

Travis Myren said with a more sizeable amount, staff will make a more formalized request with an intentional method to evaluate projects/events.

Chair Rich asked if the date has been set for Economic Development Summit.

Steve Brantley said he will be talking to the BOCC about this shortly and it was held in the fall last year and was radio based.

Chair Rich said she received good feedback, and people really seemed to appreciate it.

Travis Myren resumed the presentation:

Capital Investment Plan
Water & Sewer Infrastructure

- Economic Development Water & Sewer Infrastructure - $1.06 million (p. 91)
  - Hillsborough Economic Development District Sewer Project
    - Supplemental Funding Due to Construction Costs and Additional Rock Discovered During Geotechnical Investigation under interstate 40 crossing
    - Serves 200 acres and 1.2 million square feet approved in the Settlers Point MPD-CZ

ORANGE COUNTY NORTH CAROLINA

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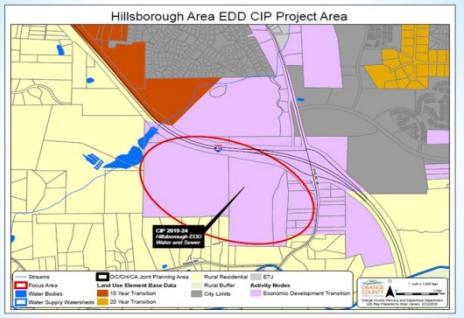

ORANGE COUNTY NORTH CAROLINA

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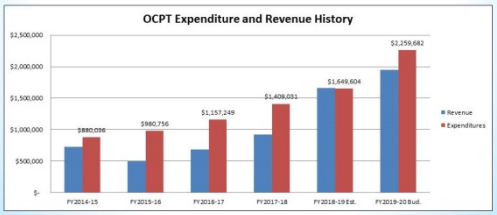
Community Services

- Orange County Public Transportation – page 333
  - Total expenditure budget - $2,259,682
    - Expenditure Increase of $511,550 Over FY2018-19 Budget
    - Revenue Increase of ($294,814) Over FY2018-19 Budget
    - Net County Costs Increase by $216,736



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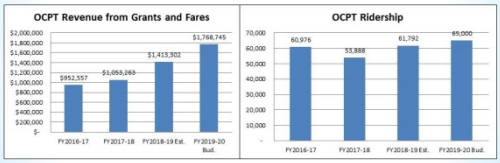
Community Services

- Orange County Public Transportation – page 333



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ORANGE COUNTY NORTH CAROLINA

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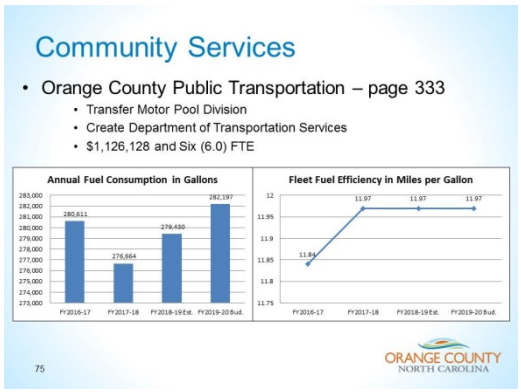


Travis Myren said there is an expansion of scope by moving the motor pool from Asset Management Services (AMS) to OCPT.

Commissioner McKee asked if 6 employees are being moved, or if 6 new people are being hired.

Travis Myren said staff is being moved, and there are no new employees.

Commissioner Marcoplos said it would be helpful to separate grant revenue versus fares revenue.

Travis Myren said staff can provide this information.

Commissioner McKee asked if staff has looked into any grants on electric buses that are amenable to the size the County needs.

Theo Letman, Transportation Director, said staff is in the process of applying for grants for this, and are part of a state survey. He said there are three grant programs: bus and bus facilities (5339); a low emission vehicle program; and a new bus program with funds, and the department is working with Brennan Bouma, Sustainability Coordinator, on this. He said Brennan Bouma has applied for a grant for a high charge electric station.

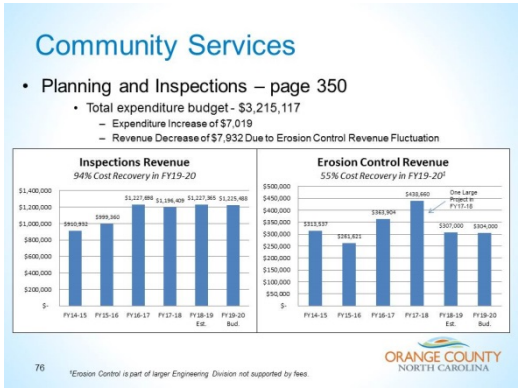
Commissioner McKee said this might be a good time to look into a reverse route.

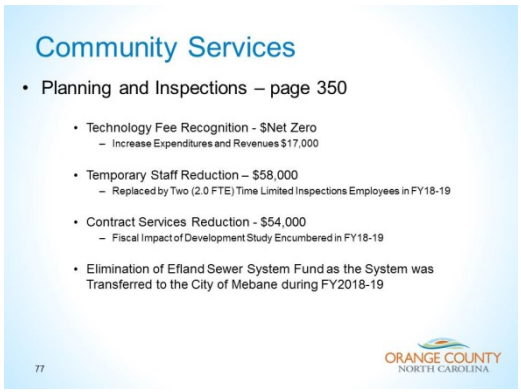
Theo Letman said staff is looking into exciting options for vehicles, and are open to different types.

Commissioner Price said the improvements are wonderful, but one thing people are concerned with is the various types of partners on the routes. She said it is very confusing.

Theo Letman said staff meets regularly with local jurisdictions, and discuss this concern frequently. He said there are a lot of jurisdictional boundaries that are federally mandated, and others that do not make sense.

Travis Myren resumed the presentation:

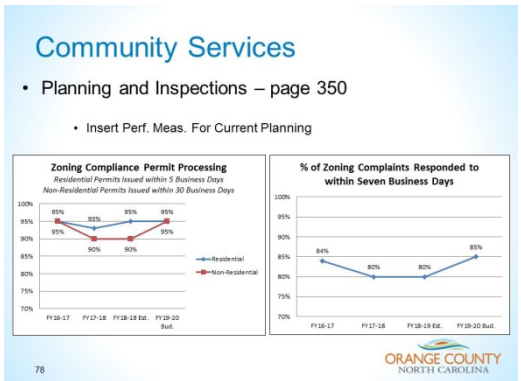


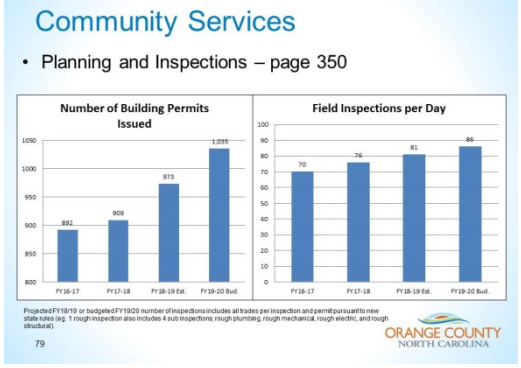


Commissioner Greene asked if the 2017-18 project could be identified.

Craig Benedict, Planning Director, said it was Collins Ridge in Hillsborough, and there was a master plan with mass grading. He said this money supported a position that was for a number of years, and has gone through various phases.

Travis Myren resumed the presentation:







Commissioner Price asked if there is an update on the hydrilla issue.

Craig Benedict said staff is working with the State on this, and have a contract for additional chemicals.

Commissioner Price asked if carp are still being used.

Craig Benedict said yes.

Commissioner Price asked if there is an update on cluster development in the rural areas.

Craig Benedict said the County has changed its regulations over the past five years to say that the more open space that is provided, the smaller the lots can be. He said this sometimes causes problems with septic systems. He said new Unified Development Ordinance (UDO) regulations provide better clustering, making it a good choice as new developers come to the area.

Commissioner Price said it would be good to be able to have smaller homes for seniors who do not want large homes. She asked if staff has researched this possibility.

Craig Benedict said staff recently brought up the idea of having more duplexes, and there are some regulations regarding environmental health that prohibit this. He said there are some density issues in the rural areas, due to watershed regulations, but the County should be able to move in that direction.





Commissioner McKee referred to the solid waste program fees, and asked if staff expects the $148 fee to hold.

Bonnie Hammersley said staff will do what it can to make this number hold, but when the structural deficit was addressed, the County was bringing in $1 million for recycling revenue. She said, currently, the County is paying $1 million to have recycling removed. She said things have changed with the recycling markets, but staff will try to keep the fee no higher than $148. She said if a change is needed, staff will let the BOCC well in advance.

Commissioner McKee said the fee is approaching a large percentage of the total property tax on some of the smaller home properties.

Commissioner Dorosin said the County is paying $1 million to have the recycling taken elsewhere, and asked if there are any alternatives.

Robert Williams, Solid Waste Director, said that if the County ends the recycling program, it would increase the disposal costs by roughly $1.4 million. He said the County just completed a recycling study, and the problem is to reduce residual trash (which is currently at 12% in recycling). He said staff has identified where the County can partner with businesses and target the removal of glass from the recycling materials. He said a pilot program to separate out glass, exists in some apartment communities, which has been well received. He said the glass will be hauled to the glass recycling facility in Wilson.

Commissioner Dorosin asked if part of the costs are due to recycled products not being as valuable to the recycler or because of the residual garbage.

Robert Williams said both. He said the residuals have complicated the problems, and companies have started charging additional fees to separate it. He said the County needs to clean up the residuals.

Commissioner McKee said getting rid of the program is not an answer, but the County needs to get really innovative about how to approach it, or it will eat the County alive.

Robert Williams said the Solid Waste Management Plan is addressing this to meet Orange County's needs. He said staff needs to look into alternative technologies.

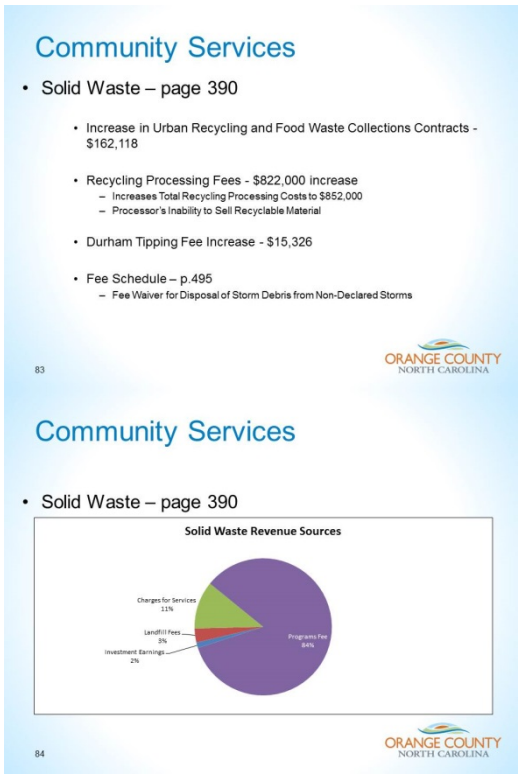
Commissioner Dorosin said the goal is to get to an actual enterprise fund, but asked if fees are inherently aggressive, is there some other reason why it has to be a self sustaining enterprise fund that is funded through the fees. He asked if increasing taxes is a more equitable way to distribute the cost than increasing the solid waste fee.

Travis Myren said there is no legal requirement that it has to be recaptured through fees. He said the program fee is tantamount to a tax. He said an alternative would be for the Board to increase property taxes in order to make the fund work, as there is no requirement that this be an enterprise fund.

Bonnie Hammersley said there are fee waivers of $500 available, and the solid waste program has a safety net in the general fund. She said if money is needed, to continue to support the efforts, it should be done on the back end, and not on the front end. She said this money helped to fund other efforts in the budget that are needed now, and the solid waste fund

has a healthy fund balance, around 34% versus the 16% fund balance for the County as a whole. She said she plans to bring all fund balances to 16%, and so the County can rely on the solid waste fund balance for a little while, and hopefully the market will turn around.

Travis Myren resumed the presentation:

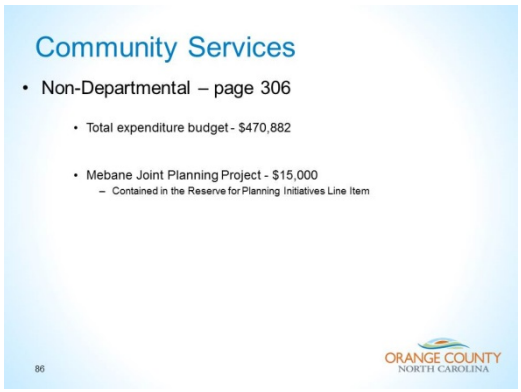




Commissioner Price said she does not understand the bullets in the budget highlights section.

Robert Williams, Solid Waste Director, said staff is reorganizing the department, and putting recycling in the appropriate area in the landfill. He said it is not additional revenue, and it is a wash between different divisions.

Travis Myren resumed the presentation:



Commissioner Price asked if the funds for the Mebane Joint Planning Project will be used for a specific purpose.

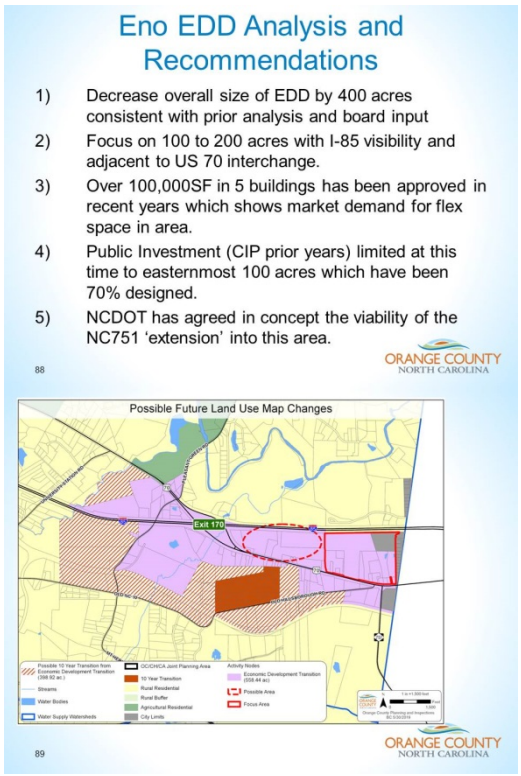
Travis Myren said the line item has been used for a variety of things.

Craig Benedict said examples include a consultant, use plans, and studies, etc.

Chair Rich said she echoes Commissioner Dorosin's previous comments that the performance measures have been helpful, as well as outcomes. She asked if staff can put department heads' contact information in each sections.

Commissioner Dorosin asked if the remaining slides will be discussed.

Travis Myren said these slides are not related to this budget discussion, and the Board will have this discussion in September. He said these slides were just included if questions came up.



2. Adjournment

A motion was made by Commissioner Marcoplos, seconded by Commissioner McKee to adjourn the meeting at 9:42 p.m.

VOTE: UNANIMOUS

Penny Rich
Chair

Sherri Ingersoll
Deputy Clerk II

Attachment 3

DRAFT **MINUTES**
ORANGE COUNTY BOARD OF COMMISSIONERS
BUDGET WORK SESSION
June 11, 2019
7:00 p.m.

The Orange County Board of Commissioners met for a budget work session on Tuesday, June 11, 2019 at 7 p.m. at the Whitted Building in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Penny Rich and Commissioners Jamezetta Bedford, Mark Dorosin, Sally Greene, Earl McKee, Mark Marcoplos, and Renee Price
COUNTY COMMISSIONERS ABSENT: None
COUNTY ATTORNEYS PRESENT: None
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below)

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

Travis Myren noted the following items at the Commissioners' places:
- Blue sheet: Memo from Asset Management Services (AMS)
- White sheet: PowerPoint
- Green sheet: all proposed amendments to operating budget
- Salmon sheet: CIP budget amendments
- White sheet: fee changes from the Health Department

Travis Myren reviewed the outline for the evening:

1. FY2019-20 Operating Budget
   Consider and Approve **Amendments** to the County Manager's Recommended Operating Budget
2. FY2019-24 Capital Investment Plan (CIP)
   Consider and Approve Amendments to the County Manager's Recommended Capital Investment Plan
3. FY2019-20 County Fee Schedule
   Consider and Approve Amendments to the County Manager's Recommended Fee Schedule
4. FY2019-20 Tax Rates
   Consider and Approve Amendments to the County Manager's Recommended Budget -the **Ad Valorem (Property) Tax Rate, Special District Tax Rate, and Fire District Tax Rates.**
5. Break
6. Resolution of Intent to Adopt
   Consider and Approve the **Resolution of Intent to Adopt the FY2019-20 Operating Budget** at the Board of County Commissioners Regular Meeting on June 18, 2019
      Operating Budget for FY2019-20
      Year One (FY2019 -20) of the Capital Investment Plan

County, Special District, and Fire District Tax Rates
Fee Schedule

Travis Myren made the following PowerPoint presentation:

Intent to Adopt
Budget Work Session
June 11, 2019
Whitted Meeting Facility

Decision Points

School Funding
Operating Budget School Funding – page 148 (table)

- Total Recommended School District Funding
- **Included as Part of the School Funding Target Calculation**
- Target is 48.1% of General Fund Revenue
- FY2019-20 Recommended Budget = 49.5%

School Funding
Capital Budget School Funding – page 115 CIP (table)

- Total: $11, 448, 606

School Bond Allocation – page 115 CIP (table)
Total Recommended School Bond Allocation- OCS

School Funding
Total Recommended School Funding FY19-20

FY2019-20 Budget Information

- Fire District Scope (graph)

FY2019-20 Budget Information

- Jury Master List Creation – page 117
  -Increase of $7,500 for the Jury Master List, which is Funded Every Other Year
- Data Source
  -Data is from DMV Records (Licensed Drivers) and Voter Information (Registered Voters)
  -Names are drawn at random from the list.
  -A jury summons is printed and issued to jurors by US mail.
- Geothermal Feasibility Studies Payback
  -Current Geothermal Systems Save $6,300 per year
  -$25,000 in feasibility study costs would be paid off in 4 years
- Solar Panel Installation at Waterstone Substation
  -Joint Project with Orange Rural
  -Discussion Part of the Interlocal Agreement
  -Possibly Include Solar Feasibility Study in Architect's Scope
- Sheriff Overtime Report – graph (Sheriff Overtime Expenses with Reimbursement)
- Transportation for Community Center Programs

-Use Conflict with County Vans for Summer Recreation Programming, Park Activities, etc.
-Proposed Amendment to Add $140,000 to Purchase Two Large Capacity Vans for Community Center Use
-Cost is Partially Offset ($107,000) by PAYGO/Cash Originally Budgeted for the Cedar Grove Shower Project
-Vans Shared and Scheduled by Community Centers through Motor Pool

Commissioner Price asked if Community Centers will need to secure drivers and insurance.

Travis Myren said there would be some type of lease/rental agreement, with which there would be no associated costs. He said the vehicle is County property, which the County insures, but the Community Centers would be responsible for providing properly insured drivers. He resumed the presentation:

FY2019-20 Budget Information

- CIP Debt Model – Debt Service (graph)
- CIP Debt Model – Simulated Tax Rates for Debt Service (graph)
- OCPT Revenue- Fare vs Non-Fare
- Operating Budget Amendments
  - Reordered and Renumbered - Tax Rate Amendments First
  - Other Operating Budget Amendments - Offset by Increase in EMS Revenue
- Capital Investment Plan Amendments
  - Offset by PAYGO (Cash) or
  - Offset by Delaying Equipment for Southern Branch Library due to Construction Schedule

Decision Points

- Approve the **Resolution of Intent to Adopt the FY2019-20 Operating Budget** at the Board of County Commissioners Regular Meeting on June 18, 2019
  - Operating Budget for FY2019-20
  - Year One (FY2019-20) of the Capital Investment Plan and Accept the Five Year Plan
  - Tax Rates for County, Special District, and Fire Districts
  - Fee Schedule

Travis Myren said the list of amendments have been reorganized somewhat, so that all amendments that will adjust the tax base are first. He began a review of the amendments:

1. Discussion of FY2019-20 Operating Budget

- Funding Decisions on the Operating Budget Amendment List
- Funding Decisions on the Other Funds Budget Amendment List
- Funding Decisions for Chapel Hill-Carrboro City Schools and Orange County Schools
  - Current Expense (Per Pupil)

Deferred Maintenance

• Amendment	Sponsor	Budget Page	Department	Amendment	Amount	General Fund Total	Other Funds Total

9-20OP-001	Comm. Marcoplos	43	Asset Management Services	Increase taxes an additional 1/4 cents to fund county efforts to combat climate change initiatives. **Attachment D**	$ (469,272.00)	$ (469,272.00)	
9-20OP-002	Commissioner Marcoplos	64	Asset Management Services - Transfer to County Capital	Add funds to a Capital Project (AMS) budget appropriation to fund county efforts to combat climate change initiatives. **Attachment D**	$ 469,272.00	$ 469,272.00	
9-20OP-003	Commissioner Dorosin	148	School District Tax	Decrease the CHCCS special district tax by 1.00 cent. The purpose of this amendment is to address the funding inequity in the two school systems.	$ 1,203,030.00		$ 1,203,030.00
9-20OP-004	Commissioner Dorosin	148	School District Tax	Decrease allocation of District Tax funds to CHCCS due to decrease in special district tax by 1.00 cent.	$ (1,203,030.00)		$ (1,203,030.00)
9-20OP-005	Commissioner Dorosin	43	County-wide	Increase the ad valorem tax by 1.07 cent for education allocated by ADM. The purpose of this amendment is to address the funding inequity in the two school systems.	$ (2,008,483.00)	$(2,008,483.00)	
9-20OP-006	Commissioner Dorosin	148	County-wide	Increase Current Expense Allocation to Schools by ADM **CHCCS - $1,207,902 and OCS - $800,581**	$ 2,008,483.00	$ 2,008,483.00	
9-20OP-007	Commissioner Bedford	43	County-wide	Increase the ad valorem tax by 1.066 cents for education allocated by ADM	$ (1,999,984.00)	$(1,999,984.00)	
9-20OP-008	Commissioner Bedford	148	County-wide	Increase Current Expense Allocation to Schools by ADM **CHCCS - $1,202,852 and OCS - $797,132**	$ 1,999,984.00	$ 1,999,984.00	
9-20OP-009	Commissioner Rich	43	County-wide	Increase the Ad valorem tax by 4.30 cents which reflects the Upfront Tax Rate for Debt Service rather than the Phase-In of 1.50 cents contained in the Manager's Recommended Budget	$ (8,071,474.10)	$(8,071,474.10)	
9-20OP-010	Commissioner Rich	407	Transfer to Debt Service Reserve Fund	Transfer 4.30 cents Ad Valorem tax proceeds to a Debt Service Reserve Fund	$ 8,071,474.10	$ 8,071,474.10	
9-20OP-011	Commissioner Marcoplos	62	Economic Development	Hire a consultant to compile an inventory of agencies participating in the workforce development pipeline available to Orange County and assess the feasibility of a Tradescraft Center. **Attachments (A1), (A2)** Use Article 46 Sales tax to fund the initiative.	$ 20,000.00	$ -	$ 20,000.00

9-20OP-012	Commissioner Greene	109	OCPEH	To enable funding for an ongoing full-time position for housing locator within the Community Empowerment Fund. The OCPEH will administer the contract and funding will be distributed according to current allocation within the Partnership. Offsetting Revenue from the Town's share is $21,488. **Attachment B**	$ 35,226.00	$ 13,738.00	$ 35,226.00
9-20OP-013	Commissioner Rich	71	BOCC	Increase the base salary to $23,591 for the County Commissioners to the regional average compensation as well as the cellphone allowance to $85/month, the internet to $75month, and car allowance of $200/month. **Attachment C**	$ 26,737.00	$ 26,737.00	
9-20OP-014	Commissioner Rich	71	BOCC	Add funds to the Commissioners travel line item in the County Clerk's appropriation to cover anticipated increase in travel expenses for conferences and training for FY2019-20.	$ 4,000.00	$ 4,000.00	
9-20OP-015	Commissioner Price	447	DEAPR	Eliminate the revenue for the user fee of $3 per person to participate in open gym at the Parks & Recreation gymnasium.	$ 1,500.00	$ 1,500.00	
9-20OP-016	Commissioner Rich	Various Pages	County-wide	Increase mobile telephone stipend from $35 to $50 per month for county employees who use personal mobile telephones for county business.	$ 22,590.00	$ 22,590.00	
9-20OP-017	Staff	306	Non Departmental - Community Services	Increase in Triangle Area Rural Planning Organization (TARPO) dues for FY 2019-20 from $7,500 to $9,000	$ 1,500.00	$ 1,500.00	
9-20OP-018	Staff	371	Sheriff's Office	Add a 1.0 FTE Deputy Sheriff I position to provide School Resource Officer (SRO) services at Eno River Academy. The County will receive reimbursement for the 10 month School Year associated expenditures. Offsetting revenue of $56,422 from Eno River Academy for SRO services for the 10 month School Year period	$ 67,706.00	$ 11,284.00	
9-20OP-019	Staff	246	County Manager	Increase Emergency Medical Services Collections by $250,000	$ (250,000.00)	$ (250,000.00)	
9-20OP-020	Commissioner Rich	109	County Manager	Decrease $4,000 in Food Council division for one-time Equity Training that was budgeted in FY 2018-19	$ (4,000.00)	$ (4,000.00)	

9-20OP-021	Staff	495	Solid Waste	Add a Storm Debris Fee Waiver option to the County Fee Schedule to allow limited storm fee waivers for residents following undeclared storm events.			TBD
9-20OP-022	Staff	407	Asset Management Services - Transfer to County Capital	Use funds of $154,000 from additional EMS collection revenue for the Facility Accessibility, Safety and Security Improvements Capital Project for Elevator modernization at the Richard E. Whitted Facility	$ 154,000.00	$ 154,000.00	
9-20OP-023	Staff	64	Asset Management Services	Add funds of $15,000 for a Temporary position in AMS to assist with Capital Projects management	$ 15,000.00	$ 15,000.00	
9-20OP-024	Commissioner Greene		County-wide	Add to the County Travel Policy that travel expenses for Commissioners and County staff will include the purchase of carbon offsets for any airfare and the miles traveled by Car Share vehicles. This will also be included in the Financial Policy section of the Budget Ordinance. The impact is currently estimated at approximately $1,100 and will be covered in departmental budgets.			
9-20OP-025	Staff	407	Transfer to Affordable Housing Initiatives/Community Development Fund	Due to a reduction in HUD funds in the HOME Program, reduce $4,479 for the County's share of the FY 2019-20 HOME Program	$ (4,479.00)	$ (4,479.00)	$ (58,024.00)
9-20OP-026	Commissioner McKee	338	Outside Agency	Increase funding to Orange County Rural Alliance by $5,000 to assist in funding meal deliveries in rural areas of the County	$ 5,000.00	$ 5,000.00	
9-20OP-027							
Totals					**$ 94,780.00**	**$ (3,130.00)**	**$ (2,798.00)**

Commissioner Dorosin asked if the CIP amendment list "total" refers to the total amount if every amendment were to be adopted.

Travis Myren said the first column is the total amount, on a net basis, that would be added to the Manager's recommended budget should all amendments be passed. He said the general fund impact is actually a surplus, which is noted in the second column. He said the third column is "other funds," as there are a few amendments that affect the district tax fund and the article 46 tax fund.

Commissioner Dorosin asked if the net is the total of those two.

Travis Myren said what would affect the tax rate would be the $3,130 amount.

Commissioner Dorosin said the bottom line on the CIP amendment list is -$23,400.

Travis Myren said, compared with the manager's recommended budget, the project total that the Board of County Commissioners (BOCC) would approve, would be $23,000 less.

Commissioner Greene referred to the CIP list, and asked if it includes the two vans.

Travis Myren said yes, this is included in item #8.

Commissioner McKee referred to the CIP list and the delayed purchase for the library, and said this is not a $750,000 reduction, but rather a delay.

Travis Myren said this would affect year 1, which the BOCC is approving tonight, but would move out to the 2021.

Commissioner McKee said the $23,403 is not really a savings, as these expenses are just being pushed out to a later year.

Travis Myren said it is a timing savings.

Commissioner Dorosin said it is a change from what is listed in the CIP.

Commissioner McKee said he just wants to be clear that this is not a savings, but a delay of expenses, which offsets in year 1 the additional CIP spending.

Travis Myren said there is some infusion of cash from amendment #10.

Commissioner Price referred to the bottom figure on the green sheet, and clarified that this is taking in two different amended proposals on the schools.

Travis Myren said those two proposals net out to zero, because the County is bringing in as much tax revenue as it is spending.

Commissioner Dorosin said suggested starting with amendments 9 and 10 on the green sheet, and whether the Board prefers the Manager's recommended 1.5 cent tax increase or the 4.5 cent tax increase. He said the outcome of these votes go may affect how the Board feels about other amendments.

Bonnie Hammersley said amendment # 9 (Increase the Ad valorem tax by 4.30 cents which reflects the Upfront Tax Rate for Debt Service, rather than the Phase-In of 1.50 cents contained in the Manager's Recommended Budget) was option 2 of the recommended budget. She said she recommended the phase in of 1.5 cent, and this second option would do an upfront increasing of taxes to the amount needed throughout the debt to 2021-22, and would create a debt service reserve, into which the money would go.

Bonnie Hammersley said amendment #10 is to create the debt service reserve fund (Transfer 4.30 cents Ad Valorem tax proceeds to a Debt Service Reserve Fund) if the BOCC approves amendment #9.

Commissioner Dorosin said the options before the Board are 1.5 cents as recommended by the Manager.

Bonnie Hammersley said yes, this would be reviewed annually and there would be a phase in of the cost needed to cover debt service.

Bonnie Hammersley said option 2 would be to do the 1.5-cent increase, plus pay upfront the future debt service and create a debt service reserves. She said this would raise the tax rate to 5.8 cents (1.5 plus 4.3).

Chair Rich said the 4.30 would be in the reserve fund, and be paid through 2022.

Bonnie Hammersley said it is a continuum that is paid up front, and is what staff anticipates the need to be through 2021. She said there is not a sunset, and staff is not recommending that this tax rate be stopped. She said the Board that is sitting at that time may choose to stop the tax.

Commissioner McKee asked if the "not stopping" part could be clarified.

Bonnie Hammersley said the Board would increase taxes in an ongoing manner until the Board changes it.

Commissioner McKee asked if there is a reason the 4.30 cents rate would be needed in an ongoing fashion.

Bonnie Hammersley said the debt is twenty years, and hits a peak in 20-21.

Travis Myren said they peak out at about 44.4 million, and once this peak has been hit, and nothing is changed, then the debt service will start falling off, and the sitting board may choose to reduce the tax rate as the debt is satisfied and paid off.

Bonnie Hammersley said they hit the peak at 21-22, and the board sitting at that time can make a decision to keep the rate the same or change it.

Commissioner Price asked if this type of vote will be needed every year, on this same debt.

Bonnie Hammersley said if the Board chooses to do it up front, it will not have to be done next year, as the up front will be there; but if the Board chooses to phase it in, the sitting Board will always have the option to change it from year to year. She said the upfront format is just an option, and she did not recommend this option because there are uncertainties in place and it may or may not be needed.

Commissioner Dorosin said he will vote against the higher up front rate, given the economic uncertainties.

Chair Rich said this is one of the reasons why Bonnie Hammersley recommended the 1.5-cent tax increase. She said doing yearly increases may result in greater costs over the long run, but that is just part of the reality.

Commissioner McKee said he would not support the upfront tax.

Commissioner Price said she would support the Manager's recommendation.

Commissioner Marcoplos said he thinks there are potential net savings with the upfront tax, but given the things that have been mentioned already, he would support the Manager's recommendation.

Chair Rich said there is consensus to go with the Manager's recommendation.

Bonnie Hammersley said then there is no need for Amendment #10.

Commissioner Dorosin suggested doing all of the school amendments next (Amendments #3-8).

Bonnie Hammersley said the Board needs to vote on amendments # 9 & 10 first.

A motion was made by Commissioner Dorosin, seconded by Commissioner McKee to reject amendments #9 and #10.

VOTE: UNANIMOUS

Amendment 003 - (Decrease the CHCCS special district tax by 1.00 cent. The purpose of this amendment is to address the funding inequity in the two school systems.)

Commissioner Dorosin said this amendment seeks to accomplish two goals: maintain a high level of education funding, and try to address funding inequities and distribute funding and resources more equitably throughout the County. He said this amendment takes a small step toward addressing the inequitable distribution of resources, while maintaining a high level of funding for education.

Commissioner Dorosin said this is a one-cent increase on the ad valorem tax, bringing in over $2 million, all of which will be dedicated to education. He said the Board will increase the County's contribution to the per pupil allocation, which will go up, and at the same time the Board will reduce the special district tax in Chapel Hill Carrboro City Schools (CHCCS) by 1-cent. He said there is no reduction in educational spending, and CHCCS will receive the same amount of money proposed by the Manager's budget, but this would change the pots from which the money comes. He said CHCCS will get a bigger chunk of money from the ad valorem pot, and an offsetting smaller chunk from the district tax pot. He said there is no net loss of funding, and there is no proposal to determine how the funds are used, but rather is designed to recognize long-standing disparities between the school districts. He said school funding

decisions should be based on what it costs to provide the quality of education that the students in Orange County should receive. He said if this is $6000 per pupil (which is what is received in CHCCS), then the County should work towards every child getting this amount. He said he does not believe it costs $2000 more to educate a child in CHCCS, as opposed to the Orange County Schools (OCS).

Commissioner Marcoplos applauded Commissioner Dorosin for bringing this forward. He said it is a complicated issue, and for the Board to address this properly there needs to be a more in-depth process and involve all of the stakeholders. He said Commissioner Dorosin's suggestion is great for the schools, but the burden will fall on the OCS taxpayers.

Commissioner Marcoplos proposed to take this seriously, but to discuss this process in more detail. He said making a quick action right now would not be in the best interest of the County.

Commissioner McKee said this issue was debated and decided in the mid-2000s when merger was discussed, and Commissioner Dorosin's suggestion would shift the cost to the OCS taxpayers, and the tax increase would be divided 60% to CHCCS and 40% to OCS.

Commissioner Dorosin said it is misleading to describe it this way, as everyone will pay the tax increase.

Commissioner McKee said but that was Commissioner Dorosin's wording in an email.

Commissioner Dorosin said everyone pays the increase, and $2 million comes in from everyone, and is divided according to ADM, just as it always has been. He said it is not accurate to say that OCS is subsidizing CHCCS

Commissioner McKee said CHCCS taxpayers will be tax neutral with a 1-cent reduction in the district tax and a 1-cent increase in County property tax. He said it would not be neutral for the OCS taxpayer.

Commissioner Dorosin said but the monies would be divided the same way that all County money is divided for the schools.

Commissioner Price said CHCCS would still receive the special tax.

Commissioner McKee said yes, but it would be decreased by a penny.

Commissioner McKee said CHCCS would be a penny less in the district tax and one more penny in the County tax, which makes it tax neutral for CHCCS taxpayers. He said for OCS taxpayers, it amounts to a 1-cent tax increase, of which only 40% goes to OCS schools.

Commissioner Dorosin said Commissioner McKee could say that about every penny that is collected: 60% goes to CHCCS and 40% to OCS.

Commissioner McKee said in every other case, a 1-cent increase is for everybody in the County, and in this case it is a 1-cent increase for the OCS taxpayers, and no increase for CHCCS taxpayers.

Commissioner McKee said he is in complete agreement with Commissioner Dorosin about the inequity of the funding, but this is a tax that was put in specifically by the residents of Chapel Hill for the residents of the CHCCS through the legislature through special action. He said it has been in effect for years, and while he would love to find some way to address it, he does not know how to do so. He said the only way he can see to make a change is to permanently freeze the district tax, and over a long period of time, the increases in funding would shift.

Commissioner Dorosin said he does not think this is true, because if the Board freezes the district funding and raises the property tax every year, there will always be the gap where the district funding was frozen. He said the outcome of his proposal is that the per pupil spending for OCS will go up, and the per pupil spending for CHCCS will remain the same.

Commissioner Bedford said she was on the 2006 committee about fair funding, and OCS turned down a special district tax as the tax base was lower. She said the committee struggled with what would be most fair, and the County has to fund the same per pupil amount. She said the committee considered the will of the taxpayers, and how satisfied people were with

the schools. She said the committee found that residents are happy with the schools overall, and residents of northern Orange County were unwilling to pay as much as the residents in the CHCCS district. She said it is not just an issue of where people can afford to live. She said CHCCS has 27% free and reduced lunch, and even undocumented people will find ways to live in the district to access the education. She said she lives in a 1500 square foot ranch in CHCCS because that is what she could afford, and needed to be CHCCS to best meet the needs of her child with autism. She said CHCCS has 600% more special education and autistic children than the state would predict or expect. She said all of these variables must be considered.

Commissioner Bedford said this is not the year to do this proposed amendment, as the BOCC is not even fully funding the CHCCS continuation budget. She said the Manager's proposed increase will fund the OCS continuation budget, but not the expansion budget. She said she believes the district tax to be fair if the Board is fully funding the needs of OCS students, and those are needs are determined by the democratically elected OCS school board, and the willingness of the OCS taxpayers to pay. She said she sees no problem, if residents want to pay more for the "extras". She said the districts have collaborated well, and there is room for more growth in the future.

Commissioner Bedford said the County also does not need to call attention from the General Assembly (GA) until after the 2020 elections. She said the district tax has been in place since 1909, and the GA can abolish it instantly.

Commissioner Greene said she respected Commissioner Dorosin' proposal, and agrees with the need to discuss the question of equity, but Commissioner Marcoplos is making a good point that there is a bigger conversation that needs to take place. She said she is not sure what the parents in OCS feels about the schools and additional taxes, and maybe the Board needs to reengage this conversation.

Commissioner Price said she liked this proposal, but it is too early for the Board to make a decision tonight, and the school boards need to be involved in discussion. She said the Board does need to do something about the inequity, and the landscape has changed since 2006 and thus an updated conversation is warranted. She said it has always been strange to her to have two school districts vying for the same funding.

Chair Rich said Commissioner Dorosin has been trying for years to find an equitable way to fund the schools. She said she has heard from people that live in the County who are not in favor of this. She said it is time to engage the parents of OCS, and to find out what their focus is. She would like to bring this question to the school collaboration.

Commissioner Dorosin said he appreciated the Board's remarks, but he will insist that this conversation keep going, and to reevaluate the needs and the changing demographics in OCS. He said the Board must make this a more critical issue, especially due to the increase of low-income and ESL students in OCS and the "white flight" to charter schools.

Commissioner Dorosin said the per pupil allocation from the County would go up for both school districts. He said in CHCCS, with the reduction in the special district tax, the total per pupil for CHCCS would stay the same. He said the OCS per pupil would go up. He agreed getting information from residents is important, but wonders if the Board really thinks it costs $2000 more in one district, as opposed to another district. He said he did not think so, but the Board needs to justify this to all residents in the County.

A motion was made by Commissioner Dorosin to approve Amendments 003, 004, 005, 006.

NO SECOND

MOTION FAILS

A motion was made by Commissioner McKee, seconded by Commissioner Greene to reject amendments – 003, 004, 005, 006.

Chair Rich said she would like to work with Commissioner Dorosin to put a timeframe on this discussion.

Commissioner Dorosin said he would like to draw other BOCC members into that discussion as well.

VOTE: Ayes, 6; Nays, 1 (Commissioner Dorosin)

Amendments # 7 (Increase the ad valorem tax by 1.066 cents for education allocated by ADM) and # 8 (Increase Current Expense Allocation to Schools by ADM CHCCS - $1,202,852 and OCS - $797,132

Commissioner Bedford said she is proposing 1.066-cent increase to the ad valorem tax to fully fund OCS budget request. She said the state is not going to do a 3% salary increase for classified staff, but rather is offering 1% or $500, whichever is greater. She said the BOCC has done all it can to support education in Orange County, but the recession and changes in the GA have lead to the state leading an intentional decimation of public education. She said 2 years ago, OCS cut 29 positions, 19 of which were to balance the local budget and class sizes in grades 4-8 were increased to 1:27 students. She said OCS office staff was also greatly reduced at that time. She said OCS is about to embark on some equity training, but the classified staff not being paid for teacher workdays seems counter intuitive. She said her proposal will not allow for CHCCS to meet its continuation budget, but it is a step in the right direction. She said she recognizes that it is still a tax increase, and does not want to unduly burden residents, but feels this will be money well spent.

Commissioner McKee asked if the Manager's recommended amount for OPED could be identified.

Bonnie Hammersley said she is recommending adding $250,000 to OPED.

Commissioner McKee asked if Commissioner Bedford would be amenable to transferring the OPED monies to the schools, instead of increasing the tax.

Commissioner Bedford said every bit helps.

Commissioner Dorosin said he appreciated this proposal, and if the goal was to help OCS then his amendment would have done that. He appreciated Commissioner Bedford's analysis, but this problem is about getting all of the schools more money not just OCS.

Commissioner Marcoplos said he could support Commissioner McKee's recommendation.

Commissioner McKee said it would amend the amendment to distribute $250,000 from OPED allocation to distribution on the ADM for the school districts. He said it would not be an additional cost to the budget.

Commissioner Greene said Commissioner Bedford's amendment would yield about $2 million, and Commissioner McKee's would be $250,000. She said these two numbers are not even close, and she does not get the rationale.

Commissioner McKee said Orange County is 7th highest taxing county in the state, and this is driving many residents out, and not just low-income residents. He said he is adamantly opposed to continuing to add tax, on top of tax, on top of tax, as the residents cannot sustain it.

Commissioner McKee said until, and unless, these school boards address the disparities and outcomes and the flight in OCS to charters, he may well stop supporting any more funding to the schools. He said CHCCS has the highest disparity in the nation, and OCS has 10% of children in charter schools. He said he is too old to care if he is re-elected, but he is not too old to care about these kids.

Commissioner Greene said she appreciated his sincerity, but the $250,000 does not seem the way to go here. She said she knows that OPED is an issue, and that is not the best use of these monies.

Commissioner McKee said he agreed, and he has opposed using OPED monies for 9 years, until tonight.

Commissioner Price said she knows Commissioner Bedford is trying to fully fund one budget, and asked if she would consider a lower amount.

Commissioner Bedford said what about a ½ cent increase for the ADM, yielding about $938, 500, which is a per pupil increase equivalent of $46. He said this would give CHCCS $564,000 and OCS $374,000.

Chair Rich said this would be an additional $46 on top of $175 proposed per pupil.

Commissioner Dorosin said he is not interested in raising money just for schools without addressing the inequities, and would not support it.

Commissioner Marcoplos asked if the actual costs could be identified.

Commissioner Dorosin said everyone would have it added to their tax bills.

Commissioner Marcoplos said the CHCCS would have this taken back out due to the reduction in the special district tax, and the net is that OCS residents would have additional costs.

Commissioner Dorosin said yes, but OCS would also have additional per pupil funds.

Commissioner Marcoplos said he has lived in the OCS district for 40 years, and there is a widespread positivity towards the schools, but there is less wealth in the County and residents seem fine with the schools the way they are. He said Commissioner Dorosin's proposal would increase the tax rate in OCS, and the residents likely would not support this. He said he would like to know how much it would cost the OCS taxpayer in Commissioner Dorosin's proposal versus Commissioner Bedford's.

Commissioner Dorosin said if the increase were 1-cent, the cost would be the same.

Chair Rich said it is the same.

Commissioner Marcoplos asked if it would cost the same amount of money under Commissioner Bedford's plan, and said he is not sure that is true.

Commissioner Dorosin said Commissioner Bedford is now proposing a ½ cent increase. He said Commissioner Bedford is proposing a County property tax rate hike, and the impact of his proposal is the same. He said the difference with his proposal is that there would be a reduction in the CHCCS special district tax, and his proposal results in an increase in the per pupil spending in OCS, while the CHCCS per pupil remains constant. He said Commissioner Bedford's proposal keeps the disparity between the two districts, and moves it up equally.

Commissioner Marcoplos said a .05-cent increase would be the same amount of money per pupil whether it was done as a straight increase, or whether it was done in combination with the .05-cent reduction in the CHCCS special district tax.

Commissioner Dorosin said it would not be exactly the same, and reiterated previously made comments.

Commissioner Marcoplos asked if both proposals end up with the same amount of money per student, but one decreases the CHCCS special tax and one increases the OCS tax.

Chair Rich said no.

Chair Rich said there are two options before the Board: Commissioner Bedford or Commissioner McKee's proposal.

Commissioner McKee said he would not make a motion, out of respect for Commissioner Bedford's amendment.

A motion was made by Commissioner Bedford to increase by ½ cent Ad valorem tax to go to the schools.

NO SECOND

MOTION FAILS

A motion was made by Commissioner McKee, seconded by Commissioner Marcoplos to transfer $250 000 from the OPED line item to the ADM schools.

Commissioner Greene asked if the more senior members of the Board have thoughts about OPED.

Bonnie Hammersley said $250,000 is only what is recommended in her budget, and there is about $8 million in the OPED Budget.

Commissioner Price said she was thinking of using OPED for another amendment.

Commissioner Dorosin said the Board has been very conservative on the OPED funding, and this is a reasonable amount to use. He said he is more concerned about the value of the token gesture.

Commissioner Bedford said every penny helps the schools.

Commissioner Marcoplos said he is happy with this motion.

Chair Rich said the Board has used OPED funding in the past.

VOTE: Ayes, 6; Nays, 1 (Commissioner Dorosin)

Commissioner McKee said it is unusual for him to support using OPED, and he will return to his long-standing position against doing so, moving forward.

Amendment 001- (Increase taxes an additional 1/4 cents to fund county efforts to combat climate change initiatives. Attachment D)

A quarter cent tax increase for Orange County would yield $469,272.

Commissioner Marcoplos said recent years have shown that the world is facing a climate crisis unlike anything previously envisioned. He said the science is clear that this is a very real crisis. He said all are experiencing climate change, and he cited examples, which are the impetus of this proposal. He said the Commission for the Environment (CfE) unanimously supported his proposal at its meeting last night.

Commissioner Marcoplos said on June 6th 2017 the Board of County Commissioners passed a resolution to uphold the Paris Climate Agreement, and he read portions of the resolution:

"WHEREAS, Orange County, North Carolina has reduced energy consumption by 15% per square foot since 2012, has made a formal resolution to reduce carbon emissions by 80% by 2050 against 2005 levels, and has committed to move to 100% renewable energy by 2050, and

WHEREAS, President Trump has committed to withdrawing the United States from the Paris Agreement, thereby retreating from the commitment to limit global warming to below two degrees Celsius; and

WHEREAS, Orange County, North Carolina and other state and local governments must commit to aggressive climate action in the absence of federal leadership,

NOW, THEREFORE, BE IT RESOLVED, the Board of Orange County Commissioners hereby commits to proportionally upholding the commitment made by the United States in the Paris

Agreement to reduce greenhouse gas emissions between 26 and 28 percent by 2025 from 2005 levels."

Commissioner Marcoplos said Commissioner Price requested that this resolution be sent to all counties across the state, to encourage the adoption of this resolution. He said keeping this commitment will require resources.

Commissioner Marcoplos said on September 5th the Board of Commissioners adopted the following:

SECTION 1. Orange County, the State of North Carolina, and the United States shall transition from a fossil fuel-based economy to a 100% clean renewable energy for all energy sectors-based economy, by January 1, 2050 or sooner to avoid climate catastrophe, to promote job creation and economic growth, and to protect the Earth for current and future generations from climate catastrophe.

Commissioner Marcoplos said his proposed amendment is a ¼-cent tax to fund climate change investment projects and reduce energy, etc.

Commissioner Marcoplos said projects have been identified in the past, and he has been working with the Sustainability Coordinator, which could allow the County to move as quickly as a matter of weeks to initiate a weatherization project.

Commissioner Marcoplos said there is a social justice component to this proposal, such as the weatherization project, as those most affected by climate change are those of low income and means.

He said the weatherization project and a Solar Array would be a good place to start in the first 6 months, while researching other ideas for the next round of investment projects. He said both of these projects are familiar to residents, and would have an impact on energy usage.

Commissioner Marcoplos said another part of this issue is that Orange County can be a leader, and other governments in the area are watching to see if a modest tax increase can move progress forward. He said Orange County could inspire other local governments, as well as the private sector, and share information from its own projects to help jump-start other efforts.

Commissioner Marcoplos said there is a lot of despair around climate change, especially with the younger generation, who wants to be involved in moving this forward. He said the County should brand itself as an alternative energy provider and leader, and it will attract businesses with this topic at their core.

Commissioner Marcoplos said he feels deeply that the County must move on this now, and he said quoted Bill McKibben: "If there's one thing I could get across to people about global warming, it would be winning slowly is just another way of losing." He said the County has a responsibility to the future, and this is a small and progressive tax.

Commissioner McKee said he does not dispute the climate change crisis, and has been farming all of this life, living and dying by the weather. He said what is critical to him in this proposal is that the County is already doing many of these things: solar, weatherization, geothermal, etc. He said the County is taking action through the CIP, and the Board brings projects forward one at a time. He said the Board is not going to backtrack on this.

Commissioner McKee said his main objection to this was that this proposal was not on the website, and he thought all of the proposed amendments were posted. He said, as a result, not enough people have had a chance to weigh in on this proposal. He said the BOCC has received many emails on this, and the public should have been able to weigh in, as this topic has been one of the more vocal issues in recent years. He said he fully supports green energy, weatherization, and many other projects, but this amendment dedicates a revenue source that eliminates the revenue source being used for other projects that the County may need to fund.

He said he is fundamentally and philosophically opposed to dedicated taxes, but his main objection is that this type of proposal should be put through a public process.

Commissioner Price agreed, but this is not a new topic, and many people have been well aware of climate change for many years. She said the County is working on weatherization through the Department of Housing, and formerly JOCCA was doing the same. She said there are several solar arrays in Orange County already.

Commissioner Price said Commissioner Marcoplos came up with the proposal after the two budget public hearings, and some of these ideas should become part of the DNA of Orange County, as opposed to a separate tax being levied.

Commissioner Price said she thinks the Board should do a ¼ cents tax for schools, and use OPED monies for this proposed amendment.

Commissioner Greene stressed reasons why this proposed amendment is a good idea:

- CO2 is being released into the atmosphere faster than at any time in at least the last 60 million years
- The energy trapped by man-made global warming pollution is now "equivalent to exploding 500,000 Hiroshima atomic bombs per day 365 days per year."
- Eighteen of the 19 hottest years on record have occurred since 2001.
- The US Southeast is projected to warm by up to 8 degrees F this century, if we do nothing different.
- Of the 100 US counties projected to suffer the worst impacts of the climate crisis, 97 are in the South.

Commissioner Greene said weatherization and solar arrays speak to all of these needs. She said she has read many emails, and while Orange County is only one small place, every bit of effort to combat climate change is worth it. She said the County's actions could attract the attention of others.

Commissioner Greene said she is not clear about the new building commissioning, and the existing building commissioning. She said this should be done on a regular basis.

Commissioner Greene said she has a strong interest in the amendment that totals $75,000 to do three $25,000 studies to assess the potential of geothermal wells for three Orange County sites, and this is a concrete goal that could be placed into this proposed amendment. She said Orange County should take the lead, and approve this tax increase.

Commissioner Bedford said she agreed with the funding goals of the amendment, but would like to achieve these goals without the tax increase. She said it is important that the public be aware that the County has been doing these sustainability projects for years, and she highlighted several examples, particularly in the school districts.

Commissioner Bedford said she is glad that Commissioner Marcoplos is highlighting the climate needs, and she is particularly concerned about weatherization, and believes money for these types of projects could come from the social justice funds.

Commissioner Bedford said some residents have asked her if this item could go to a referendum, and she followed up with the County Attorney (CA), who said no, in North Carolina only certain things can go to a referendum, and ad valorem taxes do not work this way. She said she also learned that increases in ad valorem taxes cannot be dedicated with any binding impact to future boards.

Commissioner Bedford said she looked at pros and cons of dedicated taxes, and said this is not a dedicated tax, but an ad valorem tax. She said a benefit is the provision of a funding stream that sets aside funds for high priority initiatives, but one of the risks is the creation of potential inefficiencies. She said because dedicated taxes support particular programs or services, the amount of money raised reflects that revenue capacity of the tax rather than the actual program needs. She said she thinks the needs will be greater than the

amount raised by a ¼ cent tax. She said she would rather raise the ad valorem, if necessary, and fund it through the CIP and use regular mechanisms for funding.

Commissioner Dorosin echoed much of Commissioner Marcoplos' and Greene's comments, but he also thought that whatever the Board does, it has to be viewed through the racial equity and social justice lens, and he said he would like to see this prioritization built into the proposal. He said other entities have dedicated taxes, and future boards can make changes to anything done by the current BOCC. He said any action that the Board takes must be concrete, measurable and targeted.

Commissioner Greene said Chapel Hill has had a dedicated penny for housing fund for about 6 years, and it is not legally in a lock box, and could be raided, but it has not been. She said this is not all the money that is spent on housing, but rather a portion, and this is how she would see this tax working. She said she does not see it as a limitation, but rather as a down payment on the other things the BOCC needs to be doing. She agrees that all work in this area must be done through a racial justice lens.

Chair Rich said she is in support of this, and it is a good first step. She said the BOCC has been talking about adding solar panels to the community centers for a long time. She said Chapel Hill also has other dedicated funds. She said this fund would allow the BOCC to explore more grant opportunities, as many call for matching funds. She said the County will be spending more money on the environment than just these funds.

Commissioner Marcoplos said one issue raised this evening is the question of public participation on this topic, and that is why he went to the press. He said this conversation has surpassed most budget topics in public participation and discussion.

Commissioner Marcoplos said the BOCC is doing some things in the realm of climate change, but it needs to do more and learn other ways it can address climate change

Commissioner Marcoplos asked if Brennen Bouma, Sustainability Director, could come up and talk about projects.

Commissioner Price asked if there is a reason that this tax is so important to have, as opposed to money that is already available.

Commissioner Marcoplos said it shows a commitment and a minor sacrifice, and it sends a message to other municipalities that this is a viable way to raise monies.

Commissioner Marcoplos said the BOCC does not want to have this conversation every year, and hunt for money. He said the tax will allow funding to be consistently available.

Commissioner Greene said she would like to hear about new and existing building commissioning.

Commissioner Dorosin asked if the BOCC is voting on any specific project this evening.

Chair Rich said no.

Commissioner Dorosin said given the time, and the amount of meeting yet to come, he would suggest not going into specifics of projects at this time.

Commissioner Greene agreed with Commissioner Dorosin, and said she would like to see the BOCC determine the intent and spirit behind these funds, should they become available.

Commissioner Marcoplos said weatherization has economic and social justice benefits.

Chair Rich said when there is a motion on the floor, the BOCC can work on the language.

Commissioner Greene asked Brennen Bouma if he would go through his list, and explain why items are included and his rationale for putting these forward.

Brennen Bouma said this list is not comprehensive, but are a reasonable place to begin. He said new the NC Division of Environmental Quality recognizes building commissioning as being something with high payback recognizes. He said this goes further than the County has typically gone. He said staff takes great care in making new building projects as efficient as possible, and this is different as it hires a referee to go on site to follow up with contractors and

test structures for air tightness. He said this would be an additional resource to insure that buildings are built to the following specifications:

- New Building Commission - Energy conservation should go hand-in-hand with renewable energy installation to maximize the County's investment, and Commissioning has an excellent track record for ensuring buildings are built well and are performing well from the start. Payback is often realized within the first 5 years and if the building is performing well there are added benefits in avoiding water intrusion issues and increasing occupant comfort.
- Existing Building Commissioning- This would involve hiring 3rd party experts to analyze building performance and recommend and/or implement the adjustments needed to restore the building's performance to its original performance or better. There is often a 2-year payback on this investment based on an expected range of energy savings between 10% to 35%. These figures are based on a 2015 report from NC DEQ and backed up by a 2016 quote from a local vendor.

Commissioner McKee asked if this proposal is for private buildings, public buildings, or both.

Brennen Bouma said County buildings.

Brennen Bouma said there is a per square foot charge with existing building commissioning, which is based upon whether or not that which is identified is taken care of in that same process. He said this is being done on a piecemeal basis currently, especially with the replacement of equipment: HVAC, lighting, etc. He said this would accelerate this process, and be more intentional.

Brennen Bouma said performance contracting is tricky, but would start an extensive auditing process for County energy use, and a package of energy efficiency items would be put together and financed together. He said the payments on the financing would be matched to the guaranteed energy savings. He said this process is governed and limited by state stature, and there is state staff to help the County in this process. He said there is question as to whether performance contracting is the way to finance these types of energy efficiency improvements. He said Durham and Chapel Hill have done this recently.

Commissioner Marcoplos asked Brennen Bouma if additional resources will be necessary for the Board to meet the goals it has set through 2050, through the adoption of resolutions.

Bonnie Hammersley said that is not for Brennen Bouma to answer, as he is not involved in the budgeting process.

Commissioner McKee said the County is currently putting together a climate change committee, and suggested that the Board move this proposal to the committee's purview and that it engage the public in a discussion and come back to the BOCC with recommendations and costs for next year's budget. He said this can also include Commissioner Dorosin's comments on social justice issues. He said if this issue was put on a ballot in November it would fail, as both sides would gear up with a chorus of pros and cons.

Commissioner McKee said yes of course it will cost more money to hit the Board's identified targets, but there needs to be more of a vetting process by the public and a cross-governmental committee.

A motion was made by Commissioner McKee, seconded by Commissioner Price to move this proposal to the purview of the climate change committee, who will engage the public in a discussion and come back to the Board of County Commissioners with recommendations with costs for next year's budget and can include Commissioner Dorosin's issues on social justice issues.

Commissioner Marcoplos asked if Commissioner McKee's motion would supplant is proposed amendment.

Commissioner McKee said yes.

Commissioner Dorosin said if he supported Commissioner Marcoplos' amendment, it would be with the understanding that the proposed projects proposed are just options, and the Board can weigh in before any monies are spent. He said he does not want to approve set monies for a particular project.

Commissioner Marcoplos said these ideas were just examples of how the monies could be spent.

Commissioner Dorosin liked what Commissioner Greene said about the $75,000 already earmarked for geothermal well study, and it would fit into the profile of what this amendment would do.

Commissioner McKee said his motion does not specify projects, or the costs of any projects, but is to insure a full and public vetting, which will provide better solutions within the same timeframe of the amendment.

Commissioner Marcoplos said Commissioner McKee's motion will change the charge of the Climate Change Committee, which may be unfair.

Commissioner Price said she seconded the motion because she wants to bring in other governmental entities, and climate concerns do not go along political boundaries.

VOTE: Ayes, 2 (Commissioner McKee and Commissioner Price); Nays, 5 (Chair Rich, Commissioner Marcoplos, Commissioner Dorosin, Commission Greene, and Commissioner Bedford).

A motion was made by Commissioner Marcoplos to adopt this additional 1/4 cents to fund County efforts to combat climate change initiatives and to quickly form a committee that can decide how these funds would be spent, which could be made up of staff and board members.

Commissioner Greene seconded this motion for discussion purposes.

Commissioner Greene said she would like to offer a friendly amendment for this tax to fund efforts to combat climate change, and projects will be prioritized by this Board, following consideration by the Commission for the Environment, according to a formula that weighs the social justice impact most heavily. Examples of potential projects are weatherization, solar panels, geothermal wells, etc.

Commissioner Dorosin suggested adding racial equity.

Commissioner Marcoplos and Commissioner Greene accepted.

VOTE: Ayes, 4 (Chair Rich, Commissioner Dorosin, Commissioner Greene and Commissioner Marcoplos); Nays, 3 (Commissioner McKee, Commissioner Price, and Commissioner Bedford)

Amendment 011- (Hire a consultant to compile an inventory of agencies participating in the workforce development pipeline available to Orange County and assess the feasibility of a Tradescraft Center. Attachments (A1), (A2) Use Article 46 Sales tax to fund the initiative.)

Commissioner McKee said he does not understand how this does not duplicate the schools' trade programs and Durham Tech's work. He asked if there is a reason to build this.

Commissioner Marcoplos said this idea originated around discussions of elevating the building trades to the craftsman level, and Durham Tech trades education goes on in Durham, not at the Orange County campus. He said there is a need to have a building trades center in Orange County, and many stakeholders at meetings were in agreement. He said this type of center would be more expansive to include plumbing, electrical, drafting, etc.

Commissioner Bedford asked if the Skills Development center provides any of these services.

Bonnie Hammersley said this center offers more soft skills, CNA, etc.

Commissioner Dorosin asked if the County needs to hire an outside consultant for this, and is there not someone already on staff who could do this work.

Bonnie Hammersley said she could look at this, and the idea is that this would be a partnership. She said she does not think County staff could do it alone.

Commissioner Price said the Hillsborough Chamber is working on something like this, and could be a partner.

A motion was made by Commissioner Marcoplos, seconded by Commissioner Dorosin to approve Amendment 011.

Commissioner McKee said he would like to have a discussion with the schools, as to whether this is really needed, and if students are interested. He would also like to fund it through the schools and Durham Tech, rather than something that might even remotely compete with them.

Commissioner Price echoed these comments.

Commissioner Marcoplos said he is aware of the Hillsborough Chamber efforts, which are very low level compared to this group of people who have been meeting. He said there is a huge need for tradespeople, and these skills have to be taught in classrooms unlike any that currently exist in the local high schools. He said the partners around the table are willing to help fundraise, donate materials and tools, etc.

Commissioner McKee asked if there was a failed effort by the group to obtain a grant.

Commissioner Marcoplos said an individual pursued this, and he would not apply the label of failure.

Commissioner Bedford asked if Durham Tech offers trades education in Durham.

Commissioner Marcoplos said yes.

Commissioner Bedford said everything does not have to be replicated in Orange County, and Orange County residents can go to Durham and take classes.

Commissioner Marcoplos said residents do not take the classes because they are offered in Durham.

Commissioner Greene asked if this would be a hit on the article 46 sales tax.

Bonnie Hammersley said the proposal is for $20,000, which would not be a significant hit, and it would be a one-time only expense. She said this is not included in her recommended budget.

Commissioner Greene said she is impressed with the list of stakeholders around the table, and it is fair to say that people will not travel to Durham to take these classes. She said she hopes it will not be a duplication of efforts.

VOTE: Ayes, 5 (Chair Rich, Commissioner Dorosin, Commissioner Marcoplos, Commissioner Greene, and Commissioner Bedford); Nays, 2 (Commissioner McKee and Commissioner Price)

A motion was made by Commissioner Dorosin, seconded by Commissioner Price to adopt the following amendments:

- 15 (Eliminate the revenue for the user fee of $3 per person to participate in open gym at the Parks & Recreation gymnasium.)
- 17 (Increase in Triangle Area Rural Planning Organization (TARPO) dues for FY 2019-20 from $7,500 to $9,000)
- 19 (Increase Emergency Medical Services Collections by $250,000)
- 20 (Decrease $4,000 in Food Council division for one-time Equity Training that was budgeted in FY 2018-19)
- 21 (Add a Storm Debris Fee Waiver option to the County Fee Schedule to allow limited storm fee waivers for residents following undeclared storm events.)
- 22 (Use funds of $154,000 from additional EMS collection revenue for the Facility Accessibility, Safety and Security Improvements Capital Project for Elevator modernization at the Richard E. Whitted Facility)
- 23 (Add funds of $15,000 for a Temporary position in AMS to assist with Capital Projects management)
- 25 (Due to a reduction in HUD funds in the HOME Program, reduce $4,479 for the County's share of the FY 2019-20 HOME Program)

VOTE: UNANIMOUS

Amendment 12- (To enable funding for an ongoing full-time position for housing locator within the Community Empowerment Fund. The OCPEH will administer the contract and funding will be distributed according to current allocation within the Partnership. Offsetting Revenue from the Town's share is $21,488. Attachment B)

A motion was made by Commissioner Greene, seconded by Commissioner Bedford to approve this amendment.

Commissioner Greene said all three governmental entities are committed to this position.

Chair Rich said she wanted to make sure this is truly a committed partnership between all the entities.

VOTE: UNANIMOUS

Amendment 013-(Increase the base salary to $23,591 for the County Commissioners to the regional average compensation as well as the cellphone allowance to $85/month, the internet to $75/month, and car allowance of $200/month. Attachment C)

Chair Rich said this petition was brought forward by former Commissioners Mia Burroughs and Barry Jacobs in 2018, which said:

"Commissioner Burroughs petitioned staff to review the County Commissioners' compensation package, taking into account the number of BOCC meetings, as well as liasionships. She said the Board of County Commissioners works very hard, and it is not a low-key, part-time job. She said this job is not sustainable for people who work full time, but are not self employed, and in an effort to recruit more diversity over time, the position needs to be attainable for a larger pool of candidates. She asked if staff would come back with a proposal during budget meetings.

Commissioner Jacobs agreed."

Chair Rich said she took this petition to HR to look at the Board's entire compensation package. She said this proposed amendment has three components to it:

- Move car allowance out of the base salary
- Raise cell phone and internet stipend
- Raise base salary (based on average of regional salaries)

Commissioner Marcoplos expressed strong support for pulling out the expense figures from the salary, and treat them as reimbursements.

Commissioner Bedford said this money is taxable to the BOCC, and car allowance is the more appropriate term than mileage.

Commissioner Greene agreed this is a good move.

Commissioner Price said the car allowance will show on w-2s.

Commissioner Bedford elaborated on all of the benefits she now receives: health insurance, contributions to her health savings account, County contribution to her retirement plan, and dental. She said if one excludes the health insurance, but includes the other benefits, with just a 2% increase it totals $29,450.80. She said the County is not age banded, and that health insurance is worth over $11,728.44. She said the grand total is $41,179.24.

Commissioner Bedford said she just ran for office, and was expecting the base salary. She said she cannot support an increase.

Commissioner Dorosin said the comparative numbers from the other counties did not include a lot of these benefits.

Chair Rich said not everyone takes the same benefits as Commissioner Bedford.

Commissioner McKee referred to the regional comparative, and said Chatham, Alamance and Person counties should have been included for a true comparison as opposed to just taking the highest wealth/highest paid commissioners counties.

Chair Rich said that information is all on page three, but the average was not calculated.

Commissioner McKee said it should have been.

Commissioner McKee said he is not going to support this because the percentage increase, the BOCC would receive, is larger than that which the County employees will be getting.

Commissioner McKee said his personal base salary, under this increase, would start at $23,590; $2400 for travel; $1920 for tech; $1000 merit bonus; and he contributes the maximum for the 457 retirement, and receives the maximum County contribution, which adds another $2172. He said his cash total is $31,083, plus the health and life insurance benefits he receives. He said the Board gave itself an increase in 2015, and approving this increase would be quite a large jump over 4 years.

Commissioner McKee said he came on this Board in 2010 knowing he was getting $14,000 as a base salary, which moved to $15,672 in 2013; $15,900 in 2014; $21,401 in 2015; $21,800 in 2016; $22,049 in 2017; and again in 2018 with all County employees.

Commissioner McKee said if the BOCC approves this, it would be making more than the bottom 3 tiers of County employees. He said the BOCC is not working 40 hours a week, has 10 weeks off in the summer, and 6 weeks off in the winter. He said he cannot justify this proposed increase, but would support a modest increase, such as a 2% increase like the other employees.

Chair Rich said former commissioners brought this up because citizens that have full time jobs find it difficult to serve as commissioners, and perhaps this increase would recruit more diversity.

Commissioner McKee said he would support a modest increase.

Commissioner Greene said the goal should be to reach a reasonable level and attract a broader demographic of candidates. She said she feels like Commissioner Bedford, and if the proposal were to move forward, it should not take effect until after the 2020 election. She

thought the comparables made sense, but noted that municipalities dominate Durham and Wake counties, and they do not have the rural issues to navigate like Orange County. She said she works hard as heck, and she admired those Commissioners who work full time. She said it make sense to increase the salaries in hopes of recruiting more diversity.

Commissioner Dorosin said other entities are shocked by how much the Orange County BOCC works. He said he would ask if the Commissioners are paid equitably for the time they put in, and it is a challenge to work full time and be a Commissioner. He said he likes Commissioner Greene's proposal, and finds it be reasonable. He said to increase diversity the Board needs to look at how efficiently it works. He would support this amendment with a post date of December 2020, and said he is fine with the line items.

Commissioner Marcoplos said the most time that he puts in is not at meetings, and the time he puts in is worth it. He said the idea that increasing the salary to a regional average, in order to attract greater diversity, is a reasonable one. He said putting it off to the future is fine, but it seems like a little time bomb.

Commissioner Price referred to the line items, and asked if Commissioner Dorosin is fine with the proposal as written, with the addition of the date of December 2020.

Commissioner Dorosin said yes.

Commissioner Price said she agreed with Commissioner Greene's proposal, except for the cell and Internet increase, which she would support changing now or leaving it up to the individual.

Commissioner Price said the Commissioners need the car allowance, and she would support having this now.

Chair Rich said this allowance is given currently, and she is recommending folding it out of the base salary. She said she would like to come up with one number for the phone and Internet allowance.

Commissioner Price said she just wants to insure that these items are not delayed until 2020.

A motion was made by Commissioner Greene, seconded by Commissioner Dorosin to move the proposal as is with the exception for the salary increase, which would not be implemented until December 2020; and the cell and internet allowance would begin this year; and the $200 car allowance would be a separate line out of salaries, effective immediately.

VOTE: Ayes, 5 (Chair Rich, Commissioner Dorosin, Commissioner Price, Commissioner Marcoplos, and Commissioner Macrcoplos); Nays, 2 (Commissioner Bedford and Commissioner McKee)

Amendment 14 (Add funds to the Commissioners travel line item in the County Clerk's appropriation to cover anticipated increase in travel expenses for conferences and training for FY2019-20)

A motion was by Commissioner Price, seconded by Commissioner Bedford to approve amendment 014.

Commissioner McKee said he was shocked to recently learn that the Board had limited funds in its travel budget, and he would ask that each individual be judicious in their travel spending.

Chair Rich said she asked the Clerk to the Board to provide a quarterly report on each member's travel expenditures going forward.

VOTE: Ayes, 6; Nays, 1 (Commissioner Marcoplos)

Commissioner Marcoplos said there is a lot of money in this line item, and it could be better distributed.

Amendment 16- (Increase mobile telephone stipend from $35 to $50 per month for County employees who use personal mobile telephones for County business)

A motion was made by Commissioner McKee, seconded by Commissioner Price to approve this amendment.

VOTE: UNANIMOUS

Amendment 18: (Add a 1.0 FTE Deputy Sheriff I position to provide School Resource Officer (SRO) services at Eno River Academy (ERA). The County will receive reimbursement for the 10 month School Year associated expenditures. Offsetting revenue of $56,422 from Eno River Academy for SRO services for the 10-month School Year period.)

Bonnie Hammersley said the Sheriff was approached by ERA about having an SRO on site. She said the Sheriff has agreed to do this, and the revenue coming from ERA would be $56,422 for the 10-month school period. She said the Sheriff has requested a FTE, and this is the first charter school that has made this type of request. She said the BOCC must provide approval as it is creating a new position within the department.

Commissioner Dorosin said he is against this, and does not want County staff working in a private school. He said approval of this amendment would set a precedent. He said he hopes there will be broader conversations about SROs with the school districts in the near future.

Commissioner McKee said this position would protect children, which he strongly supports, regardless of where the children go to school.

Commissioner Dorosin said the school can still hire a security officer.

Commissioner McKee said the County provides SROs to other students.

Commissioner Bedford asked if ERA serves certain grades.

Commissioner Marcoplos said it is a K-12 school.

Commissioner Bedford said she does not support this amendment either, and the Sheriff's office has other funds that could cover the 2 months not covered by the ERA contract.

Commissioner Marcoplos said this topic is part of a larger discussion, and it would be breaking new ground. He said the County needs to have more discussions with the charter schools, and should not make any decisions at this time.

Commissioner Greene agreed.

Commissioner Price said she is does not support this amendment.

A motion was made by Commissioner McKee to approve this amendment.

NO SECOND
Motion fails.

Amendment 24 (Add to the County Travel Policy that travel expenses for Commissioners and County staff will include the purchase of carbon offsets for any airfare and the miles traveled by Car Share vehicles. This will also be included in the Financial Policy section of the Budget Ordinance. The impact is currently estimated at approximately $1,100 and will be covered in departmental budgets.)

Commissioner Greene said there is no budget consequence, and this is a policy decision and staff would work with Brennen Bouma to optimize car share vehicles.

A motion was made by Commissioner Dorosin, seconded by Commissioner McKee to approve amendment 024.

VOTE: UNANIMOUS

Amendment 26 (Increase funding to Orange County Rural Alliance (OCRA) by $5,000 to assist in funding meal deliveries in rural areas of the County)

Commissioner McKee said this organization was formed due to gaps in Meals on Wheels, and it is expanded the number of people it is serving. He said he knew he would oppose many amendments tonight, and was reluctant to put one of his own forward, but he considers providing food to those who need it as a worthy item to consider.

Commissioner Price asked if OCIM or Chapel Hill Meals on Wheels have requested more money.

Commissioner McKee said he has only been approached by OCRA.

Commissioner Price asked if OCRA is receiving money via the outside agency process.

Bonnie Hammersley said no one was fully funded by the outside agency process.

Commissioner Price said she thought these contracts had been pulled out and were working with the Department of Social Services (DSS).

Bonnie Hammersley said the money given to OCIM and IFC was not for meals.

Nancy Coston, DSS Director, said at the end of last year, the BOCC put some money in for food delivery with the OCIM and OCRA contracts with DSS. She said this was a one time thing, and the agencies both went through the outside agency process this year, were graded, and received allotted funds.

A motion was made by Commissioner McKee to approve this amendment.

NO SECOND
MOTION FAILS

Commissioner Marcoplos said the Board needs to let the outside agency process work.

2. <u>Discussion of FY2019-24 Capital Investment Plan</u>

The FY 2019-24 CIP includes County Projects, School Projects, and Proprietary Projects. The School Projects include Chapel Hill-Carrboro City Schools, Orange County Schools, and Durham Technical Community College – Orange County Campus projects. The Proprietary Projects include Water and Sewer, Solid Waste Enterprise Fund, and Sportsplex projects. The CIP has been prepared anticipating moderate economic growth of approximately 2% in property tax growth and 4% in sales tax growth annually over the next five years. Many of the projects in the CIP will rely on debt financing to fund the projects.

The items below include revisions made to the following Capital Projects since the presentation of the Manager's Recommended Capital Investment Plan on April 2, 2019:

- At the May 23, 2019 Budget Work Session, staff included a revised Schools Capital Projects Summary reflecting adjustments made in regards to an increased amount of Article 46 Sales Tax funding, as well as changes to the FY 2019-20 budgeted ADM percentages, based on changes made from the time of the original CIP presentation and

the FY 2019-20 Manager's Recommended Operating Budget presentation. The impact of these numbers changed the CHCCS % from 60.73% to 60.14%, and changed the OCS % from 39.27% to 39.86%.

- The Solid Waste Capital Projects had a change in funding sources as included in the FY 2019-20 Manager's Recommended Operating Budget. The PAYGO funding has increased by $453,172 and the Debt Financing has decreased by $453,172 in FY 2019-20. All else remains the same.
- Funding Decisions on the Capital Investment Plan Amendment List
- Accept FY2019-24 Capital Investment Plan and Approve the Intent to Adopt Capital Funding for FY2019-20

Travis Myren said the vans (#8) are new, and there is an offset of $107,000 from Commissioner Bedford's delay on the bathrooms.

Commissioner Greene said this list includes the approval of the 3 sustainability studies for the geothermal wells.

Chair Rich said the previous motion asked that information be gathered prior to assigning uses for the climate change funds.

Commissioner Dorosin asked if the $75,000 if left in the budget, can the scheduling of the studies be worked around the discussions of the climate change committee.

Travis Myren said yes, the budget could be amended once a decision is made.

Commissioner Dorosin asked if the total for vans is $140,000 plus $107,000.

Travis Myren said the total is $140,000; $107,000 of which was paid for all cash.

A motion was made by Commissioner Dorosin, seconded by Commissioner Bedford to approve all of the CIP amendments below.

VOTE: UNANIMOUS

Amendment #	Sponsor	CIP Budget Page	Department	Amendment	Amount
19-20CIP-001	Staff	New	Asset Management Services	Add the District Attorney Building Remediation Project to the CIP in FY 2018-19, approved by BOCC as BOA #7-E on April 16, 2019	$ 41,143.00
19-20CIP-002	Staff	183	Asset Management Services	Add the Soltys Remediation Project at Passmore Center of $110,564 to the CIP in FY 2018-19, approved by BOCC as BOA #8-A on May 2, 2019. Also, includes Phase 2 of $88,550 for the Project, scheduled to be presented to the BOCC at the June 11, 2019 work session	$ 199,114.00
19-20CIP-003	Staff	53	Orange County Public Transportation	Add the Federal and State expenditure portion of Bus/Van replacements, scheduled for FY 2019-20, to the Vehicle Replacements CIP project	$ 288,072.00
19-20CIP-004	Staff	53	Orange County Public Transportation	Add the Federal and State revenue portion/share of Bus/Van replacements, scheduled for FY 2019-20, to the Vehicle Replacements CIP project	$ (288,072.00)

19-20CIP-005	Staff	New	Finance and Administrative Services	Add a Community Loan Fund CIP project to fund Non-Profit Capital Loans for Interfaith Council, Club Nova, and Orange County Rape Crisis Center, in FY 2019-20	$ 224,340.00
19-20CIP-006	Staff	39	County Manager	Add $75,000 in FY 2019-20 to the HVAC Capital Project for Geothermal Feasibility Studies	$ 75,000.00
19-20CIP-007	Staff	81	County Manager	Delay Shower Project ($107,000) at Cedar Grove Community Center from FY 2019-20 to FY 2020-21	$ (107,000.00)
19-20CIP-008	Staff	New	Asset Management Services	Add $140,000 in capital funds to purchase 2 vans for Community Center transportation use; transferring $107,000 savings from the delay of the Cedar Grove shower project	$ 140,000.00
19-20CIP-009	Staff	93	Solid Waste	Change in funding sources for Solid Waste CIP Projects for FY 2019-20; increase in funding of $453,172 and decrease of $453,172 in Debt Financing amounts (Budget Neutral)	$ -
19-20CIP-010	Staff	35	Asset Management Services	Add $154,000 in FY 2019-20 to the Facility Accessibility, Safety and Security Improvements Capital Project for Elevator modernization at the Richard E. Whitted Facility. Funds will be used as a Transfer from the General Fund to cover the cost of this project.	$ 154,000.00
19-20CIP-011	Commissioner Bedford	46	Library Services	Delay the furniture, fixtures, and equipment purchase from FY 2019-20 to FY 2020-21 for the Orange County Southern Branch Library	$ (750,000.00)
19-20CIP-012					
TOTALS					**$ (23,403.00)**

Travis Myren said because Commissioner Marcoplos' ¼ cent amendment passed, staff will need an amendment to transfer $469,272 from the operating budget to a County capital project for 2019-20.

A motion was made by Commissioner Bedford, seconded Commissioner Greene to transfer $469,272 from the operating budget to a County capital project for 2019-20.

VOTE: UNANIMOUS

3. <u>Discussion and Decision on the FY2019-20 County Fee Schedule</u>

Commissioner Dorosin referred to the Solid waste fee – page 495 – and asked if the programs fee is going up form $132 to $142 to make it a self-sustaining enterprise fee.

Bonnie Hammersley said not exactly. She said it is on the step to removing a structural deficit. She said even if she had recommended funds from the general fund, this would have been the same fee. She said she hopes expenditures can be controlled going forward so that a contribution from the general fund will not be needed.

Commissioner Dorosin asked if the value of the $10 increase could be identified.

Bonnie Hammersley said there are 64,000 parcels, which will yield $900,000.

Commissioner Dorosin asked if the Board does not approve this fee, would it have to increase property tax.

Bonnie Hammersley said yes.

Commissioner Price asked if the other listed fees could be clarified.

Kurt Vaughn, Budget Analyst, said these fees were already scheduled for the schools, and, as a part of making them an enterprise fund, they wanted to expand the applicability of these fees to cover County properties as well as commercial opportunities.

Bonnie Hammersley said one of the concerns was that they do a lot of work for County properties, and the solid waste fund has never been paid for this service, because the general fund was paying for part of solid waste. She said now that there is no general fund, Solid Waste can charge for service to the County buildings. She said it is not a large amount of money.

Commissioner Price referred to page 447, and asked if there is a reason why the special event/vending fee is being raised by $10 per booth, as well as the picnic shelters and farmer's market pavilion. She said residents use these facilities for family events, and these increases will be significant for some people.

David Stancil said every couple of years staff does market studies, and the County is well below other markets for these fees. He said there are also costs that occur for maintenance, etc.

Commissioner Price asked if the increases could be done in $5 increments.

David Stancil said it is at the pleasure of the Board's.

Commissioner Dorosin said he would like to have a conversation next year about fees versus property tax, because fees are regressive, and property taxes are progressive.

A motion was made by Commissioner Price, seconded by Commissioner McKee to (pages 447-48 in budget book) reduce the $10 fee to $5 increments

Page 448
Farmers market: $15 half and $30 all day (for residents)
Special events vending: $20 per day (for residents)
Picnic shelter: okay as is (for residents)

David Stancil said any increase will cover more than the current fees are covering, and reiterated that these increases came about as a result of a market analysis and the County's costs.

Commissioner Price said she does not mind increasing the fees but she would just like the jump in increase to not be so large all at once.

VOTE: Ayes, 5 (Chair Rich, Commissioner Marcoplos, Commissioner Greene, Commissioner Price and Commissioner McKee); Nays, 2 (Commissioner Dorosin and Commissioner Bedford)

Commissioner Price referred to page 458, and asked if the storm water management plan review/conservation area document review could be explained, and if staff is not currently doing these.

Travis Myren said these have gone from a general fee to a more specific fee schedule, and staff can follow up with more information.

Commissioner Price referred to page 467 (tank install and removal), and said the County was charging $50, but now is going to charge $200. She asked if this is correct.

Chair Rich said this was last revised in 2011.

Commissioner Price said all the others were as well, but none have as sharp an increase as this one.

Paul Laughton said that is for cost recovery, and it has been 8 years since that has been changed.

Commissioner Price referred to page 468, and asked if the same applies for the temporary tents and canopy.

Paul Laughton said that increase is also for cost recovery and labor.

Bonnie Hammersley said staff is trying to get cost recovery.

Commissioner Price referred to page 471- failure to pay civil penalty; under animal control – and said the fee is going from $25 to $100, and asked if people are failing to pay because they do not have the money to do so.

Commissioner Dorosin said the increase in this penalty brings it in line with the other civil penalty (no rabies vaccine), which is also $100.

A motion was made by Commissioner Price, seconded by Commissioner Greene to approve the fee schedule, with the amendments as suggested by Commissioner Price.

VOTE: UNANIMOUS

Travis Myren said with all of the amendments, the bottom line shows a surplus of $40,523.00. He said the easiest way to dispose of this surplus is to reduce the amount of appropriated fund balance.

The Board agreed by consensus.

4. <u>Discussion and Decision on the FY2019-20 Tax Rates</u>

i. Ad Valorem Tax
A motion was made by seconded by to

ii. Chapel Hill-Carrboro City School Special District Tax
A motion was made by seconded by to

iii. Fire District Tax Rates

5. *Break* (to allow Finance and Administrative Services to formulate Draft Resolution of Intent to Adopt FY2019-20 Operating Budget)

The Board took a break at 10:32 p.m.

The Meeting resumed at 10:58 p.m.

6. Resolution of Intent to Adopt FY2019-20 Annual Operating Budget Approval of Resolution of Intent to Adopt FY2019-20 Annual Operating Budget at the Board of County Commissioners Regular Meeting on June 18, 2019

Paul Laughton reviewed the Resolution of Intent below:

Resolution of Intent to Adopt the FY2019-20

Orange County Budget

The items outlined below summarize decisions that the Board acted upon June 11, 2019 in approving the FY2019-20 Orange County Annual Operating Budget and the FY2019-20 (Year 1) Capital Investment Plan Budget.

WHEREAS, the Orange County Board of Commissioners has considered the Orange County FY2019-20 Manager's Recommended Budget and the FY2019-20 Manager's Recommended Capital Investment Plan Budget; and

WHEREAS, the Commissioners have agreed on certain modifications to the Manager's Recommended Budget as presented in the FY2019-20 County Manager's Recommended Budget on May 2, 2019; and to the FY2019-20 Manager's Recommended Capital Investment Plan Budget as presented on April 2, 2019;

NOW THEREFORE BE IT RESOLVED, that the Orange County Board of Commissioners expresses its intent to adopt the FY2019-20 Orange County Budget Ordinance on **Tuesday**, **June 18, 2019**, based on the following stipulations:

1) **Property Tax Rates**

a) The ad valorem property tax rate shall be set at 86.79 cents per $100 of assessed valuation.

b) The Chapel Hill-Carrboro City Schools District Tax shall be set at 20.18 cents per $100 of assessed valuation.

c) The Fire District and Fire Service District tax rates shall be set at the following rates (all rates are based on cents per $100 of assessed valuation):

• Cedar Grove	8.10
• Greater Chapel Hill Fire Service District	14.91
• Damascus	10.80
• Efland	6.78
• Eno	9.68
• Little River	5.92
• New Hope	9.94
• Orange Grove	6.81
• Orange Rural	9.15
• South Orange Fire Service District	9.68
• Southern Triangle Fire Service District	10.80
• White Cross	12.37

2) **County Employee Pay and Benefits Plan**

Provide a County employee pay and benefits plan that includes:

a. A wage increase of 2% for all permanent employees hired on or before June 30, 2019, effective July 1, 2019. The maximum salary of each salary range shall also be increased to accommodate the wage adjustment, as well as maintaining $15.00 per hour as the minimum salary rate for all permanent employees.
    - Employee Performance Awards – three levels, $500 for proficient performance; $750 for superior performance; or $1,000 for exceptional performance, effective with employee Work Planning and Performance Review (WPPR) dates from July 1, 2019 to June 30, 2020. Employees will continue to receive the performance award on their current performance evaluation date, and it will continue to be added to an employee's base salary.

b. A Living Wage increase from $14.25/hour to $14.95/hour, for temporary employees, effective July 1, 2019, consistent with the Orange County Living Wage formula.

c. Continue the $27.50 per pay period County contribution to non-law enforcement employees' supplemental retirement accounts and the County matching employees' contributions up to $63.00 semi-monthly (for a maximum annual County contribution of $1,512) for all general (non-sworn law enforcement officer) employees, and continue the mandated Law Enforcement Officer contribution of 5.0% of salary; and continue the County's required contribution to the Local Governmental Employees' Retirement System (LGERS) for all permanent employees.

d. Continue participation in the North Carolina Health Insurance Pool (NCHIP), and continue medical and prescription third party administration with Blue Cross Blue Shield of North Carolina (BCBSNC) and Prime Therapeutics, a division of BCBSNC, respectively. No increase to health and dental appropriations, and no increase to employee premium equivalent for health, dental, or vision insurance.

e. Continue the additional eight hours of annual leave to be awarded at an employee's anniversary date, prorated for part-time employees.

f. Continue the six-week paid parental leave policy.

3) **Modifications to County Manager's FY2019-20 Recommended Annual Operating Budget**

The following modifications to the County Manager's Recommended Budget are made:

Adjustments to the Manager's Recommended FY2019-20 Budget

On June 11, 2019, the Board of County Commissioners approved the following changes to the Manager's Recommended annual operating budget for the 2019-20 fiscal year. The information below summarizes changes made by the Board:

Revenues	Increase	Decrease
Manager's Recommended Revenue Budget	**$236,444,623**	
Eliminate the revenue for the user fee of $3 per person to participate in open gym at the Parks & Recreation gymnasium.		($1,500)
Increase Emergency Medical Services Collections by $250,000	$250,000	
Increase Ad Valorem Taxes by an additional .25 cents earmarked for climate change initiatives	$469,272	
Reduce Fund Balance Appropriation		($40,523)
Total Revenue Changes	**$719,272**	**($42,023)**
Revised Revenue Budget	**237,121,872**	

Expenditures	Increase	Decrease
Manager's Recommended Expenditure Budget	**$236,444,623**	
County share to enable funding for ongoing full-time housing locator position within the Community Empowerment fund; to be administered by the Orange County Partnership to End Homelessness Program	$13,738	
Approved cellphone allowance of $85/month; the internet to $75/month, and move car allowance out of base salary	$5,628	
Add funds to the Commissioners travel line item in the County Clerk's appropriation to cover anticipated increase in travel expenses for conferences and training for FY2019-20.	$4,000	
Increase mobile telephone stipend from $35 to $50 per month for county employees who use personal mobile telephones for county business.	$22,590	
Increase in Triangle Area Rural Planning Organization (TARPO) dues for FY 2019-20 from $7,500 to $9,000	$1,500	
Decrease $4,000 in Food Council division for one-time Equity Training that was budgeted in FY 2018-19		($4,000)
Use funds of $154,000 from additional EMS collection revenue for the Facility Accessibility, Safety and Security Improvements Capital Project for Elevator modernization at the Richard E. Whitted Facility	$154,000	
Add funds of $15,000 for a Temporary position in AMS to assist with Capital Projects management	$15,000	
Due to a reduction in HUD funds in the HOME Program, reduce $4,479 for the County's share of the FY 2019-20 HOME Program		($4,479)
Reduce Transfer to OPEB by $250,000		($250,000)
Increase Current Expense funding to Schools by $250,000 allocated by ADM	$250,000	
Add funds from .25 cent Ad Valorem proceeds to Transfer to County Capital to set up a Project to fund efforts to combat climate change initiatives	$469,272	
Total Expenditure Changes	**$935,728**	**($258,479)**
Revised Expenditure Budget	**$237,121,872**	

1

4) **Changes in County Staff Positions (Increase in FTE Approved).**

Summary of Manager Recommended New Positions for FY 2019-20

GENERAL FUND - RECOMMENDED

Department	Position	FTE
County Manager	Chief Information Security Officer (starting January 1, 2020)**	1.000
County Attorney	Staff Attorney	0.500
CJRD	Restoration Program Legal Counsel (starting October 1, 2019)***	1.000
Social Services	Facilities Environmental Tech III (time-limited to permanent)*	0.000
Social Services	CPS Social Worker(time-limited to permanent)*	0.000
Social Services	Social Worker I (starting January 1, 2020)**	1.000
Sheriff	Deputy Sheriff I	5.000
Health	Family Navigator	8.250
Health	Nutrition Services Office Assistant	0.500
Transportation	Operations Manager	1.000
Transportation	OPT Driver	1.000
Transportation	OPT Driver	1.000
Totals		**20.250**

*	Time Limited positions requesting becoming permanent, already in base budget for FY19-20
**	Recommending position start January 1, 2020.
***	Recommending position start October 1, 2019

Solid Waste Enterprise Fund - RECOMMENDED

Department	Position	FTE
Solid Waste	Senior Convenience Center Operatior -HZW	2.000
Totals		**2.000**

5) **General Fund Appropriations for Local School Districts**

The following FY2019-20 General Fund Appropriations for Chapel Hill-Carrboro City Schools and Orange County Schools are approved:

a) Current Expense appropriation for local school districts totals $88,820,720 and equates to a per pupil allocation of $4,352.25

1) The Current Expense appropriation to the Chapel Hill-Carrboro City Schools is $53,419,518

2) The Current Expense appropriation to the Orange County Schools is $35,401,202.

b) School Related Debt Service for local school districts totals $17,770,542.

c) Additional net County funding for local school districts totals $6,889,597.

(1) School Resource Officers and School Health Nurses Contracts - total appropriation of $3,629,597 to cover the costs of School Resource Officers in every middle and high school, and a School Health Nurse in every elementary, middle, and high schools in both school systems.
(2) Deferred maintenance funding of $3,000,000 by ADM is allocated to the school systems by the following: Chapel Hill-Carrboro City Schools appropriation is $1,804,200 and Orange County Schools appropriation is $1,195,800.
(3) School Equity Training – total appropriation of $260,000 towards Foundational Equity Training.

6) **Capital Investment Plan Funding for FY2019-20 (Year 1)**

The following FY2019-20 (Year 1) Capital Investment Plan Appropriations are approved:

a) Overall Total Capital Investment Plan Funding of $48,050,906

b) County Capital Projects Funding of $10,560,764

c) School Capital Projects Funding of $34,512,606

d) Water & Sewer Project Funding of $1,060,000; Solid Waste Project Funding of $1,545,536; and Sportsplex Project Funding of $372,000

7) **County Fee Schedule**

To adopt the County Fee Schedule to include changes included in the FY2019-20 Manager's Recommended Annual Operating Budget and further amended by the Board of County Commissioners on June 11, 2019.

A motion was made by Commissioner Marcoplos, seconded by Commissioner Bedford to Adopt the FY2019-20 Annual Operating Budget Approval of Resolution of Intent to Adopt FY2019-20 Annual Operating Budget at the Board of County Commissioners Regular Meeting on June 18, 2019.

VOTE: Ayes, 6; Nays, 1 (Commissioner McKee)

Commissioner McKee said he voted no due to his opposition to the ad valorem property tax and the BOCC salary increases, and requested that the votes be separated out on the resolution at the June 18th meeting, or he will have to vote against the entire budget, which he has never done before.

The meeting adjourned at 11:10 p.m.

Penny Rich, Chair

Donna Baker
Clerk to the Board

Attachment 4

DRAFT

MINUTES
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
June 18, 2019
7:00 p.m.

The Orange County Board of Commissioners met in regular session on Tuesday, June 18, 2019 at 7:00 p.m. at the Southern Human Services Center in Chapel Hill, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Penny Rich and Commissioners Jamezetta Bedford, Mark Dorosin, Sally Greene, Earl McKee, Mark Marcoplos, and Renee Price
COUNTY COMMISSIONERS ABSENT: None
COUNTY ATTORNEYS PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below)

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

1. Additions or Changes to the Agenda

Chair Rich noted the following proposed changes to the agenda:

- Blue sheet: Proposed Addition to Consent Agenda - Item 8-x – FY Budget amendment #11-c
- Defer Item 11-I: Orange County Climate Council At-Large Appointment in order to go through our regular advertisement/application process

A motion was made by Commissioner McKee, seconded by Commissioner Marcoplos to approve these additions to the agenda.

VOTE: UNANIMOUS

Chair Rich noted the following items at the Commissioners' places:

- White sheet: 2 PowerPoint presentations for Item 6-d (Bus Rapid Transit - BRT)
- 6a - hand out - Board of County Commissioners salary information for budget

PUBLIC CHARGE

Chair Rich acknowledged the public charge.

Arts Moment

Katie Murray, Arts Commission Director, introduced Mimi Herman:
Mimi Herman is the 2017 North Carolina Piedmont Laureate and a Kennedy Center Teaching Artist. Mimi holds a BA from UNC-Chapel Hill and an MFA in Creative Writing from Warren Wilson College, and is the author of Logophilia and The Art of Learning. Her writing has

appeared in Michigan Quarterly Review, Shenandoah, Crab Orchard Review, The Hollins Critic and other journals. She has performed her poetry and fiction at venues ranging from Why There Are Words in Sausalito, California to Symphony Space in New York City. With her partner, John Yewell, she offers Writeaways writing retreats in France, Italy, New Mexico and North Carolina.

Mimi Herman read three short poems: “All of the Lost Words”; “How to Say No”; and “On the Importance of Explanatory Text”.

2. Public Comments

a. Matters not on the Printed Agenda

Kit Wienert provided a handout to the Board of County Commissioner (BOCC), and said he is here to speak about loud and repeated target practice gunfire near his home. He said noise has gone on for five years, and has been told the current County noise ordinance offers no way to intervene. He said if the ordinance cannot be altered to address target practice shooting, he would propose that a new ordinance pertaining solely to target practice gunfire on private property be created and implemented. He said such an ordinance should take into account the type of weaponry, distance from other residences (with more stringent standards in the Rural Buffer, and more lenient standards outside of it), number of allowable targets, time of day, etc. He said this is not a second amendment issue, and he would like to see a tougher ordinance in the Rural Buffer that correlates to population density.

Ann Crawford said she is also speaking against gunfire/target practice in her neighborhood, and is greatly worried about her safety. She asked the Board of County Commissioners to revisit the present noise/gun ordinance, and echoed the comments of the prior speaker.

Kelly Hogan spoke against the shooting range in her neighborhood. She said they live in the Rural Buffer, where density is increasing. She asked the BOCC to enact ordinances to prevent or control this.

Carol Osredkan said she is against the shooting range near her home on Stoneybrook Lane, and is fearful of being hurt by a stray bullet, despite an existing firewall. She said she does not find her shooting neighbors to have concern for her safety, and has found her communication with law enforcement to be lethargic.

Peggy Jennings said when the guns go off in her neighborhood, her children are frightened, and asked for the BOCC to do something about it.

Brian Hogan said the rights of gun owners are trumping the safety of his family and his home. He said he has no issue with gun ownership, but is concerned that the discharge of firearms is excluded from noise ordinances. He said he can be cited for playing classical music over 60 decibels after 8:00 p.m., but the discharge of firearms is lawfully permitted until 10:00 p.m. He said rifles range from 130-170 decibels. He said his neighborhood is full of children, those who work from home, Veterans, etc., and the use of firearms is negatively affecting their quality of life. He said this deceptive firing range in his neighborhood was created without consultation of the residents, and when residents reached out to the owner, they were met with aggression. He said he does not want to hear that the hands of the BOCC are tied, but rather wants the ordinances changed.

Riley Ruske said he wanted to talk about fiscal responsibility, and feels the budget this year is a burden on taxpayers. He said the budget has a spending increase of $10 million, resulting in a property tax increase of 2%. He asked the BOCC if it would reconsider its spending plans, and help citizens live within their means.

Steve Hall said next week Carrboro will be considering annexing a portion of Highway 86, and he is concerned about the impact to Duke Forest. He said this area contains the Meadow Flats Natural area, and it is also the site of ongoing federal research, and this

development will have impacts on all of this. He would like to see Orange County remain in the discussions on how this land is developed, and asks Carrboro to remain involved.

Seamus O'Neill said he has been trying to engage the Human Relations Commission (HRC) on its Linda Sarsour event, and the process that lead to her selection, and the evaluation done post-speech. He said there appears to be no process or vehicle for engaging with staff or the HRC, and while members were willing to listen to his feedback, there is no way for it to be processed thereafter. He provided the Board with written comments, and asked if there could be public engagement in the processes of the HRC, and possibly other commissions.

Mark Sommerville said he is here to talk about the gun shooting in his neighborhood. He said the way weapons are not being handled carefully, but rather in a joking and unsafe way. He provided an audio of the gunfire he has heard from his property.

Lynn Gischwind said she supports all of the comments about the gun shooting/target range, and added that the impact on animals should not go unnoticed. She said she had gutter repairs done on her home, and the gutter company found a .22 bullet in their roof, which was incredibly disturbing.

Chair Rich said the topic of gunfire will be referred to staff, and it will be a discussion item at the beginning of the 2019-20 session.

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

Commissioner Marcoplos attend the Sold Waste Advisory Group (SWAG) meeting last night, where there was a presentation from a textile recycling company recycling, as well as an ongoing discussion about composting.

Commissioner Marcoplos petitioned the County to research the issue of providing childcare at the Board of County Commissioners meetings. He also petitioned staff to look into the cost and implications of going fare-free with Orange County buses.

Commissioner Marcoplos said the budget amendment process has been the same for the past 2-3 years. He said amendments were proposed to the Manager, some of which were controversial. He said several amendments drew attention, especially schools, and he suggested having a work session in the fall about the budget amendment process, and how it may be improved.

Commissioner Bedford thanked all who mentored her as a new Commissioner.

Commissioner McKee endorsed Commissioner Marcoplos call for a work session in the fall to discuss the budget amendment process. He said the process this year almost became dysfunctional, with several amendments coming in after the public hearings. He said the public must have ample opportunity to speak on these proposed budget amendments.

Commissioner Price echoed Commissioner Marcoplos and Commissioner McKee's comments. She congratulated all students for completing another year, and those who are moving on.

Commissioner Price said tomorrow is Juneteenth, commemorating the day that word of the emancipation proclamation reached the last state in the Union, and an overall celebration of freedoms hard won by the African American community.

Commissioner Price said on July 4th the Town of Carrboro will be holding its annual reading of "The Meaning of July 4th for the Negro" by Frederick Douglass.

Commissioner Dorosin said he previously made a petition about banning the use of Round Up and glycophate on County properties. He said he received the following email from Department of the Environment, Agriculture, Parks and Recreation (DEAPR) staff about this:

"Good afternoon. One more petition response. This is in reply to the petition of June 4 for the County to make efforts to no longer use the glyphosate-based herbicide Roundup.

This product and other glyphosate based broad-spectrum herbicides have been the subject of much investigation in the last several years, as you likely know, and in particular in the last several months with the results of recent lawsuits. At present, County staff use this product sparingly, only on County grounds and landscaped areas to address poison ivy and weed control.

However, staff has been tracking this issue and several months back identified the need to again review this and other herbicide use. In May we formed a Pesticide/Herbicide Working Group with representatives from DEAPR, Asset Management and Solid Waste.

Pending this working group's look at current policies and practices, and the development of recommended new updates or changes (or direction from the Board or Manager), staff will cease use of Roundup.

We anticipate a report from the Working Group on updates to policies and practices later this summer.

Please feel free to contact me if you have any questions

P. David Stancil, AICP
Director, Department of Environment, Agriculture, Parks and Recreation (DEAPR)"

Commissioner Dorosin referred to the budget amendment process, and said it is tricky to get amendments submitted prior to receiving the budget, but he suggested moving the public hearings back, or taking public comment at budget work sessions. He said the Board is constrained about having ideas before the budget is presented.

Commissioner Dorosin said last week his amendment about school funding did not get support, but there was general support to discuss it at a later date. He petitioned to bring this topic back in the fall, outside the pressures of the budget process.

Commissioner Greene she supports all comments from the Board of County Commissioners tonight, and she too, like Commissioner Bedford, appreciated all their assistance in being a new Commissioner.

Commissioner Greene said she attended the Executive Committee of Triangle J Council of Governments (TJCOG), where members gave permission to accept a grant opportunity from the Federal Home Loan Bank Board of Atlanta's affordable housing program, to do home repair projects in Chatham County.

Commissioner Greene said she, Chair Rich and Katie Murray attended the Americans for the Arts Conference in Minneapolis, which was inspiring and encouraging. She said Orange County must continue to boost the arts economy. She said she is also very committed to the arts not being an elite activity, but rather something that is accessible to all.

Commissioner Price referred to Commissioner Dorosin's petition about Round Up, and said there was a group in Carrboro that dealt with this topic (ToxicFree NC), and it may be wise to follow up.

Commissioner Marcoplos said a resident contacted him, asking that any information that comes out of the committee studying the Round Up/toxins, be forwarded to all other government entities in the County.

Chair Rich said Dr. Charles Van Der Horst passed away, and she would like to do a proclamation for him in September. She said he was one of the first people to attend to Aids patients, as well as conduct research, when other doctors were unwilling to do so.

Chair Rich said she too enjoyed the Arts Conference, and it was a remarkable experience. She said Orange County is on the right track with the arts. She reviewed highlights of her trip.

Chair Rich said the budget process is hard, and the Commissioners are not in competition when doing a budget and the Board needs to be collaborative. She said the Board speaks with the school boards often.

4. Proclamations/ Resolutions/ Special Presentations

a. <u>Proclamation Recognizing the Carrboro High School Women's Soccer Team for Winning the 2019 State 2A Championship</u>

The Board considered voting to approve a Proclamation Recognizing the Carrboro High School Women's Soccer Team for winning the 2019 State 2A Championship and authorize the Chair to sign.

Coach Jared Drexler introduced some of the players.

Commissioner Marcoplos read the Proclamation:

ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION OF RECOGNITION ON
CARRBORO HIGH SCHOOL WOMEN'S SOCCER TEAM WINNING THE 2019 STATE 2A CHAMPIONSHIP

WHEREAS, the Carrboro High School Women's Soccer Team captured the North Carolina High School Athletic Association's State 2A Championship; and

WHEREAS, the Jaguars won all but one match this season, compiling an excellent 18-1-2 record and a perfect record of 10-0 in the Mid-State Conference; and

WHEREAS, under the guidance of Coach Jared Drexler, the Carrboro High School Women's Soccer Team has won four of the last five state titles; and

WHEREAS, through their hard work, dedication, teamwork and commitment, the team and Coach Drexler brought honor upon themselves, Carrboro High School, the Chapel Hill-Carrboro City Schools District and Orange County;

NOW, THEREFORE, be it proclaimed that the Orange County Board of Commissioners expresses its sincere appreciation and respect to the Carrboro High School Women's Soccer Team for their outstanding achievement and their inspiration to youth across North Carolina through their dedication, teamwork and athletic prowess.

This the 18th day of June 2019.

A motion was made by Commissioner McKee, seconded by Commissioner Dorosin to approve and authorize the Chair to sign the proclamation recognizing the Carrboro High School Jaguars Women's Soccer Team for winning the 2019 State 2A Championship and honoring the players and coaches for representing the community with the highest ideals of sportsmanship and integrity.

VOTE: UNANIMOUS

b. <u>Proclamation Recognizing the East Chapel Hill High School Women's Soccer Team for Winning the 2019 State 3A Championship</u>

The Board considered voting to approve a Proclamation Recognizing the East Chapel Hill High School Women's Soccer Team for winning the 2019 State 3A Championship and authorize the Chair to sign.

Todd McGee, Community Relations Director, said Coach Collins could not attend due to being out of town. He read the proclamation:

ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION OF RECOGNITION ON
EAST CHAPEL HILL HIGH SCHOOL WOMEN'S SOCCER TEAM WINNING THE 2019 STATE 3A CHAMPIONSHIP

WHEREAS, the East Chapel Hill High School Women's Soccer Team captured the North Carolina High School Athletic Association's State 3A Championship; and

WHEREAS, under the guidance of Coach Austin Collins, the Wildcats compiled a sterling record of 20-2-2 and 13-1 in the Big 3A Conference; and

WHEREAS, the East Chapel Hill Women's Soccer program has won four state titles in school history, in 1998, 2000 and 2004 prior to this season; and

WHEREAS, through their hard work, dedication, teamwork and commitment, the team and Coach Collins brought honor upon themselves, East Chapel Hill High School, the Chapel Hill-Carrboro City Schools District and Orange County;

NOW, THEREFORE, be it proclaimed that the Orange County Board of Commissioners expresses its sincere appreciation and respect to the East Chapel Hill High School Women's Soccer Team for their outstanding achievement and their inspiration to youth across North Carolina through their dedication, teamwork and athletic prowess.

This the 18th day of June 2019.

A motion was made by Commissioner Bedford, seconded by Commissioner Price for the Board to approve and authorize the Chair to sign the proclamation recognizing the East Chapel Hill High School Wildcats Women's Soccer Team for winning the 2019 State 3A Championship and honoring the players and coaches for representing the community with the highest ideals of sportsmanship and integrity.

VOTE: UNANIMOUS

Chair Rich asked that the Board consider moving up Item 8-t since Delores Bailey from EmPOWERment was here to speak on that item, and to not make her wait until the end of the meeting.

The Board agreed by consensus.

8-t Approval of the Transfer of Ownership of Two (2) Manufactured Home Units to EmPOWERment, Inc.

The Board considered voting to approve a resolution transferring ownership of two (2) manufactured homes to EmPOWERment, Inc., as well as authorize the County Manager to execute all needed documents as it relates to the proposed transfer of property, subject to review and approval by the County Attorney and authorize the Chair to sign. The manufactured homes were purchased under the previously approved Orange County Land Banking/Manufactured Home Park Initiative's *Displacement Mitigation Assistance Program (DMAP)*.

PUBLIC COMMENT:

Delores Bailey said EmPOWERment is honored to have been a part of this pilot program, and there are two families who are so happy that this program was able to assist them.

Commissioner Dorosin asked if the resident purchases the unit at the end, where does the money go.

Sherrill Hampton, Housing Director, said the funds go back to Orange County into the landbanking fund.

Delores Bailey said the beauty of this program is that it gives people the opportunity to own a home, when they would not have qualified via traditional methods. She said EmPOWERment bridges the gap for the homeowner, and allows them to establish a year of making payments in a timely fashion.

A motion was made by Commissioner Greene, seconded by Commissioner Price to approve a resolution transferring ownership of two (2) manufactured homes to EmPOWERment, Inc., as well as authorize the County Manager to execute all needed documents as it relates to the proposed transfer of property, subject to review and approval by the County Attorney and authorize the Chair to sign. The manufactured homes were purchased under the previously approved Orange County Land Banking/Manufactured Home Park Initiative's *Displacement Mitigation Assistance Program (DMAP)*.

VOTE: UNANIMOUS

5. Public Hearings

NONE

6. Regular Agenda

a. Approval of Fiscal Year 2019-20 Budget Ordinance, County Grant Projects, and County Fee Schedule

The Board considered voting to approve the Fiscal Year 2019-20 Budget Ordinance, County Grant Projects, and County Fee Schedule.

Paul Laughton, Finance and Administration Assistant Director, presented this item:

BACKGROUND: At the June 11, 2019 budget work session, the Board of County Commissioners made decisions regarding the County's FY2019-20 budget. See the following attachments related to those decisions:

- Amendment 1, the Resolution of Intent to Adopt the FY2019-20 Orange County Budget outlines the actions approved by the Board of County Commissioners on June 11, 2019

- Attachment 2, FY2019-20 Budget Ordinance, is the legislation implementing the FY2019-20 Annual Operating Budget for Orange County
- Attachment 3, FY2019-20 County Grant Projects
- Attachment 4, FY2019-20 County Fee Schedule

Commissioner McKee said he has objections to dedicated taxes, and the proposed increase of salaries, and thus he will vote no on this budget.

Commissioner Price said she will vote for the budget, but she has an issue with the ¼ cent tax for the climate change, because the County is already doing many things, and when she looked at all of the fees and tax increases, she realized that, for some people, this could be the proverbial straw that broke the camel's back.

Commissioner Marcoplos said the budget is a balance of compromises that the Board makes, and it has an obligation to many interests in the County. He said there is schools, health, public safety, and the residents in the OCS are happy with less.

Commissioner Marcoplos said this budget meets the needs of the County under difficult circumstances.

Commissioner Dorosin said he is concerned that comments, like those made by Commissioner Marcoplos, contribute to the division in the County, and the perception that one area of the county is subsidizing another part.

Commissioner Dorosin said the Orange County Schools (OCS) Board asked for $1 million than what which the Board gave them. He said the residents may say do not raise my taxes, but the schools say more money is needed. He said the schools' interest should be recognized as well.

Commissioner Dorosin said it is important to note that part of what the BOCC has to balance is the different interests throughout the county. He said the Board funds the schools, giving a lump sum, and the schools decide the priorities of the systems. He said the notion that the BOCC has funded this and not that, is inaccurate as the schools make the specific decisions on how to use funds.

Commissioner Greene said the Board fully funded racial equity training for both school districts, and she encouraged both districts to hire minority teachers.

Commissioner Dorosin said the Manager initiated the funding for the racial equity training.

Bonnie Hammersley said it was a request from both districts, and was included in the recommended budget.

Chair Rich said the Manager chose to do this as a direct line item, for which the County will pay.

Commissioner Price said, over the years, she has heard the rivalry between the two school districts, which is sad. She said she would like to bring balance to the two districts.

Commissioner Price said not wanting to raise taxes is one of the reasons she wanted to hold back on the ¼ cent tax.

Fiscal Year 2019-20
Budget Ordinance
Orange County, North Carolina

Be it ordained by the Board of Commissioners of Orange County

Section I. Budget Adoption

There is hereby adopted the following operating budget for Orange County for this fiscal year beginning July 1, 2019 and ending June 30, 2020, the same being adopted by fund and activity, within each fund, according to the following summary:

Fund	Current Revenue	Interfund Transfer	Fund Balance Appropriated	Total Appropriation
General Fund	$225,279,266	$4,034,600	$7,808,006	$237,121,872
Emergency Telephone Fund	$580,225	$0	$187,853	$768,078
Fire Districts Fund	$6,272,720	$0	$40,000	$6,312,720
Section 8 (Housing) Fund	$4,201,264	$221,060	$0	$4,422,324
Community Development Fund	$577,102	$1,145,903	$1,539	$1,724,544
Efland Sewer Operating Fund	$0	$0	$480	$480
Visitors Bureau Fund	$1,664,684	$0	$259,696	$1,924,380
School Construction Impact Fees Fund	$0	$0	$112,000	$112,000
Solid Waste Operations Enterprise Fund	$10,544,336	$0	$1,340,047	$11,884,383
Sportsplex Operations Enterprise Fund	$4,025,654	$0	$0	$4,025,654
Community Spay/Neuter Fund	$52,436	$0	$19,290	$71,726
Article 46 Sales Tax Fund	$4,068,240	$0	$0	$4,068,240

Section II. Appropriations

That for said fiscal year, there is hereby appropriated out the following:

Function	Appropriation
General Fund	
Community Services	$14,421,090
General Government	$10,556,767
Public Safety	$26,643,096
Human Services	$40,822,906
Education	$93,508,573
Support Services	$12,465,362
Debt Service	$30,754,428
Transfers to Other Funds	$7,949,650
Total General Fund	***$237,121,872***
Emergency Telephone System Fund	
Public Safety	$768,078
Total Emergency Telephone System Fund	***$768,078***
Fire Districts	
Cedar Grove	$262,145
Greater Chapel Hill Fire Service District	$271,585
Damascus	$104,105
Efland	$523,209
Eno	$819,205

Little River	$286,700
New Hope	$691,422
Orange Grove	$579,388
Orange Rural	$1,357,369
South Orange Fire Service District	$575,344
Southern Triangle Fire Service District	$251,534
White Cross	$590,714
Total Fire Districts Fund	***$6,312,720***
Section 8 (Housing) Fund	
Human Services	$4,422,324
Total Section 8 Fund	***$4,422,324***
Community Development Fund (Housing Rehabilitation Initiative)	
Human Services	$756,847
Total Community Development Fund (Housing Rehabilitation Initiative)	***$756,847***
Community Development Fund (Housing Displacement Program)	
Human Services	$75,000
Total Community Development Fund (Housing Displacement Program)	***$75,000***
Community Development Fund (HOME Program)	
Human Services	$634,158
Total Community Development Fund (HOME Program)	***$634,158***
Community Development Fund (Homelessness Partnership Program)	
General Government	*$258,539*
Total Community Development Fund (Homelessness Program)	***$258,539***
Total Community Development Fund Programs	***$1,724,544***
Efland Sewer Operating Fund	
Community Services	$480
Total Efland Sewer Operating Fund	***$480***
Visitors Bureau Fund	
General Government	$211,168
Community Services	$1,713,212
Total Visitors Bureau Fund	***$1,924,380***
School Construction Impact Fees	
Transfers to Other Funds	$112,000
Total School Construction Impact Fees Fund	***$112,000***
Solid Waste Operations Enterprise Fund	
Community Services - Solid Waste/Landfill Operations	$10,364,375
Transfer to Other Funds	$1,520,008
Total Solid Waste Operations Enterprise Fund	***$11,884,383***
SportsPlex Operations Enterprise Fund	

Community Services – Sportsplex Operations	$3,300,654
Transfer to Other Funds	$725,000
Total Sportsplex Operations Enterprise Fund	***$4,025,654***
Community Spay/Neuter Fund	
Community Services	$71,726
Total Community Spay/Neuter Fund	***$71,726***
Article 46 Sales Tax Fund	
Community Services	$4,068,240
Total Article 46 Sales Tax Fund	***$4,068,240***

Section III. Revenues

The following fund revenues are estimated to be available during the fiscal year beginning July 1, 2019 and ending June 30, 2020, to meet the foregoing appropriations:

Function	**Appropriation**
General Fund	
Property Tax	$165,153,931
Sales Tax	$25,372,861
Licenses & Permits	$313,260
Intergovernmental	$18,278,612
Charges for Services	$12,704,833
Investment Earnings	$415,000
Miscellaneous	$3,040,769
Transfers from Other Funds	$4,034,600
Appropriated Fund Balance	$7,808,006
Total General Fund	***$237,121,872***
Emergency Telephone System Fund	
Charges for Services	$580,225
Appropriated Fund Balance	$187,853
Total Emergency Telephone System Fund	***$768,078***
Fire Districts	
Property Tax	$6,262,870
Investment Earnings	$9,850
Appropriated Fund Balance	$40,000
Total Fire Districts Fund	***$6,312,720***
Section 8 (Housing) Fund	
Intergovernmental and General Government	$4,201,264
From General Fund	$221,060
Total Section 8 Fund	***$4,422,324***
Community Development Fund (Housing Rehabilitation Initiative)	
From General Fund	$756,847
Total Community Development Fund (Housing Rehabilitation Initiative)	***$756,847***
Community Development Fund (Housing Displacement Program)	
From General Fund	$75,000
Total Community Development Fund (Housing Rehabilitation Initiative)	***$75,000***

Community Development Fund *(HOME Program)*	
Intergovernmental	$398,399
Program Income	$13,306
From General Fund	$222,453
Total Community Development Fund (HOME Program)	***$634,158***
Community Development Fund (Homelessness Partnership Program)	
Intergovernmental and General Government	$165,397
From General Fund	$91,603
Appropriated Fund Balance	$1,539
Total Community Development Fund (Homelessness Partnership Program)	***$258,539***
Total Community Development Fund Programs	***$1,724,544***
Efland Sewer Operating Fund	
Charges for Services	$0
Appropriated Fund Balance	$480
Total Efland Sewer Operating Fund	***$480***
Visitors Bureau Fund	
Occupancy Tax	$1,423,571
Sales & Fees	$500
Intergovernmental	$236,703
Investment Earnings	$4,000
Appropriated Fund Balance	$259,606
Total Visitors Bureau Fund	***$1,924,380***
School Construction Impact Fees Fund	
Appropriated Fund Balance	$112,000
Total School Construction Impact Fees Fund	***$112,000***
Solid Waste Operations Enterprise Fund	
Sales & Fees	$9,894,336
Intergovernmental	$245,000
Miscellaneous	$135,000
Licenses & Permits	$130,000
Interest on Investments	$140,000
General Fund Contribution for Sanitation Operations	$0
Appropriated Reserves	$1,340,047
Total Solid Waste Operations Enterprise Fund	***$11,884,383***
Sportsplex Operations Enterprise Fund	
Charges for Services	$4,025,654
Total Sportsplex Operations Enterprise Fund	***$4,025,654***
Community Spay/Neuter Fund	
Animal Tax	$27,000
Intergovernmental	$10,000
Miscellaneous	$15,436
Appropriated Fund Balance	$19,290
Total Community Spay/Neuter Fund	***$71,726***

Article 46 Sales Tax Fund	
Sales Tax Proceeds	$4,068,240
Total Article 46 Sales Tax Fund	***$4,068,240***

Section IV. Tax Rate Levy

There is hereby levied for the fiscal year 2019-20 a general county-wide tax rate of 86.79 cents per $100 of assessed valuation. This rate shall be levied in the General Fund. Special district tax rates are levied as follows:

Cedar Grove	8.10
Greater Chapel Hill Fire Service District	14.91
Damascus	10.80
Efland	6.78
Eno	9.68
Little River	5.92
New Hope	9.94
Orange Grove	6.81
Orange Rural	9.15
South Orange Fire Service District	9.68
Southern Triangle Fire Service District	10.80
White Cross	12.37
Chapel Hill-Carrboro School District	20.18

Section V. General Fund Appropriations for Local School Districts

The following FY 2019-20 General Fund Appropriations for Chapel Hill-Carrboro City Schools and Orange County Schools are approved:

a) Current Expense appropriation for local school districts totals $88,820,720, and equates to a per pupil allocation of $4,352.25.
    1) The Current Expense appropriation to the Chapel Hill-Carrboro City Schools is $53,419,518.
    2) The Current Expense appropriation to the Orange County Schools is $35,401,202.

b) School Related Debt Service for local school districts totals $17,770,542.

c) Additional County funding for local school districts totals $6,889,597

    (1) School Resource Officers and School Health Nurses Contracts - total appropriation of $3,629,597 to cover the costs of School Resource Officers in every middle and high school, and a School Health Nurse in every elementary, middle, and high schools in both school systems.
    (2) Deferred maintenance funding of $3,000,000 by ADM is allocated to the school systems by the following: Chapel Hill-Carrboro City Schools appropriation is $1,804,200 and Orange County Schools appropriation is $1,195,800.
    (3) School Equity Training – total appropriation of $260,000 towards Foundational Equity Training.

Section VI. Schedule B Privilege Licenses

In accordance with Schedule B of the Revenue Act, Article 2, Chapter 105 of the North Carolina State Statutes, and any other section of the General Statutes so permitting, there are hereby levied privilege license taxes in the maximum amount permitted on businesses, trades, occupations or professions which the County is entitled to tax.

Section VII. Animal Licenses

A license costing $10 for sterilized dogs and sterilized cats is hereby levied. A license for un-sterilized dogs and a license for un-sterilized cats is $30 per animal.

Section VIII. Board of Commissioners' Compensation

The Board of County Commissioners authorizes that:

- Salaries of County Commissioners will be adjusted by any wage increase and/or any other general increase granted to permanent County employees. For fiscal year 2019-20, the approved budget includes a total 2% wage increase, effective July 1, 2019.
- Annual compensation for County Commissioners will include the County contribution for health insurance, dental insurance and life insurance that is provided for permanent County employees, provided the Commissioners are eligible for this coverage under the insurance contracts and other contracts affecting these benefits.
- County Commissioners' compensation includes eligibility to continue to participate in the County health insurance at term end as provided below:

    - If the County Commissioner has served less than two full terms in office (less than eight years), the Commissioner may participate by paying the full cost of such coverage. (If the Commissioner is age 65 or older, Medicare becomes the primary insurer and group health insurance ends.)

    - If the County Commissioner has served two or more full terms in office (eight years or more), the County makes the same contribution for health insurance coverage that it makes for an employee who retires from Orange County after 20 years of consecutive County service as a permanent employee. If the Commissioner is age 65 or older, Medicare becomes the primary insurer and group health insurance ends. The County makes the same contribution for Medicare Supplement coverage that it makes for a retired County employee with 20 years of service.

    - Annual compensation for Commissioners will include a County contribution for each Commissioner to the Deferred Compensation (457) Supplemental Retirement Plan that is the same as the County contribution for non-law enforcement County employees in the State 401 (k) plan. For fiscal year 2019-20, the approved budget continues the County contribution of $27.50 per pay period and a County contribution match of up to $63.00 semi-monthly.

Section IX. Budget Control

General Statutes of the State of North Carolina provide for budgetary control measures to exist between a county and public school system. The statute provides:

Per General Statute 115C-429:

(c) The Board of County Commissioners shall have full authority to call for, and the Board of Education shall have the duty to make available to the Board of County Commissioners, upon

request, all books, records, audit reports, and other information bearing on the financial operation of the local school administrative unit.

The Board of Commissioners hereby directs the following measures for budget administration and review:

That upon adoption, each Board of Education will supply to the Board of County Commissioners a detailed report of the budget showing all appropriations by function and purpose, specifically to include funding increases and new program funding. The Board of Education will provide to the Board of County Commissioners a copy of the annual audit, monthly financial reports, copies of all budget amendments showing disbursements and use of local moneys granted to the Board of Education by the Board of Commissioners.

The Board of Commissioners hereby approves the following financial policies:

- The County will not initiate pay-as-you-go funding until October 1 of each fiscal year, and pending a review of the first quarter financial report, with the exception of County appropriations to the school districts and any other County Manager exceptions.
- The County will initiate measures to recoup sales tax proceeds on school capital projects through the conveyance of school property to the County with the school property reverting back to the school districts at the end of the construction period.
- The County will ensure that all monthly general ledger postings occur by the 10th work day of each month.
- The County will ensure that monthly financial reports are available by the 15th work day of each month.
- The County will not issue debt for a project until a bid award date and construction start date is established.
- Whereas, it is a best practice for governments to account for capital assets separate from their operating funds, and; Whereas, enterprise funds generally establish Renewal and Replacement Capital Funds to account for the acquisition of capital assets; Therefore,
    - **a.** The Solid Waste Renewal and Replacement Capital Fund is established to account for sources of income earmarked to fund the County Capital Investment Plan. Sources of income including debt financing proceeds, pay-as-you-go funds, and any other sources earmarked to finance acquisition of capital assets.
    - **b.** The Sportsplex Renewal and Replacement Capital Fund is established to account for sources of income earmarked to fund the County Capital Investment Plan. Sources of income including debt financing proceeds, pay-as-you-go funds, and any other sources earmarked to finance acquisition of capital assets.
- Whereas, the County intends to undertake Capital Projects as approved in Year 1 (FY 2019-20) of the Capital Investment Plan, will use its own funds to pay initial Project costs, and then reimburse itself from financing proceeds for these early expenditures. The expected primary type of financing for the Projects is installment financing under Section 160A-20. The financing may include more than one installment financing, and may include installment financings with equipment vendors and installment financings that include the use of limited obligation bonds. The Manager and Finance Officer have advised the Board that it should adopt this resolution to document the County's plans for reimbursement, in order to comply with certain federal tax rules relating to reimbursement from financing proceeds.
- The Community Loan Fund will issue no interest loans to recipients in this program.

- The County has adopted a policy to fund no interest loans to Non-Profit organizations that meet certain financial criteria, as adopted on September 20, 2018.
- The County will include in its Travel Policy that travel expenses for Commissioners and County Staff will include the purchase of carbon offsets for any airfare and the miles traveled by Car Share vehicles.

Section X. Internal Service Fund - Health and Dental Insurance Fund

The Health and Dental Insurance Fund accounts for receipts of premium payments from the County and its employees, employees for their dependents, all retirees and the payment of employee and retiree claims and administration expenses. Projected receipts and fund reserves from the County and employees for fiscal year 2019-20 will be $17,114,072, and projected expenses for claims and administration for fiscal year 2019-20 will be $17,114,072.

Section XI. Agency Funds

These funds account for assets held by the County as an agent for other government units, and by State Statutes, these funds are not subject to appropriation by the Board of County Commissioners, and not included in this ordinance.

Section XII. Encumbrances

Operating funds encumbered by the County as of June 30, 2019 are hereby reappropriated to this budget.

Section XIV. Capital Projects & Grants Fund

The County Capital Improvements Fund, Schools Capital Improvements Fund, Proprietary Capital Funds, and the Grant Projects Fund are hereby authorized. Appropriations made for the specific projects or grants in these funds are hereby appropriated until the project or grant is complete.

The County Capital Projects Fund FY 2019-20 budget, with anticipated fund revenues of $10,560,764 and project expenditures of $10,560,764 is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and the same is adopted by project.

The School Capital Projects Fund FY 2019-20 budget, with anticipated fund revenues of $34,512,606, and project expenditures of $ 34,512,606 is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and the same is adopted by project.

The Proprietary Capital Funds FY 2019-20 budget, consisting of Water and Sewer Utilities, Solid Waste, and Sportsplex, with anticipated fund revenues of $2,977,536, and project expenditures of $2,977,536 is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and the same is adopted by project.

The Solid Waste Renewal and Replacement Capital Fund FY 2019-20 budget, with anticipated sources of income of $2,353,364, and anticipated expenditures of $2,353,364 is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2019, and ending June 30, 2020.

The Sportsplex Renewal and Replacement Capital Fund FY 2019-20 budget, with anticipated sources of income of $1,039,440, and anticipated expenditures of $1,039,440 is hereby adopted

in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2019, and ending June 30, 2020.

The County Grant Projects Fund FY 2019-20 budget, with anticipated fund revenues of $271,229, and project expenditures of $271,229, is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and the same is adopted by project.

Any capital project or grant budget previously adopted, the balance of any anticipated, but not yet received, revenues and any unexpended appropriations remaining on June 30, 2019, shall be reauthorized in the FY 2019-20 budget.

Section XVI. Contractual Obligations

The County Manager is hereby authorized to execute contractual documents under the following conditions:

1. The Manager may execute contracts for construction or repair projects that do not require formal competitive bid procedures, and which are within budgeted departmental appropriations, for which the amount to be expended does not exceed $250,000.
2. The Manager may execute contracts for general and/or professional services which are within budgeted departmental appropriations, for purchases of apparatus supplies and materials or equipment which are within the budgeted departmental appropriations, and for leases of property for a duration of one year or less and within budgeted departmental appropriations for which the amount to be expended does not exceed $89,999.

3. Subject to prior Board of County Commissioner authorization at an official Board meeting, the Manager is authorized to execute contracts, their amendments and extensions, in amounts otherwise reserved for Board approval and execution by the Chair, up to the Board-approved budgetary amount for a project or service that has been approved by the Board of County Commissioners in the current year budget.

4. Contracts executed by the Manager shall be pre-audited by the Chief Financial Officer and reviewed by the County Attorney to ensure compliance in form and sufficiency with North Carolina law.

5. The Manager may sign intergovernmental service agreements in amounts under $90,000.

6. The Manager may sign intergovernmental grant agreements regardless of amount as long as no expenditure of County matching funds, not previously budgeted and approved by the Board, is required. Subsequent budget amendments will be brought to the Board of County Commissioners for revenue generating grant agreements not requiring County matching funds as required for reporting and auditing purposes.

7. The Manager and Attorney will provide a quarterly report to the County Commissioners showing the type and amount of each intergovernmental agreement signed by the Manager.

This budget being duly adopted this 18th day of June 2019.

A motion was made by Commissioner Bedford, seconded by Commissioner Dorosin for the Board to adopt the FY2019-20 Budget Ordinance, the FY2019-20 County Grant Projects, and the FY2019-20 County Fee Schedule, consistent with the parameters outlined in the Board's "Resolution of Intent to Adopt the FY2019-20 Orange County Budget".

Commissioner Bedford said Durham Tech wanted to allow scholarships to be used for technical classes, and asked if this should be included.

Bonnie Hammersley said the Board is approving the amount of money that is recommended in the budget; and how that will be used will be worked out with Durham Tech.

VOTE: Ayes, 6; Nays, 1 (Commissioner McKee)

b. <u>Acceptance of the Five-Year Capital Investment Plan and Approval of the Orange County CIP Projects of $48,050,906 for FY2019-20</u>

The Board considered voting to accept the FY2019-24 Orange County Five-Year Capital Investment Plan, and approve the Orange County CIP Projects of $48,050,906 for FY2019-20.

Paul Laughton presented this item:

BACKGROUND: For over 20 years, the County has produced a Capital Investment Plan (CIP) that establishes a budget-planning guide related to capital needs for the County as well as Schools. The current CIP consists of a 5-year plan that is evaluated annually to include year-to-year changes in priorities, needs, and available resources. Approval of the CIP commits the County to the first year funding only of the capital projects; all other years are used as a planning tool and serves as a financial plan.

Capital Investment Plan – Overview

The FY2019-24 CIP includes County Projects, School Projects, and Proprietary Projects. The School Projects include Chapel Hill Carrboro City Schools, Orange County Schools, and Durham Technical Community College – Orange County Campus projects. The Proprietary Projects include Water and Sewer, Solid Waste Enterprise Fund, and Sportsplex projects. The CIP has been prepared anticipating moderate economic growth of approximately 2% in property tax growth and 4% in sales tax growth annually over the next five years. Many of the projects in the CIP will rely on debt financing to fund the projects.

Attachment 1 is the FY2019-24 Capital Investment Plan Overall Summary (individual projects were provided to the Board of County Commissioners at previous work sessions, and revised School Capital and Overall Summaries presented and discussed at the June 11, 2019 budget work session). Attachment 2 lists the overall Orange County CIP projects of $48,050,906 in FY2019-20.

Attachment 3 lists County Capital projects totaling $10,560,764 in FY2019-20.
Attachment 4 lists School Capital projects totaling $34,512,606 in FY2019-20.

A motion was made by Commissioner Price, seconded by Commissioner McKee for the Board to accept the FY2019-24 Orange County Five-Year Capital Investment Plan, and approve funding for FY2019-20, as stated in Attachment 2, Year 1 (FY2019-20) in the Capital Investment Plan; and adopt the FY2019-20 County Capital projects as stated in Attachment 3 and FY2019-20 School Capital projects as stated in Attachment 4.

VOTE: UNANIMOUS

c. <u>Orange County Consolidated Plan – FY 2019-2020 Annual Action Plan and Proposed FY 2019-2020 HOME Activities</u>

The Board considered voting to adopt a Resolution approving the Consolidated Plan's proposed FY 2019-2020 Annual Action Plan; adopt a Resolution approving the proposed HOME Program Activities for FY 2019-2020; and authorize the County Manager to implement the HOME Program as approved by the BOCC, including the ability to execute agreements with partnering non-profit organizations after consultation with the County Attorney and based on the allocation received from HUD.

Sherrill Hampton presented this item:

BACKGROUND: Each year, local communities are required to reassess the needs of the community. Orange County completed the required notice and public hearing process, including a Needs Assessment Public Hearing on December 3, 2018 and a May 21, 2019 Public Hearing on the proposed use of funds. In addition, there was a 30-day comment period from May 8, 2019 – June 11, 2019, which allowed the general public to provide written comments and input in regard to the proposed HUD allocation and uses of the funds to be received. Notices were placed in *The Herald-Sun*, the *News of Orange* and *La Noticia*. Copies of the draft Annual Action Plan were made available at Orange County Housing and Community Development Department's Main Office, Orange County Library and the Chapel Hill Library, as well as on the Orange County Website.

The Orange County HOME Consortium, known as the *Orange County Local Government Affordable Housing Collaborative*, anticipates the following Federal financial resources for FY 2019-2020:

FY 2019 HOME Funds $350,302.00
HOME Program Income $ 13,306.00
HOME Local Match $ 78,818.00
Total $442,426.00
The above amounts are estimates only and may be adjusted according to the exact allocation received from HUD.

Furthermore, the HOME Consortium, comprised of one (1) elected official and staff members from Orange County, the Town of Carrboro, Town of Chapel Hill and Town of Hillsborough, reviewed the applications received on February 28, 2019 and again on May 6, 2019 given the proposed decrease in HUD HOME funds to be received. As it relates to the proposed FY 2019-2020 HOME funds, the *Collaborative* made the following revised recommendations regarding funding for consideration by each of the Consortium member jurisdictions' elected bodies as follows:
Empowerment, Inc. – Rental Acquisition $ 85,000.00*****
Habitat for Humanity – Homeownership $181,392.00
Orange County – County-wide TBRA $141,004.00
Administration $ 35,030.00
Total $442,426.00

(*****-Includes Orange County HOME Consortium's FY 2019-20 CHDO Set-Aside amount of $52,545. EmPOWERment will also receive $60,201 of FY 2018-19 CHDO Set-Aside funds making their total proposed award amount $145,201.)

The requested amounts above may still be adjusted based on the exact allocation the HOME Consortium receives from HUD.

In accordance with the Orange County HOME Consortium Agreement, approved in May 2011, the HOME Program Design for each year must be approved by all jurisdictions prior to submission to HUD. The HOME Program Design was approved by the Town of Carrboro on May 14, 2019 and Town of Chapel Hill on May 22, 2019. The Town of Hillsborough approved the HOME Program Design on June 10, 2019. The Board of County Commissioners (BOCC) is therefore asked to consider approval of the attached HOME Program Resolution. The FY 2019-2020 Annual Action Plan will be submitted to HUD on or before June 25, 2019.

HOME Program Implementation
After approval of the FY 2019-2020 HOME Program Design by all Consortium participants, authorization is also requested to allow the Orange County Manager, based on the HUD allocation received, to execute agreements with partnering non-profit organizations as necessary to implement the approved HOME Program Design. All agreements will receive the review and approval of the County Attorney's Office.

Commissioner Dorosin asked if EMPOWERMENT has now become a CHDO.
Sherrill Hampton said yes.
Commissioner Dorosin offered congratulations for hard work, and a job well done.

PUBLIC COMMENT:
Delores Bailey said EmPOWERment is so proud to be a CHDO, and is ready to do outstanding work especially around rental needs. She thanked the BOCC for its support. She said EmPOWERment now has 54 properties.
Commissioner Greene said she appreciated of all of this good work, and asked if the next 5-year consolidated plan is being worked on.
Sherrill Hampton said the County will start the process in the fall, and she recommends the selection of a consultant, which staff will do through the County's procurement office. She said she will work with the other government entities to determine which tenants should go in the RFP, and the RFP will go out and then staff will engage all the various stakeholders, including the public.

A motion was made by Commissioner Dorosin, seconded by Commissioner Price for the Board to:
1) Adopt a Resolution approving the Consolidated Plan's FY 2019-2020 Annual Action Plan;
2) Adopt a Resolution approving the proposed HOME Program Design for FY 2019-2020; and
3) Authorize the County Manager to implement the FY 2019-2020 HOME Program Design, as approved by the BOCC, including the ability to execute agreements with partnering non-profit organizations, after consultation with the County Attorney and based on the allocation received from HUD.

VOTE: UNANIMOUS

d. <u>Amendment to the Orange County Transit Plan to Increase Funding for the Chapel Hill Transit North South Bus Rapid Transit (NSBRT) Project</u>

The Board considered voting to approve an amendment to the Orange County Transit Plan to increase funding for the Chapel Hill Transit North South Bus Rapid Transit (BRT) project from $6.1M to $14.1M. The funding would be provided using Dedicated Transit Revenues.

Travis Myren presented this item:

PURPOSE: To consider an amendment to the Orange County Transit Plan to increase funding for the Chapel Hill Transit North South Bus Rapid Transit (BRT) project from $6.1M to $14.1M. The funding would be provided using Dedicated Transit Revenues.

BACKGROUND: The Town of Chapel Hill/Chapel Hill Transit initiated the North South BRT project in 2014. The project was accepted into the Federal Transit Administration's (FTA) Project Development in November 2016. The project expands on previous planning work to identify a locally-preferred transit investment in the corridor that facilitates safe, efficient and expanded levels of mobility and improves connectivity between the corridor and the region. This includes connections to regional routes serving Hillsborough, Durham, Raleigh and Greensboro. The project is guided by a Technical and Policy Committee that includes representatives from Orange County.

The project is currently embarking on 30% design and environmental work. The Town is also planning to request a project ranking from Federal Transit Administration (FTA) by September 1, 2019 as it moves forward with pursuing a full-funding grant agreement. It is critical for the project rating process for the Town to be able to demonstrate at least 50-percent of the non-federal match ($14M) is allocated to the project in an adopted financial plan. The current cost estimate for the North South BRT project is $140M, which requires $28M in non-federal match. Only $6.1M is currently allocated in the Orange County Transit Plan.

To assist in this effort, the Town submitted a request to Durham-Orange Joint Staff Working Group (SWG) to increase the Orange County Transit Plan funding level from $6.1M to $14.1M (Attachment 2 – Request from Town of Chapel Hill). During the June 10, 2019 SWG meeting the SWG approved recommending to the governing bodies of the Interlocal Agreement for the Orange County Transit Plan (Orange County, GoTriangle Board and DCHC MPO Board) approval of the request to dedicate $1 million in FY20, $1.5 million in FY21, $1.5 million in FY22, and $4 million in FY23.

The Town of Chapel Hill will also be seeking offsetting project funds through the North Carolina Department of Transportation's Strategic Prioritization Process (SPOT 6.0). The proposed Transit Plan amendment stipulates that any outside funds received for the project will be applied to reduce the financial obligations contained in the Amended Orange County Transit Plan, up to $8 million. SPOT 6.0 awards are expected to be announced in November 2019.
The funding request is considered a material change to the Transit Plan which requires approval by the governing bodies. The SWG recommendation and funding request will be considered by the governing boards on the following schedule:

- Orange County Board of County Commissioners – June 18, 2019
- GoTriangle Board – June 26, 2019
- DCHC MPO Board – August 14, 2019

If approved by the governing bodies, this amendment would allow the Town to submit a rating request to FTA by September 1, 2019. A delay in the schedule would mean that 2020 would be the earliest a rating request for the project would be considered by FTA.
The project website is www.nsbrt.org.

FINANCIAL IMPACT: The adopted Orange County Transit Plan currently allocates $6.1M to the North South BRT project. The proposed amendment (Attachment 1) would dedicate an additional $8M to the project in fiscal years FY2020 through FY2023.

Sufficient dedicated transit revenues are available to fund this addition. The lowest Transit Plan fund balance during this scheduled draw down of dedicated transit revenues would occur in FY2022 when the balance is estimated to be $929,500 under current assumptions.

If outside funding is secured by the Town of Chapel Hill for this project, the financial obligations of the Transit Plan will be relieved, up to $8 million.

Brian Litchfield, Chapel Hill Transit Director, made the following PowerPoint presentation:

Chapel Hill Transit North-South BRT
Orange County Board of County Commissioners
June 18, 2019

BRT Context and Vision

Prepares the Town and funding partners to meet mobility demand as the region continues to grow:

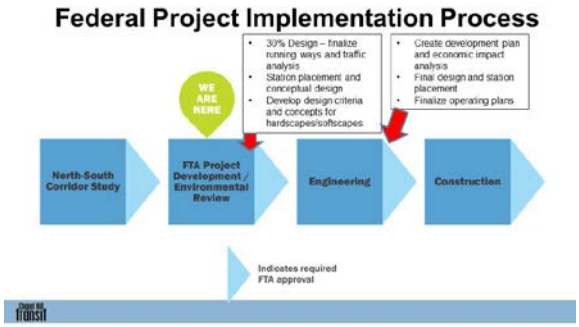
- Current system close to maximum capacity
- Proposed system provides a long-term, scalable solution for residents and visitors
  - Possible extensions North and South. Future corridors may include Fordham (Eastowne) to Carrboro (White Cross).
- Connects to regional transit options
  - Including GoTriangle and PART.
- Supports current and planned development in the corridor with a multi-modal system that serves cyclists, pedestrians and other users

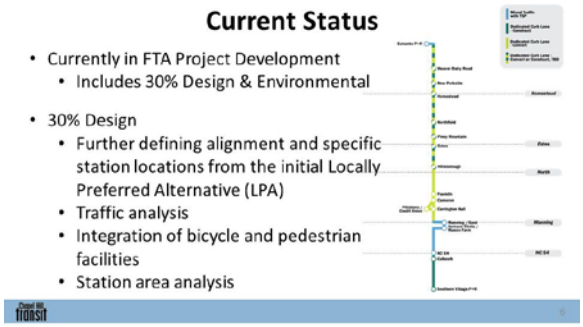
Bike and Ped Investments

- Current infrastructure varies
- 84% of route will have dedicated bike and ped path

Technical and Policy Committees







Project Schedule – next 12 months

- Spring 2019: evaluate BRT Transit Oriented Development Opportunities
- Late Summer 2019: draft 30% Design Plans are handed over to the NEPA team
- Late Summer/Fall 2019: finalize non-Small Starts funding
- Late Summer/Fall 2019: 30% Design Plans are finalized, based on FTA feedback
- **September 2019: Apply for rating with FTA**
- Fall/Winter 2019: NEPA document is published for review
- Spring 2020: Finding of No Significant Impact (FONSI) issued, completing the NEPA review process.

Planned 2023: The North-South Corridor BRT would open for revenue service.

What's Happening this Summer?

- Finalize Traffic Analysis
- Conduct Market and TOD Study
  - **Community Input Sessions and Design Charrettes July 12 - 15**
- Develop construct vs convert recommendation for northern portion
- Draft 30% design
- Complete Environmental Analysis

NSBRT Funding

- Current financial plan assumes 80% ($112M) of project funding to come through Federal Sources, 20% ($28M) from non-federal sources
- Project needs to demonstrate commitment of at least half the non-federal share ($14M) by
- September 2019 to stay in Project Development and be considered for moving into Project Design
- **Currently we have $6.1M of non-federal funds committed through the Orange County Transit Plan, we have requested an additional $8M**
- We have also submitted a request for $25M as part of the SPOT 6.0 process

Commissioner Dorosin referred to the SPOT 6.0 process, and asked if there is an estimated timeline to know if any money will come from this.

Brian Litchfield said it will most likely be January/February 2020 before staff knows this information.

Commissioner Dorosin referred to the “current status slide”, and clarified that everything on the chart from Eubanks to Hillsborough will all need to be decided.

Brian Litchfield said that is correct. He said additional traffic analysis will be needed, and staff with work with the Department of Transportation (DOT) to determine whether to convert an existing travel lane, or construct a new lane.

Commissioner Dorosin clarified that Hillsborough to Southern Village has been determined, and will be dedicated curb lane convert from Hillsborough to Manning, then mixed traffic to Highway 54, and then construct from there to Southern Village.

Brian Litchfield said yes. He said staff will look to see if there are ways to phase in the project, and the area further south may be able to be put to a future year. He said many variables, including cost, will have to be considered.

Commissioner Price asked what would happen to the $8 million if the $25 million comes in.

Brian Litchfield said if an amount close to $25 million comes in, staff would return to the staff working group for the Orange County transit plan, and talk about how to proceed. He said hopefully the $8 million could be reduced in that scenario.

Commissioner Price clarified that the $8 million will not be used right away, and is rather just a commitment.

Brian Litchfield said yes, and it is in the plan from 2022 onwards. He said the $8 million is not needed to do the 30% design or any other current work, and rather it is to show the Federal Transit Administration (FTA) that there are dedicated funds, should to project move forward.

Commissioner Price asked if the community will be given a chance for input after staff does the charrettes, and goes back to the drawing board.

Brian Litchfield said yes, probably in the fall.

Chair Rich referred to the “what’s happening slide” and the picture of the BRT running down the center of the lanes.

Brian said that is not an example of this BRT project, but rather is illustrative of what some of the DOT design work could lead to over time. He said it is unlikely to happen with the current corridor.

Chair Rich echoed Commissioner Dorosin’s concerns of the BRT wiggling in and out of traffic, and how regular traffic keeps flowing.

Brian Litchfield referred to the “current status” slide, and said the desire is to minimize transitions from one area to the next. He said when 30% design is done, from Eubanks through Hillsborough will either be dark green or light green. He said Hillsborough Street into downtown will have some transition areas, where buses are pulling out of dedicated lanes into mixed traffic. He said staff has visited other cities where buses transition in and out traffic, and there are signals that allow this to happen. He said there would be something similar done in Chapel Hill, along with signage and different colors of paint on the road. He said during peak hours, from Rosemary Street to the Carolina Inn, the outside lane almost operates as a bus lane already, with many buses lining up in that outside lane.

Chair Rich asked if the BRT comes on in 2023, what would be done with the current buses that use that lane. She asked if the buses would be used for other service, or be worked out of the fleet.

Brian Litchfield said this investment is building upon the investment that has already been made in the corridor already, and he said there is a 10-minute service on the north-south corridor alone, which takes 8 buses. He said in August that number of buses will move to 10,

due to an investment from the Chapel Hill Transit partners. He said by August 2020, it will move to 12-15 buses, and provide 8 minute or better service. He said buses that need replacing will be replaced, and other routes that come into the corridor will likely be realigned to better serve different areas in that corridor. He said this will all be worked out in the new short range service plan, which will come online in August 2020.

Commissioner Greene referred to South Columbia Street, from Mason Farm Road to Highway 54, and said it is a wide road, and asked if there is a reason there cannot be dedicated lanes here.

Brian Litchfield said there was strong neighborhood push back in 2014, and he said the initial LPA agreement stated that there would be no expansion beyond the current curb-to-curb area of this stretch of road.

Commissioner Greene asked if the existing curb-to-curb is not wide enough to accommodate a bus lane, as well as two lanes of traffic.

Brian Litchfield said his staff can look at this again, but it was expected that buses would operate in mixed traffic in that area, as there are no stops.

Commissioner Greene said she has a lot of experience with this stretch of road, and it seems like operating in mixed traffic here will slow down overall traffic dramatically. She said the difference between being in a dedicated lane versus mixed traffic, is the difference between a BRT and an express bus. She said the real benefit of BRT is that one can rely on its timeliness, much like a train; and she cannot see this happening without a dedicated lane.

Brian Litchfield said 80% of the corridor will be dedicated lanes, with a small section of Eubanks and Manning Drive through the James Taylor Bridge being the only parts which are not.

Commissioner Greene said she imagines the scene after a basketball or football game lets out.

Brian Litchfield said sporting events will be challenging in this corridor and the MLK corridor, regardless of dedicated lanes. He said this topic will be part of ongoing conversations with the Department of Transportation (DOT) and the University of North Carolina (UNC).

Commissioner Marcoplos asked if there are there going to be platform stations at each stop, even in mixed traffic areas.

Brian Litchfield said that is the current plan, but the stop at Manning Drive has to be finalized with both UNC and UNC Hospital. He said the stations within the corridor are intended to be level boarding stations, with the base of the bus door being level with the stop, avoiding the need for any ramps. He said more of this will be work out as the design process moves forward.

Commissioner Price asked if the project schedule has built in time for delays.

Brian Litchfield said some reasonable time has been built in, but a significant delay would make the 2023 challenge difficult to meet. He said his staff is optimistic about the 2023 deadline, but will not really know if it can be a reality until the project moves past the 30% design into engineering.

Commissioner McKee said finally there is a light at the end of the tunnel that is not attached to a light rail train. He said in 2011 he argued strongly that this should have been the second phase of improving Orange/Durham and the region. He said he also argued that the third phase should have been an expansion to all points of the compass.

Commissioner McKee said he is pleased that they are here, and he is slowly getting over how they got here. He said he will be as supportive of this, as he was opposed to light rail. He said there will be opposition, and people will be inconvenienced, by both the construction and the final product, in Chapel Hill, but the governments must address transit needs locally and regionally. He said he plans to visit Richmond and DC later this week to learn more about this process.

Brian Litchfield said the system in Richmond has been open since 2016-2018, and are currently operating about 4,000 rides within the GRT pulse system. He said there are already 4,500 in the Martin Luther King/South Columbia corridor. He said the anticipated ridership in this corridor, with the first year of construction, is about 8,500; and about 12,000 after 5 years. He said that number assumes no development or growth at Carolina North.

Travis Myren made the following PowerPoint presentation:

Orange County Transit Plan Financial Model Analysis
June 18, 2019
Southern Human Services Center

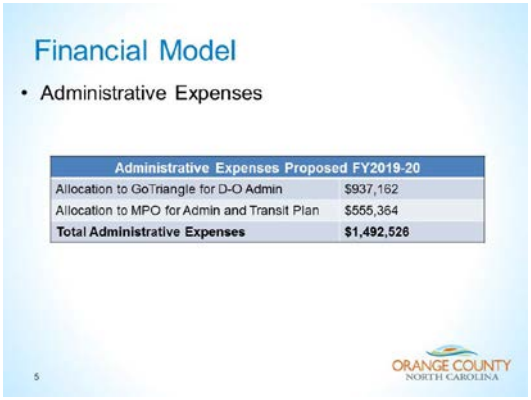
Decision Points

- To Consider an Amendment (Attachment 1) to the Orange County Transit Plan to Increase Funding for the Chapel Hill North-South Bus Rapid Transit Project from $6.1 million to $14.1 million.

Amendment Highlights

- Current Transit Plan Includes $6.1 million
- Amendment Provides Additional $8 million Over Four Years
- Total Transit Plan Obligation ($14.1 million) Represents Fifty Percent (50%) of the Non-Federal Share
  - Total Project Cost: $140 million
- Town to Seek Offsetting Project Funding to Relieve Transit Plan Obligation





Financial Model

- Bus Operations

Bus Operations Allocation Proposed FY2019-20	
Allocation to GoTriangle	$919,307
Allocation to Chapel Hill Transit	$1,983,907
Allocation to Orange County Public Transit	$743,018
Allocation to Orange County Facility Ops.	$27,682
Total Bus Operations	**$3,663,915**

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ORANGE COUNTY NORTH CAROLINA

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Financial Model

- Capital Investments

Capital Projects Proposed FY2019-20	
CHT Bus Acquisition	$1,541,192
OCPT Bus Acquisition	$43,926
North-South BRT - ***NEW***	***$1,000,000***
Hillsborough Train Station	$285,000
Other Capital Projects	$1,416,783
Total Capital Projects	**$4,286,901**
Light Rail Project Closeout	*$910,886*
TOTAL CAPITAL OBLIGATIONS	**$5,197,787**

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ORANGE COUNTY NORTH CAROLINA

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Financial Model

- Capital Investments (Multi-Year Projects)

Capital Expenses	2020	2021	2022	2023
CHT, Bus Acquisition Cost	$ 1,541,192	$ -	$ -	$ -
CPT, Bus Acquisition Cost	$ 43,926	$ 65,032	$ -	$ -
CHT, Bus Replacement Cost	$ -	$ -	$ -	$ -
CPT, Bus Replacement Cost	$ -	$ -	$ -	$ -
Allocation to GoTriangle for Bus Purchases	$ -	$ 975,722	$ 975,722	$ -
Allocation to GoTriangle for Bus Replacements	$ -	$ -	$ -	$ -
CHT Mobile Repower	$ -	$ -	$ -	$ -
North-South Corridor BRT (Tax District Share)	**$ -**	**$ 2,062,500**	**$ 2,062,500**	**$ -**
North-South Corridor BRT (Additional Request)	**$ 1,000,000**	**$ 1,500,000**	**$ 1,500,000**	**$ 4,000,000**
Hillsborough Train Station (Local Share)	$ 285,000	$ 285,000	$ -	$ -
Orange County Capital Projects	$ 1,416,783	$ 894,545	$ 1,479,891	$ 522,925
Total Capital Expenses	**$ 4,286,901**	**$ 5,802,799**	**$ 6,017,113**	**$ 4,522,925**
D-O LRT Project Costs (No Debt)	**$ 910,886**	**$ -**	**$ -**	**$ -**

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ORANGE COUNTY NORTH CAROLINA

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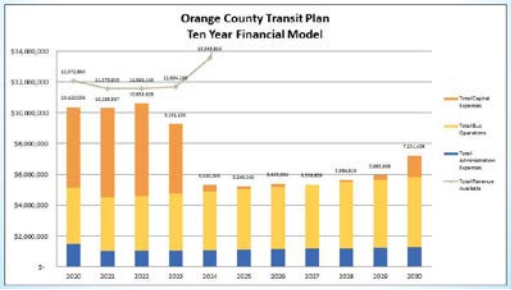
Financial Model

- Ten Year Projections



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Commissioner Dorosin said the slide before shows $4 million in 2023, but this chart shows a drop in 2023. He asked if these two charts can be reconciled.

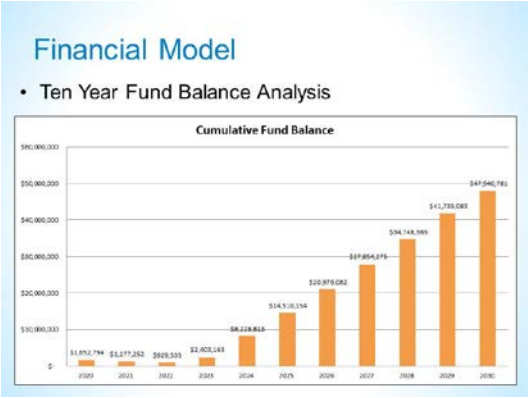
Travis Myren said the "total capital expenses" captures the total amount, not just the BRT portion. He said these go up in 2021, 2022, and even though the largest share of the BRT expense would be in 2023, there is no other capital expenditures occurring in any significant way, other than $500,000 for bus stop improvements.

Commissioner Price said referred to the "total revenue" line, and asked if the revenue source could be identified.

Travis Myren said this revenue is all of the dedicated transit revenues: Article 43 sales tax, vehicle rental tax, and both registration fees.

Commissioner Price asked if any fares have been calculated in.

Travis Myren said no. He said there are no additional operating expenses for the BRT at this point, but there may be some. He said the transit plan can support some additional spending, especially starting in 2024. He said the fund balance will accumulate, once the major investments are made in capital in years 2020-2023. He resumed the presentation:

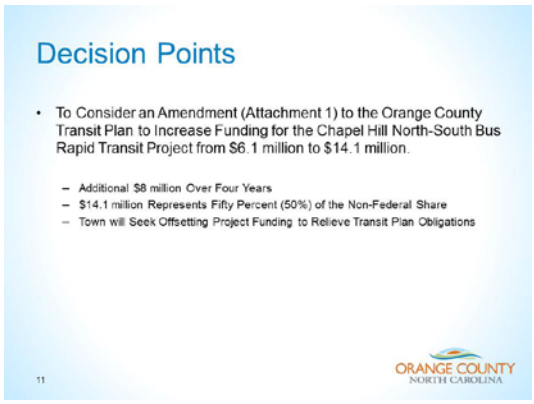


Commissioner Marcoplos said hopefully the SPOT funding will come through, and the $8 million can be reimbursed. He asked if there is a point at which the SPOT funding could be low enough to result in none of the $8 million being reimbursed.

Travis Myren said if the full $25 million is awarded, there will be some relief to the $8 million, but staff does not know to what magnitude, at this point.

Commissioner Price referred to the 10 year fund balance analysis, and asked if it is good practice to continue to accumulate. She asked if there is a percentage that should be kept in the fund balance.

Travis Myren said in 2022 there could be a fund balance of $929,000, and this assumes that they will implement the projects that are in the current transit plan, plus the BRT. He said as the new transit plan is updated, staff will ask the Board to start using these resources to fund the plan.



Travis Myren said as the other boards consider these amendments, he will report back to the BOCC via email.

Chair Rich said as the charrettes take place, it would be helpful for the Board to receive regular updates.

Chair Rich said there will be an ongoing GoTriangle meeting, which Commissioner Marcoplos and Travis Myren will attend. She asked the Board to forward any questions to Commissioner Marcoplos.

Commissioner Marcoplos said the meeting is tomorrow morning.

A motion was made by Commissioner McKee, seconded by Commissioner Price for the Board to approve an amendment to the Orange County Transit Plan (Attachment 1) which increases Transit Plan funding for the North South BRT project by $8 million in fiscal years FY2020 through FY2022 to a total of $14.1 million.

VOTE: UNANIMOUS

7. Reports
NONE

8. Consent Agenda

- **Removal of Any Items from Consent Agenda**
  Commissioner Greene – v
  Commissioner Price - i

- **Approval of Remaining Consent Agenda**

A motion was made by Commissioner McKee, seconded by Commissioner Greene to approve the remaining items on the consent agenda.

VOTE: UNANIMOUS

- **Discussion and Approval of the Items Removed from the Consent Agenda**

i. <u>Resolution Adjusting the Salaries of the Sheriff and Register of Deeds</u>

The Board considered voting to approve a resolution providing notice of adjustment of the salaries of the Sheriff and Register of Deeds positions.

Commissioner Price asked if staff could explain this item.

Brenda Bartholomew, Human Resources (HR) Director, said HR has been working on salary and classification reviews for the last 3 years, and she said staff has been working through the lowest grade through grade 13. She said part of grade 13 was Detention Officer. She said she met with the Sheriff to discuss his department again. She said some work had previously been done with the Deputy Sheriff salary, making them competitive and equitable with towns and surrounding counties. She said this opened dialogue at looking at the Sheriff's Department, and when she met with him a few weeks ago, they intended to look at the department as a whole and wrap up the classification review. She said this also included the Sheriff's salary, and the conversation arose about how an elected official increases his salary, and there was some support for looking at this issue. She said there are different requirements for requesting a salary increase for elected officials, which is under the NC General Statutes.

Brenda Bartholomew said the action agenda before the Board tonight is a request, based on all the aforementioned conversations, to increase the salary for the Sheriff and the Register of Deeds. She said the salary increases are only being given to those employees that are compressed, which the County has been addressing for several years. She said a 12.5% increase was given to compressed employees in 2015-2016, followed by a 6.25% increase the next year. She said directors were never included in any of the conversations at that time. She said since then, any time the opportunity has arisen, 25% has been applied to compression when a study is complete. She said she looked at the Sheriff's salary (approximately $121,000), and then looked at supporting counties, and his salary was very low in comparison to Durham, Guilford, and Wake. She said she made her recommendation based on that analysis, as well as the formula that staff has been applying to any reviews over the last 3-4 years.

Commissioner Price asked if this process was the same for the Register of Deeds position.

Brenda Bartholomew said yes.

A motion was made by Commissioner Price, seconded by Commissioner Greene to approve a resolution providing notice of adjustment of the salaries of the Sheriff and Register of Deeds positions.

VOTE: UNANIMOUS

v. <u>Proposed Changes to the Long-Term Housing Affordability Policy</u>

The Board considered voting to approve changes to the Long-Term Housing Affordability Policy as it relates to reporting requirements for projects financed with HOME or other federal funds in order to bring about consistency with federal regulations and to incorporate those changes, if approved, into the FY2019-20 HOME Annual Action Plan and all future Annual Action Plans.

Commissioner Greene said this is a technical and complicated issue. She said she wanted to point out that HUD's requirements for affordability is usually around 40 years, and she said the DHIC in Chapel Hill is a low income housing tax credit project. She said the low income housing tax credit mechanism is the biggest renter safety net in the country for the past 30 years, but often these units are syndicates and benefit investors with tax credits. She said when the period of time is exhausted, the investors are done, and the units typically go on the open market, leaving them no longer affordable. She said the County is lucky to have DHIC locally, a committed non-profit housing provider, who keeps the units affordable indefinitely. She said CASA, Community Home Trust and the County are other agencies doing this same work, and she wanted to highlight this effort to maintain permanent affordability.

A motion was made by Commissioner Greene, seconded by Commissioner Price to approve changes to the Long-Term Housing Affordability Policy as it relates to reporting requirements for projects financed with HOME or other federal funds in order to bring about consistency with federal regulations and to incorporate those changes, if approved, into the FY2019-20 HOME Annual Action Plan and all future Annual Action Plans.

VOTE: UNANIMOUS

a. Minutes

The Board approved the minutes from May 21, 23 and 30, 2019 as submitted by the Clerk to the Board.

b. Motor Vehicle Property Tax Releases/Refunds

The Board adopted of a resolution, incorporated by reference, to release motor vehicle property tax values for three taxpayers with a total of three bills that will result in a reduction of revenue in accordance with the NCGS.

c. Fiscal Year 2018-19 Budget Amendment #11

The Board approved budget, grant, and capital project ordinance amendments for fiscal year 2018-19 for Department on Aging; Arts Commission; Orange County Schools Capital Projects; Health Department; Sheriff's office; Orange County Public Transportation; Emergency Telephone System Fund; and Housing and Community Development.

d. Application for North Carolina Education Lottery Proceeds for Orange County Schools (OCS) and Contingent Approval of Budget Amendment #11-A Related to OCS Capital Project Ordinances

The Board approved an application to the North Carolina Department of Public Instruction (NCDPI) to release proceeds from the NC Education Lottery account related to FY 2018-19 debt service payments for Orange County Schools (OCS), and to approve Budget Amendment #11-A (amended School Capital Project Ordinances), contingent on the NCDPI's approval of the application and authorize the Chair to sign.

e. Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro City Schools (CHCCS) and Contingent Approval of Budget Amendment #11-B Related to CHCCS Capital Project Ordinances

The Board approved an application to the North Carolina Department of Public Instruction (NCDPI) to release proceeds from the NC Education Lottery account related to FY 2018-19 debt service payments for Chapel Hill – Carrboro City Schools (CHCCS), and to approve Budget Amendment #11-B (amended School Capital Project Ordinances), contingent on the NCDPI's approval of the application and authorize the Chair to sign.

f. Audit Contract Renewal with Mauldin & Jenkins, LLC

The Board voted to exercise the first of three one-year renewal options for Mauldin & Jenkins to perform audit services for Orange County pursuant to Request for Proposals (RFP) 5215 of the original audit contract approved by Board of County Commissioners on March 22, 2016; and authorize the requisite County signatures as required by the North Carolina Local Government Commission.

g. JCPC Certification for FY 2019-2020

The Board approved the Orange County Juvenile Crime Prevention Council (JCPC) Certification for FY 2019-2020 and authorized the Chair to sign.

h. Appointment of Interim Tax Collector

The Board approved a resolution, incorporated by reference, appointing Nancy Taylor Freeman as Interim Orange County Tax Collector, effective July 1, 2019.

i. Resolution Adjusting the Salaries of the Sheriff and Register of Deeds

The Board approved a resolution, incorporated by reference, providing notice of adjustment of the salaries of the Sheriff and Register of Deeds positions.

j. Letter of Agreement to Increase Medical Director's Services at the Orange County Detention Center

The Board approved a Letter of Agreement to increase the Medical Director's services at the Orange County Detention Center by one hour on-site per week.

k. Amendments to the County Manager's, Clerk to the Board's, and County Attorney's Employment Agreements

The Board amended the County Manager's, Clerk to the Board's, and County Attorney's employment agreements.

l. Authorization for the Manager to Sign a Construction Contract for the Southern Campus Site Improvements, Parking and Seymour Center Expansion

The Board authorized the Manager and staff to negotiate a final construction contract with Muter Construction for the construction of Southern Campus Site Improvements, Parking and Seymour Center Expansion; and authorize the County Manager to execute the Agreement, subject to final review by the County Attorney, and any subsequent amendments for contingent and unforeseen requirements up to the approved budget amount on behalf of the Board.

m. Phillip Nick Waters Emergency Services Stormwater Control Measure Access and Maintenance Easement and Agreement with Town of Hillsborough

The Board approved a Stormwater Control Measure Access and Maintenance Easement and Agreement with the Town of Hillsborough for the Orange County Phillip Nick Waters Emergency Services Stormwater Control Measures; and authorized the Chair to sign the necessary paperwork upon final County Attorney review.

n. Contract Extension with Waste Industries for Urban Recycling Collection

The Board approved Contract Amendment #1 authorizing a five year extension of the contract with Waste Industries, LLC to continue providing weekly curbside recycling collection services within the urban areas of Orange County and authorize the Chair to sign.

o. Approval of Contract for the Collection, Processing and Disposal of Household Hazardous Waste

The Board approved a five-year contract with Tradebe Environmental Services, LLC for the Collection, Processing and Disposal of Household Hazardous Wastes and authorized the Manager to sign.

p. Approval of Contract with Sonoco Recycling, LLC for Recycling Processing

The Board approved and authorized the County Manager to sign a two-year contract with Sonoco Recycling, LLC, in an amount not to exceed $1,600,000 for the initial two year term, for the Processing, Marketing and Sale of Recyclable Material.

q. Amendment to the Orange County Advisory Board Policy Regarding the Management of Term Lengths

The Board approved an amendment to the Orange County Advisory Board Policy regarding the management of term lengths.

r. Orange County Arts Commission Bylaws Changes

The Board approved changes to the Orange County Arts Commission Board Policies and Procedures.

s. Proposed Human Relations Commission (HRC) Membership Reduction

The Board approved a reduction in the number of members of the Human Relations Commission from eighteen (18) members to twelve (12) members.

t. Approval of the Transfer of Ownership of Two (2) Manufactured Home Units to EmPOWERment, Inc. (agenda item moved)

u. Approval of a Change in the Meeting Locations for the Affordable Housing Advisory Board (AHAB)

The Board approved a change to the Affordable Housing Advisory Board's (AHAB) regular meeting locations to allow the Advisory Board to schedule some of its meetings at various sites throughout the County.

v. Proposed Changes to the Long-Term Housing Affordability Policy

The Board approved changes to the Long-Term Housing Affordability Policy as it relates to reporting requirements for projects financed with HOME or other federal funds in order to bring about consistency with federal regulations and to incorporate those changes, if approved, into the FY2019-20 HOME Annual Action Plan and all future Annual Action Plans.

w. Soccer.com Center - Naming Rights Agreement Renewal

The Board approved the renewal of a naming rights license agreement, for a period of five years, between Orange County and Sports Endeavors, Incorporated, for naming rights to the Orange County soccer center, currently known as the Soccer.com Center and authorize the Chair to sign.

x. Fiscal Year 2018-19 Budget Amendment #11-C

The Board adopted this budget ordinance amendment for Fiscal Year 2018-19.

9. County Manager's Report

Bonnie Hammersley thanked the Department Heads and employees that helped her put together this budget, and said she looks forward to working with the Board in the fall to improve the process further.

10. County Attorney's Report

John Roberts referred to the public comments on shooting noise, and said he sent the current status of the law to the Board of County Commissioners. He said the Board of County Commissioners can add firearms discharge noise to the noise ordinance, but this would only apply prospectively against sport shooting ranges. He said the legislature has exempted those from retroactive nuisance or noise regulation by local governments. He said a sport shooting range is defined as an area that is operated or maintained for shooting activities. He said generally a noise ordinance that prohibits/limits gunfire noise would apply to random discharge or to sports shooting ranges prospectively; and does not apply to any that exist currently. He said this is problematic, and he has communicated this to the public on many occasions. He said last night, the Senate passed a new bill, which is sitting in the House, that will further exempt gunfire and shooting activities from local regulation, in that it will exempt from land use ordinances all that activity, whether it is indoor or outdoor, as it will classify those shooting activities as agritourism. He said if this bill passes, even an indoor shooting range, would be exempt from land use laws of counties across the state. He said he will encourage the public to contact the General Assembly to voice displeasure.

Commissioner Dorosin asked if "prospectively" means if one establishes a sports-shooting area in the future, but one that is in existence currently would be exempt.

John Roberts said that is correct, and what was described this evening was an area that is regularly used for shooting, and has a berm, which falls within the "shooting range" definition and may not be subject to a noise ordinance.

Commissioner Dorosin said only on a new shooting facility.

John Roberts said yes.

11. *Appointments

a. Animal Services Advisory Board – Appointments

The Board considered making appointments to the Animal Services Advisory Board (ASAB).

A motion was made by Commissioner Bedford, seconded by Commissioner Price to appoint the following to the ASAB:

- 2 Dr. Lee Pickett, Veterinarian, First Full Term expiring 06/30/2022
- 7 Edmund Tiryakian, At-Large, Second Full Term expiring 06/30/2022
- 12 Dr. Beth Grooms, Certified Animal Handler/Trainer/Technician, requesting a One Year Extension, Term expiring 06/30/2020.

VOTE: UNANIMOUS

b. Animal Services Hearing Panel Pool – Appointment

The Board considered making an appointment to the Animal Services Hearing Panel Pool.

A motion was made by Commissioner Price, seconded by Commissioner Dorosin to appoint the following to the Animal Services Hearing Panel Pool:

- Position 6 - Jennifer Stout, BOCC Appointment, Town of Hillsborough, First Full Term expiring 03/31/2022

VOTE: UNANIMOUS

c. Arts Commission – Appointment

The Board considered making an appointment to the Arts Commission.

A motion was made by Commissioner Greene, seconded by Commissioner Price to appoint the following to the Arts Commission:

- Position 3 - Rachel Despard, At Large (UNC Student Representative), Partial Term expiring 06/30/2020

VOTE: UNANIMOUS

d. Economic Development Advisory Board – Appointment

The Board considered making an appointment to the Economic Development Advisory Board.

A motion was made by Commissioner McKee, seconded by Commissioner Greene to appoint the following to the Economic Development Advisory Board:

- Position 3 - Kristen Smith-Young, UNC Chapel Hill, Term expiring 06/30/2022

VOTE: UNANIMOUS

e. Board of Health – Appointment

The Board considered making an appointment to the Board of Health.

A motion was made by Commissioner Marcoplos, seconded by Commissioner Price to appoint the following to the Board of Health:

- Position 10 - Dr. Aparna Jonnal, Physician, First Full Term expiring 06/30/2022

VOTE: UNANIMOUS

A motion was made by seconded by to appoint Allison Stuebe to Position 6 for a Partial Term – Citizen/Commissioner Appointment, with a term expiring 06/30/2021.

VOTE: UNANIMOUS

f. Human Relations Commission – Appointments

The Board considered making appointments to the Human Relations Commission.

A motion was made by Commissioner Price, seconded by Commissioner Greene to appoint the following to the Human Relations Commission:

- Position 12 - Stephanie Harrell, At Large, First Full Term expiring 06/30/2022.
- Position 15 - Dr. Deborah Stroman, Town of Chapel Hill, Second Full Term expiring 06/30/2022.

VOTE: UNANIMOUS

A motion was made by Commissioner Dorosin, seconded by Commissioner Price to appoint:

- Position 1 – James Spivey, At Large, Partial Term expiring 06/30/2021.
- Position # 3 - Jamie Paulen, At Large, First Full Term expiring 09/30/2021.

VOTE: UNANIMOUS

A motion was made by Commissioner Greene, seconded by Commissioner Price to appoint the following:

- Position # 14 – Frances Castillo, At Large, First Full Term expiring 09/30/2021.
- Position # 10 – Samantha Beechum, Town of Carrboro, First Full Term expiring 06/30/2022.

VOTE: UNANIMOUS

g. Mebane Planning Board – Appointment

The Board considered making an appointment to the Mebane Planning Board.

A motion was made by Commissioner Dorosin, seconded by Commissioner Price to appoint the following to the Mebane Planning Board:

- Position #1 - Keith Hoover, Mebane ETJ position, First Full Term expiring 06/30/2022.

VOTE: UNANIMOUS

h. Orange County Housing Authority – Appointments

The Board considered making appointments to the Orange County Housing Authority.

A motion was made by Commissioner Marcoplos, seconded by Commissioner Bedford to appoint the following to the Orange County Housing Authority:

- Position 1 - Evelyn Johann, At-Large, Second Full Term expiring 06/30/2022.
- Position 3 - Tammy Jacobs, At Large, Second Full Term expiring 06/30/2022.
- Position 6 - Paul Reynolds, Resident Member position, First Full Term expiring 06/30/2022.

VOTE: UNANIMOUS

i. <u>Orange County Climate Council At-Large Appointment</u>

The Board considered appointing an at-large member to the Orange County Climate Council.

DEFERRED

12. Information Items

- June 4, 2019 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

13. Closed Session

NONE

14. Adjournment

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

VOTE: UNANIMOUS

Penny Rich, Chair

Donna Baker
Clerk to the Board

Attachment 5

DRAFT **MINUTES**
ORANGE COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING
July 23, 2019
7:00 p.m.

The Orange County Board of Commissioners met for a Special Meeting on Tuesday, July 23, 2019 at 7:00 p.m. at the Whitted Building in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Penny Rich and Commissioners Jamezetta Bedford, Mark Dorosin, Sally Greene, Earl McKee, Mark Marcoplos, and Renee Price
COUNTY COMMISSIONERS ABSENT:
COUNTY ATTORNEYS PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below)

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

1. Call to Order

Chair Rich introduced special guests attending tonight:

-Doug Sutter: ABB's Program Manager for Electrification Products, with the firm's industrial Connections and Solutions Group (Cary, N.C. office)
-Dom Pitocco: ABB's Mebane Plant Manager
-Melissa London: head of ABB's U.S. media relations (Cary, N.C. office)
-Kristin Hogan with ABB's site selection consultant firm "Deloitte U.S."
-Leila Halperin, student intern from Chapel Hill High, who will be shadowing Board of County Commissioners members and Town of Carrboro members, to find out how more how local government works.

2. Public Hearing and Decision Regarding an Economic Development Recruitment Incentive for ABB, Inc.

PURPOSE:
To:
1) Conduct a public hearing on the issuance of a performance-based economic development incentive by the County to a private company; and
2) Consider approval of a proposed five-year performance-based incentive agreement, with claw-back provisions, for the recruitment of ABB, Inc.'s manufacturing facility expansion in Orange County.

BACKGROUND: Local and state government in North Carolina have the goal to promote economic development by encouraging the location of new businesses and the expansion of existing businesses. This activity serves to diversify the local tax base, increase employment opportunities and introduce desired job skills and related benefits to a community for the benefit

of its residents. The Local Government Act, North Carolina General Statute (NCGS) 158-7.1 outlines the requirements of public hearings, and NCGS 158-7.1(a) specifically addresses the requirement that economic development appropriations *"must be determined by the governing body of the city or county to increase the population, taxable property, agriculture industries, employment, industrial output, or business prospects of the city or county".* This public hearing has been scheduled in compliance.

Project Description:

ABB, Inc., with an existing 400,000 square foot manufacturing facility located in western Orange County, plans to invest $39.9 million to update the existing manufacturing facility and expand the Company's total facility size by an additional 200,000 square feet. ABB also plans to add 403 new jobs over the next 5 years of operation at this facility. These jobs will include production, maintenance, office, and management staff and have an average salary of $70,789 per year. The ABB, Inc. plant in Orange County ranks as the County's largest private employer, with nearly 600 current associates, who hold the highest average salaried manufacturing jobs in the County. The original plant was acquired in June 2018 from General Electric's Industrial Solutions division.

Under ABB's new management, in mid-2019, the Company hired the Deloitte U.S. site selection consulting firm to assist in the evaluation of ABB expanding operations either at the Company's competing Senatobia, Mississippi location or at the Orange County, NC plant. This competitive site search, code named "Project Clear Blue Sky", evaluated consolidating operations into one U.S. hub for the manufacturing, engineering, & related electrical products of ABB's "Distribution Services" line. As part of the location evaluation, ABB considered financial inducement proposals from the State of North Carolina, Orange County and the City of Mebane.

The proposed incentive will be performance-based with respect to the County's annual verification of ABB's targeted increases in (1) employment, wages & benefits, and, (2) new taxable real & personal property value over the next five years, as the Company expands its Mebane presence. Incentives would only be paid following confirmation of the Company's required annual growth measures.

Basis to Calculate the Value of Orange County Performance-Based Incentives:

(1) INVESTMENT – ABB will increase property valuation by at least $24,300,000 in real property and at least $15,600,000 in personal property, to total $39,900,000 over 5 years as detailed in the table below. If these real and personal property valuation targets are not achieved, the proposed annual incentive payment will be reduced proportionally.

Investment	**2019**	**2020**	**2021**	**Total**
Real Property	$5,000,000	$16,600,000	$2,700,000	$24,300,000
Personal Property	$200,000	$10,200,000	$5,200,000	$15,600,000
Total	$5,200,000	$26,800,000	$7,900,000	**$39,900,000**

(2) EMPLOYMENT - ABB will add net new employment consistent with the job growth chart below. If annual job targets are not achieved, the annual incentive payment will be reduced by $500 per full time equivalent employee not hired. By year #5, the Company will create 403 new positions with an average salary of $70,789 per year.

Employment Projections

1st Year	2nd Year	3rd Year	4th Year	5th Year
2020	2021	2022	2023	2024
New Full 104	274	8	8	9

Time Jobs

The proposed inducement payment will be in the form of a performance-based grant paid over a five (5) year period at an amount equal to 75% of ABB's projected net increase in real & personal property tax valuation. This specific formula represents the County's current incentive policy that has been offered in the past to other industrial and commercial prospects. It ensures that annual tax revenues from this project's additional investment, net of annual incentive payments, remain positive in all years of the incentive agreement.

A company representative has been invited to attend tonight's meeting and will be available for comment and questions. **Orange County Revenue Projections (5 Years)**

	1st Year 2020	2nd Year 2021	3rd Year 2022	4th Year 2023	5th Year 2024	TOTAL
New Property Tax Revenues	$45,131	$277,554	$337,110	$324,489	$312,679	**$1,296,963**
Incentive Payments	-$33,848	-$208,166	-$252,832	-$243,367	-$234,509	**-$972,722**
Annual Net Revenues	$11,283	$69,289	$84,277	$81,122	$78,170	**$324,241**

Orange County Revenue Projections (10 Years)

New Property Tax Revenues	$2,706,336
Incentive Payments	-$972,722
Annual Net Revenues	$1,733,614

Additional Partners' Participation:

The State of North Carolina's "Economic Investment Committee" approved the following State incentives for ABB, Inc. at the North Carolina Department of Commerce's July 10th meeting. Immediately following this event, a public announcement was held at the State Capitol Building in Raleigh, which was led by North Carolina Governor Roy Cooper, and attended by representatives from ABB, Inc., Orange County and the City of Mebane. The public announcement addressed ABB's decision to expand the Company's existing facility located in Orange County, instead of the competing location in Mississippi, subject to approval of local government incentives.

State of North Carolina – Incentives

Sales Tax Exemption on Machinery & Equipment	$1,053,000
Jobs Development Investment Grant	$4,369,500
Rural Division Building Reuse Grant *(forgivable loan)	$500,000
N.C. Community College System's Customized Training	$644,800

*Note Regarding the State of N.C.'s "Rural Division Building Reuse Grant":
Orange County will have a managerial role as the "grant administrator" for the State of North Carolina's "Rural Division Building Reuse Grant" offer to ABB, Inc. This program is intended to

support the renovation or expansion of vacant buildings, or buildings occupied by a company operating in North Carolina for at least 12 months. The program, which must be administered by a local government entity, requires the local government to hold a Deed of Trust on the building. This can create a potential financial obligation on the local government in the event the Company does not perform as expected. As ABB incurs actual costs associated with the facility improvements it plans to make to the existing building, and creates new employment, the $500,000 State grant will be passed through the County to the Company. The grant is in the form of a forgivable loan that is satisfied once ABB fulfills all investment and employment requirements. To eliminate any financial risk for the County, the pass-through funds will not be requested from the State until the Company meets all investment and employment criteria and satisfies any other program requirements.

City of Mebane

ABB's existing facility is currently located within the City of Mebane's Extraterritorial Jurisdiction (ETJ). The Company has agreed to annexation and the City of Mebane will consider the following additional incentives at the August 5, 2019 City Council meeting and public hearing. **City of Mebane Incentives**

Performance Based Incentive	$997,500
Waiver of Development Fees	$150,000

FINANCIAL IMPACT: The attached Performance Agreement between Orange County and ABB, Inc. outlines a total financial impact of up to $972,722 payable in five (5) annual installments. Actual annual payments will be based on the Company's investments that create new property tax value of at least $24,300,000 in Real Property, and at least $15,600,000 in new Personal Property, totaling a combined $39,900,000 in new taxable value. Annual incentive payments by the County will be paid from net new property tax revenues generated by ABB, Inc. and from available Article 46 funds.
The Company will create at least Four Hundred Three (403) full-time jobs with an average annual salary of $70,789 per year at the Mebane facility. Other economic benefit multipliers to the County include enhanced job skills for those employees through advanced technical training to be provided by the Orange County campus of Durham Technical Community College. Construction employment for the new 200,000 square foot facility, and renovations to the existing 400,000 square foot facility, will also create many additional skilled trade jobs.

Steve Brantley, Economic Development Director, made the following PowerPoint presentation:

Proposal for Orange County's Financial Incentives for ABB, Inc.
Public Hearing by Orange County Board of Commissioners Whitted Building – Hillsborough, NC
July 23, 2019

Location of ABB, Inc. in Orange County (aerial photograph)

Mebane City Limits & ETJ: ABB, Inc. (aerial photograph)

Description of ABB's "Project Clear Blue Sky"

- Consolidation into one U.S. hub of the manufacturing, engineering, & related electrical products of ABB's "Distribution Services" line.
- ABB hired consultant Deloitte U.S. to evaluate Mebane, NC versus a competing ABB site in Senatobia, MS.
- $39.9 million in investment

  - $24.3 MM in real property; $15.6 MM in personal property
  - Forecast to occur in the first 3 years of operation
  - New building construction of 200,000 sq. ft. (approx. half of the investment)
  - Additional improvements to 400,000 sq. ft. existing building
  - Introduction of world-class sheet metal and copper fabrication equipment
  - Transfer of personal property (Relocation of existing machinery from another ABB plant to the Mebane plant; estimated at only 10-15% of the total M&E investment to be made)
- 378 new jobs in first 2 years, increasing to 403 jobs by 5th year
- $70,789 average annual salary, plus benefits.
- Mebane operations would lose 110 jobs if MS site was selected.

Company History

- Multinational Swiss/Swedish company headquartered in Zurich, Switzerland
- Founded 130 years ago
- 147,000 employees globally
- Presence in over 100 countries
- 24,000 employees in the United States (2018)
  - 3,000 in North Carolina & $45 million in annual payroll statewide
- 65 manufacturing locations in the United States (2018)
- Five market-leading entrepreneurial divisions:
  - Electrification Products
  - Power Grids (selling this division to Hitachi by 2020)
  - Industrial Automation
  - Robotics & Discrete Automation
  - Motion Control (Industrial motors & drives, traction control)
- Orange County, NC's ***GE Industrial Solutions*** was acquired in June 2018 to strengthen ABB's position in electrification globally, and expand access to the North America market
- ABB's U.S. operations are headquartered in Cary, N.C.; a significant financial backer of the North Carolina Theatre.
- With over 575 employees currently at ABB's site in Mebane, the firm is Orange County's #1 largest private employer, the largest manufacturing employer, and pays the highest average manufacturing salary among all industries in the County.

Outline of All Performance-Based Incentives (chart)

Forecast of ABB's Capital Investment Schedule (chart)

New Taxable Investment (Real & Personal Property)

Forecast of ABB's New Job Creation (table)

Hiring Schedule for New Jobs, with Benefits

Orange County Proposed Incentive

- *Performance-based incentive on outlined jobs (403) and capital investment ($39,900,000)*
- *Up to $972,722 paid out over 5 years upon verification of actual jobs and investment numbers per year*
- *Incentive value calculated at 75% of actual new property tax valuation*

Orange County's Performance-Based Incentive
State of N.C.'s Rural Division Building Reuse Incentive

- This State program is intended to support the renovation or expansion of vacant buildings, or buildings occupied by a company operating in North Carolina for at least 12 months.
- Orange County would serve as the administrative entity for this State of North Carolina financial grant that is structured as a forgivable loan program, once ABB's new jobs are created.
- As ABB incurs actual costs associated with the facility improvements it plans to make to the existing building, and creates new employment, the $500,000 State grant will be passed through the County to ABB.
- To eliminate any financial risk for the County, the pass-through funds will not be requested from the State until ABB meets all investment and employment criteria, and satisfies any other program requirements.

Orange County's Performance-Based Incentive (table)
Revenue Projections

Chair Rich said Leila Halperin, student intern, had a question as to why most of the hiring will be done on the front end of the project.

Doug Sutter, ABB's Program Manager for Electrification Products, with the firm's industrial Connections and & Solutions Group (Cary, N.C. office), said the jobs are front loaded because ABB is building a new factory, and then consolidating jobs from another Florida to the Mebane location.

Commissioner Dorosin referred to the grant from the state, and asked if the state will give Orange County the $500,000, which the County then gives to the company. He clarified that it is like a loan, and if ABB meets the requirements of the grant, then the repayment is forgiven over time.

Steve Brantley said yes, in a traditional sense, it is a pass through. He said a company might draw down on the grant in certain increments. He said ABB has a stellar credit rating, and is not a risk. He said the Board could wait to receive the funds, until the things that trigger within the state grant, have already been met.

Doug Sutter said he would like to offer sincere thanks to Orange County and its partners, on behalf of ABB, Inc. He said this process only took 54 days, which is remarkable. He thanked Steve Brantley and Amanda Garner for their hard work.

Doug Sutter said ABB is a global company based in Zurich, Switzerland, and have been innovating for over 130 years. He said ABB is a leader in digital industries, with customer focused, globally leading businesses: electrification, industrial automation, motion robotics, discrete automation, and power grids. He said ABB supports all of this with a common ABB ability digital platform.

Doug Sutter said there are several reasons why ABB came to North Carolina a decade ago:

- top tier universities, with access to top tier talent
- top community college systems
- proximity to their customer
- growing energy hub in NC
- quality of life for ABB employees

Doug Sutter said ABB employs over 3000 people in NC, and has invested over $14 billion in the United States, and grown from 6000 to 24,000 employees in the past decade. He

said ABB has significant operations in 32 states, and works with customers and communities to write the future of industrial technology.

Doug Sutter said part of that investment was the acquisition of the industrial solutions business from General Electric, of which the Mebane facility was a part. He said ABB has been making electrical projects in the Mebane facility since 1972, which will continue. He said ABB is proud to call Mebane and Orange County part of ABB's home, and ABB is excited to get to work on this project and the addition of more than 400 jobs.

Commissioner Dorosin said if the factory did not come here then Orange County would have lost 110 jobs. He asked if the total number of new jobs in NC, which are replacing jobs lost in other states, could be identified.

Doug Sutter said all 403 of the jobs are incremental jobs for N.C.

Commissioner Dorosin clarified, and asked if ABB employees will be relocating from Florida.

Doug Sutter said there will be some people that will re-locate, and some that will be hired here in NC.

Commissioner Dorosin asked if the net number of new jobs in Mebane is known.

Doug Sutter said 403 jobs.

Commissioner Dorosin said how many of these jobs will be re-location from other states.

Doug Sutter said there is a percentage of growth, but more than a lion's share of the jobs will be from consolidation.

Commissioner Dorosin said he would like to know the percentage of growth.

Doug Sutter said he would get that information.

Commissioner Marcoplos asked if the products that will be made in the new Mebane facility could be identified.

Doug Sutter said in Mebane, ABB will be making electrical distribution systems. He said these systems take electrical power from the transmission line and distributes it throughout a facility, be it a factory, data center, commercial building, etc.

Commissioner McKee said he toured the previous GE Facility years ago, and the systems looking are large switching units. He said these systems are quite complex, and handle enormous power.

Doug Sutter said a complex unit used to be a few hundred wires, and now they are closer to 1000. He said the ongoing digital transformation taking place in society, leads this to be a complex product that requires a high level of talent from an assembly workforce.

Commissioner Price said she is excited about this, and especially the partnership with Durham Tech. She asked if Doug Sutter knew how many of the jobs will be open to area residents, that could be trained at Durham Tech.

Doug Sutter said out of 403 employees, there are around 90 salaried employees, and the rest would be hourly employees. He said ABBs goal in partnering with the NC community college system, is to develop a certification program for electrical product technicians. He said in the short term, everyone coming into the plant would go through that certification program, and long term it becomes a condition for employment.

A motion was made by Commissioner McKee, seconded by Commissioner Price to open the Public Hearing.

VOTE: UNANIMOUS

PUBLIC COMMENT:

NONE

A motion was made by Commissioner McKee, seconded by Commissioner Price to close the Public Hearing.

VOTE: UNANIMOUS

A motion was made by Commissioner McKee, seconded by Commissioner Price for the Board to approve the five-year performance-based economic development incentive agreement between Orange County and the Company, ABB, Inc., subject to final review by the County Attorney, and authorize the Chair to sign the agreement on behalf of the County.

VOTE: UNANIMOUS

Commissioner McKee said he appreciated ABB's consideration of Orange County, and felt the corporate entity, the current employees, and the relocated employees will find this to be a beneficial relationship.

3. <u>Adjourn</u>

A motion was made by Commissioner Price, seconded by Commissioner McKee to adjourn the meeting at 7:31 p.m.

VOTE: UNANIMOUS

Penny Rich, Chair

Donna Baker
Clerk to the Board

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

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, Interim Tax Administrator, (919) 245-2735

PURPOSE: To consider adoption of a resolution to release motor vehicle property tax values for fourteen taxpayers with a total of nineteen 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 $6,400.92 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2019-2020 is $6,400.92.

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-2019-049

ORANGE COUNTY

REFUND/RELEASE RESOLUTION (Approval)

Whereas, North Carolina General Statutes 105-381 and/or 330.2(b) allows for the refund and/or release of taxes when the Board of County Commissioners determines that a taxpayer applying for the release/refund has a valid defense to the tax imposed; and

Whereas, the properties listed in each of the attached "Request for Property Tax Refund/Release" has been taxed and the tax has not been collected: and

Whereas, as to each of the properties listed in the Request for Property Tax Refund/Release, the taxpayer has timely applied in writing for a refund or release of the tax imposed and has presented a valid defense to the tax imposed as indicated on the Request for Property Tax Refund/Release.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the recommended property tax refund(s) and release(s) are approved.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners _____

_____

Noes: _____

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a regular meeting of said Board held on _____, said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this _____day of _____, 2019.

_____
Clerk to the Board of Commissioners

BOCC REPORT - REGISTERED MOTOR VEHICLES
SEPTEMBER 3, 2019

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	ADDITIONAL EXPLANATION
Beech, Mark	48361963	2018	55,800	500	(507.93)	Antique plate (Classification Change)	
Burckett-St Laurent, Lindsay	48406563	2018	28,530	0	(523.26)	County changed to Chatham (illegal tax)	
Greenhill, Kevin	35750822	2018	31,095	15,510	(143.09)	Value adjustment (appraisal appeal)	
Intintolo, John	47079723	2018	101,700	82,675	(221.81)	Value adjustment (appraisal appeal)	
Johanns, Zacahry	48799322	2019	13,430	13,430	(124.51)	Military exemption (illegal tax)	
Johnson, Curtis	46561290	2018	14,250	800	(197.77)	Value adjustment (appraisal appeal)	May have been a clerical error in orignial value
Jordan, Michael	49268330	2018	24,125	0	(427.24)	County changed to Chatham (illegal tax)	
Kennedy, Lewis Russell	48737404	2018	24,630	24,630	(203.56)	*Situs error (illegal tax)	
LeBeau, Dorothy	48590576	2018	22,280	22,280	(382.07)	County changed to Durham (illegal tax)	
McFarland Septic LLC	35874329	2016	68,343	68,343	(545.16)	*Situs error (illegal tax)	
McFarland Septic LLC	35595722	2016	13,310	13,310	(130.34)	*Situs error (illegal tax)	
McFarland Septic LLC	35073355	2016	25,100	25,100	(210.20)	*Situs error (illegal tax)	
McFarland Septic LLC	34738232	2016	53,242	53,242	(412.23)	*Situs error (illegal tax)	
McFarland Septic LLC	27287149	2015	37,681	37,681	(300.51)	*Situs error (illegal tax)	
McFarland Septic LLC	28900200	2015	136,350	136,350	(1,008.86)	*Situs error (illegal tax)	
Phelps, Jalissa	25371833	2018	14,864	14,864	(136.48)	Military exemption (illegal tax)	
Riley, Chad Thomas	18393837	2018	20,700	500	(266.72)	Antique plate (Classification Change)	
Schwarz, Jochen	48473608	2018	26,000	500	(423.09)	Antique plate (Classification Change)	
Wagner, Brandon	47937515	2018	28,815	28,815	(236.09)	*Situs error (illegal tax)	
					(6,400.92)	**TOTAL**	

Adjustment Descriptions
Clerical error G.S. 105-381(a)(1)(a): e.g. when there is an actual error in mathematical calculation.
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.
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.
Appraisal appeal G.S. 105-330.2(b): e.g. reduction in value due to excessive mileage or vehicle damage.
**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.*
Classification GS 105-330-9(b): e.g. Antique automobiles are designated a special class of property under the NC Constitution.
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: September 3, 2019

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, Interim Tax Administrator, (919) 245-2735

PURPOSE: To consider adoption of a resolution to release property tax values for forty-nine (49) taxpayers with a total of seventy-five (75) bills that will result in a reduction of revenue.

BACKGROUND: The Tax Administration Office has received nine 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 $183,739.51 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.

In addition, thirty-seven (37) of the release requests have the same reason for adjustment and same additional information. There is an asterisk in the additional information column of each. These release requests are due to a software programming error that caused these parcels to be billed in error. The software programming error has now been corrected. These "parent" parcels were closed before January 1, 2019 and split into two or more smaller, "children" parcels. The children parcels were correctly billed for 2019, causing a situation of double billing. The double billing results in unplanned revenue, and the release of these bills will have little bearing on the overall financial impact of this action. The release amount of these 36 bills represents $115,888.63 of the overall $183,739.51 shown on the report.

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-2019-050

ORANGE COUNTY

REFUND/RELEASE RESOLUTION (Approval)

Whereas, North Carolina General Statutes 105-381 and/or 330.2(b) allows for the refund and/or release of taxes when the Board of County Commissioners determines that a taxpayer applying for the release/refund has a valid defense to the tax imposed; and

Whereas, the properties listed in each of the attached "Request for Property Tax Refund/Release" has been taxed and the tax has not been collected: and

Whereas, as to each of the properties listed in the Request for Property Tax Refund/Release, the taxpayer has timely applied in writing for a refund or release of the tax imposed and has presented a valid defense to the tax imposed as indicated on the Request for Property Tax Refund/Release.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the recommended property tax refund(s) and release(s) are approved.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners _____

_____

Noes: _____

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a regular meeting of said Board held on _____, said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this _____day of _____, 2019.

_____
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
SEPTEMBER 3, 2019

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	ADDITIONAL INFORMATION
16 Parkside Lane LLC	1067229	2019	31,874	-	(253.01)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Air Methods Corporation	317628	2019	2,289,892	-	(36,951.98)	Assessed in error (illegal tax)	Owner provided timely information that asset was moved out of county as of May 1, 2018
Allison, Leo L.	295299	2019	6,700	-	(62.69)	Assessed in error (illegal tax)	*Parcel was closed for 2019 and billed in error
Best, Charles M. Heirs	1074177	2019	191,746	-	(1,794.74)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Bowman, William Lee Jr.	270174	2019	70,000	-	(1,041.53)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Braddock Park Associates Inc.	1074426	2019	30,000	-	(446.37)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Braddock Park Associates Inc.	1074412	2019	30,000	-	(446.37)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Braddock Park Associates Inc.	1074418	2019	30,000	-	(446.37)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Bradshaw, Gloria	276878	2019	167,700	-	(1,569.17)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Carrboro Greens LLC	1074055	2019	530,100	-	(8,847.90)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Carter, Adam	315791	2019	255,800	-	(2,393.52)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Crisp, Cothene T. Heirs	147236	2019	67,900	-	(1,010.28)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Curtis, Wendy P.	199910	2018	121,800	109,700	(116.66)	Assessed in error (illegal tax)	Mapping error in 1994 created overstated lot size by 1.64 acres and incorrect value
Curtis, Wendy P.	199910	2017	121,800	109,700	(115.12)	Assessed in error (illegal tax)	Mapping error in 1994 created overstated lot size by 1.64 acres and incorrect value
Curtis, Wendy P.	199910	2016	90,631	81,600	(89.23)	Assessed in error (illegal tax)	Mapping error in 1994 created overstated lot size by 1.64 acres and incorrect value
Curtis, Wendy P.	199910	2015	90,631	81,600	(89.23)	Assessed in error (illegal tax)	Mapping error in 1994 created overstated lot size by 1.64 acres and incorrect value
Curtis, Wendy P.	199910	2014	90,631	81,600	(89.23)	Assessed in error (illegal tax)	Mapping error in 1994 created overstated lot size by 1.64 acres and incorrect value
Cypress Creek Renewables LLC	1062687	2018	145,485	-	(2,826.17)	Assessed in error (illegal tax)	Property not located in Orange County, billed in Durham County
Dorsett, William C.	76894	2019	31,400	-	(293.81)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Dorsett, William C.	144627	2019	18,000	-	(168.42)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Dunn, Christopher	1068907	2017	18,500	9,250	(265.01)	Value adjustment (appraisal appeal)	Value adjusted to North Carolina Department of Revenue recommended value per appeal request from taxpayer
Evans, Lewis Thomas	219676	2019	144,700	114,200	(285.48)	Assessed in error (illegal tax)	Owner produced fire report indicating that residence was destroyed in June 2008
Evans, Lewis Thomas	219676	2018	144,700	114,200	(280.14)	Assessed in error (illegal tax)	Owner produced fire report indicating that residence was destroyed in June 2008
Evans, Lewis Thomas	219676	2017	144,700	114,200	(276.27)	Assessed in error (illegal tax)	Owner produced fire report indicating that residence was destroyed in June 2008
Evans, Lewis Thomas	219676	2016	142,863	139,900	(28.09)	Assessed in error (illegal tax)	Owner produced fire report indicating that residence was destroyed in June 2008
Evans, Lewis Thomas	219676	2015	142,863	139,900	(27.79)	Assessed in error (illegal tax)	Owner produced fire report indicating that residence was destroyed in June 2008
Evans, Lewis Thomas	219676	2014	142,863	139,900	(27.79)	Assessed in error (illegal tax)	Owner produced fire report indicating that residence was destroyed in June 2008
Fine, Jonathan	1072338	2018	4,330	-	(170.04)	Assessed in error (illegal tax)	Gap bill: vehicle registered in South Carolina during Gap period
Fox, Matthew	1067678	2017	13,530	-	(891.94)	Assessed in error (illegal tax)	Gap bill: vehicle registered in Texas during Gap period
French, John Michael	3178718	2019	4,080	-	(175.58)	Assessed in error (illegal tax)	Gap bill: vehicle registered in Tennassee during Gap period
Hackney, Ricky K.	304904	2018	93,000	54,800	(368.29)	Assessed in error (illegal tax)	Owner produced fire report indicating residence severly damaged in Decemer 2017
Hawks, Victor	308737	2019	155,000	81,630	(696.20)	Assessed in error (illegal tax)	Application received timely, additional information requested received after billing
Hogan, Curtis W.	1075861	2018	6,630	-	(119.69)	Assessed in error (illegal tax)	Gap bill: vehicle registered in Colorado during Gap period
Honeycutt, Joseph Lee	304717	2019	3,211	-	(29.77)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Jackson, Glenn	1073786	2018	10,290	10,290	(249.36)	Assessed in error (illegal tax)	Gap bill: gap period 18 months but billed for 37 months
Johann, Holger	320585	2019	300,500	-	(2,811.78)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Kille, Marilyn Mooney	204214	2018	674,503	N/A	(3,429.39)	Assessed in error (illegal tax)	Previously disqualified from present-use value program, evidence of compliance produced, necessitating reversal
Kille, Marilyn Mooney	204214	2017	674,503	N/A	(3,680.13)	Assessed in error (illegal tax)	Previously disqualified from present-use value program, evidence of compliance produced, necessitating reversal

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
SEPTEMBER 3, 2019

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	ADDITIONAL INFORMATION
Kille, Marilyn Mooney	204214	2016	700,094	N/A	(4,645.65)	Assessed in error (illegal tax)	Previously disqualified from present-use value program, evidence of compliance produced, necessitating reversal
Koech, Joyce	3176329	2018	7,320	-	(298.81)	Assessed in error (illegal tax)	Gap bill: vehicle registered in Indiana during Gap period
LG 1810 Fordham Blvd. LLC	1053607	2019	436,000	-	(7,035.73)	Assessed in error (illegal tax)	Billed in error for 2019, leasehold improvements were demolished in 2018
Lilley, James	304569	2019	227,600	-	(3,672.78)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Llien Inc.	988595	2019	525,600	-	(8,481.60)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Loftin, James D.	4254	2018	16,300	3,300	(119.36)	Assessed in error (illegal tax)	Owner previously submitted Orange County Health Department documentation that parcel would not perc
Loftin, James D.	4254	2017	16,300	3,300	(117.72)	Assessed in error (illegal tax)	Owner previously submitted Orange County Health Department documentation that parcel would not perc
Loftin, James D.	4254	2016	18,378	3,676	(139.37)	Assessed in error (illegal tax)	Owner previously submitted Orange County Health Department documentation that parcel would not perc
Loftin, James D.	4254	2015	18,378	3,676	(139.37)	Assessed in error (illegal tax)	Owner previously submitted Orange County Health Department documentation that parcel would not perc
Loftin, James D.	4254	2014	18,378	3,676	(139.37)	Assessed in error (illegal tax)	Owner previously submitted Orange County Health Department documentation that parcel would not perc
Maxim Crane Works LP	1067100	2019	672,837	559,201	(1,078.29)	Value adjustment (appraisal appeal)	North Carolina Department of Revenue schedule corrected from B25 to A10 year life
McClung, Hillary Anne	3176249	2018	11,370	-	(419.23)	Assessed in error (illegal tax)	Gap bill: vehicle registered in Virginia during gap period
McFayden, Barbara N.	295121	2019	175,938	-	(2,072.02)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
McFayden, Barbara N.	295119	2019	5,311	-	(62.55)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Miller, Wayne	1068307	2017	1,510	-	(108.83)	Assessed in error (illegal tax)	Gap bill: vehicle registered in South Carolina during gap period
Nicholson, Michael	3178657	2019	14,770	-	(158.90)	Assessed in error (illegal tax)	Gap bill: vehicle properly registered as a leased vehicle during gap period. Mr. Nicholson purchased the leased vehicle and received new registration
Nishimoto, Craig	111161	2019	27,200	-	(317.29)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Parrott, James M V Trustee	1058150	2019	1,157,500	-	(18,678.58)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Perstova, Katya	293566	2019	174,900	-	(2,040.21)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Philips Square LLC	297590	2019	208,700	-	(3,843.42)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Philips Square LLC	297589	2019	211,200	-	(3,525.13)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Philips Square LLC	297588	2019	211,200		(3,525.13)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Philips Square LLC	297587	2019	208,700	-	(3,483.42)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Pleasant Green Land Development Co.	1074813	2019	1,303,200	-	(12,081.96)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Raets, Steven	1053639	2019	119,433	-	(1,117.89)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Raets, Steven	1074383	2019	224,300	-	(2,099.45)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Raets, Steven	1074384	2019	218,082	-	(2,041.24)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Ratcliff, Regan Nellor	1075999	2018	7,720	-	(340.03)	Assessed in error (illegal tax)	Gap bill: vehicle registered in Florida during gap period
Waterstone Residential Neighborhood Association Inc.	1058468	2019	58,500	1	(870.42)	Incorrect value (clerical error)	Common Area "Tot Lot" was billed at full market value instead of $1 nominal value assigned to Homeowners Association owned common area
Waterstone Residential Neighborhood Association Inc.	1058468	2018	58,500	1	(928.30)	Incorrect value (clerical error)	Common Area "Tot Lot" was billed at full market value instead of $1 nominal value assigned to Homeowners Association owned common area
Wells, Grayum Trustee	288928	2019	172,500	-	(2,785.25)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Whitmore, Barbara	1066395	2019	177,300	-	(2,681.09)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Wilking, Jeffrey	270750	2019	325,200	-	(3,119.97)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Wilson, Odessa	1066396	2019	88,650	-	(1,430.55)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Wintergreen Hospitality Inc.	319156	2019	670,600	-	(10,821.47)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Wright, Michele L.	269742	2019	154,700	-	(1,808.59)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
Wright, Michele L.	191671	2019	397,400	-	(4,646.00)	Double billed (illegal tax)	*Parcel was closed for 2019 and billed in error
					(183,739.51)	**Total**	

* These bills were created in error on “parent” parcels that were split into multiple “children” parcels prior to January 1, 2019. The children parcels were billed correctly for 2019, and the parent parcels should not have been billed. The software issue that caused the erroneous billing has been corrected at this time.

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.

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
SEPTEMBER 3, 2019

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	ADDITIONAL INFORMATION
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: September 3, 2019

Action Agenda Item No. 8-d

SUBJECT: Applications for Property Tax Exemption/Exclusion

DEPARTMENT: Tax Administration

ATTACHMENT(S):
Exempt Status Resolution
Spreadsheet
Requests for Exemption/Exclusion

INFORMATION CONTACT:
Nancy T. Freeman, Interim Tax Administrator, 919-245-2735

PURPOSE: To consider nine untimely applications for exemption/exclusion from ad valorem taxation for nine bills for the 2019 tax year.

BACKGROUND: North Carolina General Statutes (NCGS) typically require applications for exemption to be filed during the listing period, which is usually during the month of January. Applications for Elderly/Disabled Exclusion, Circuit Breaker Tax Deferment and Disabled Veteran Exclusion should be filed by June 1st of the tax year for which the benefit is requested. NCGS 105-282.1(a1) does allow some discretion. Upon a showing of good cause by the applicant for failure to make a timely application, an application for exemption or exclusion filed after the close of the listing period may be approved by the Department of Revenue, the Board of Equalization and Review, the Board of County Commissioners, or the governing body of a municipality, as appropriate. An untimely application for exemption or exclusion approved under this provision applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed.

Five applicants are applying for homestead exclusion based on NCGS 105-277.1, which allows exclusion of the greater of $25,000 or 50% of the appraised value of the residence.

One of the applicants is applying for exclusion based on NCGS 105-278.3, which allows for exclusion from property taxes for property used for a religious purpose.

One of the applicants is applying for exclusion based on NCGS 105-277.1C, which allows for an exclusion of $45,000 for an honorably discharged Disabled American Veteran.

Two of the applicants are applying for exemption based on NCGS 105-278.6 (8), which allows an exemption of a nonprofit organization providing housing for individuals or families with low or moderate incomes.

Including these nine applications, the Board will have considered a total of nine untimely applications for exemption of 2019 taxes since the 2019 Board of Equalization and Review adjourned on June 27, 2019. Taxpayers may submit an untimely application for exemption of 2019 taxes to the Board of Commissioners through December 31, 2019.

Based on the information supplied in the applications and based on the above-referenced General Statutes, the application may be approved by the Board of County Commissioners. NCGS 105-282.1(a1) permits approval of such application if good cause is demonstrated by the taxpayer.

FINANCIAL IMPACT: The reduction in the County's tax base associated with approval of the exemption application will result in a reduction of FY 2019/2020 taxes due to the County, municipalities, and special districts in the amount of $6,973.44.

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 approve the attached resolution for the above-listed applications for FY 2019/2020 exemption.

NORTH CAROLINA RES-2019-051

ORANGE COUNTY

EXEMPTION/EXCLUSION RESOLUTION

Whereas, North Carolina General Statutes 105-282.1 empowers the Board of County Commissioners to approve applications for exemption after the close of the listing period, and

Whereas, good cause has been shown as evidenced by the information packet provided, and

Whereas, the Tax Administrator has determined that the applicants could have been approved for 2019 had applications been timely.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the properties applying for exemption for 2019 are so approved as exempt.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners _____

_____

Noes: _____

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a regular meeting of said Board held on _____ said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this _____day of _____, 2019.

_____
Clerk to the Board of Commissioners

Late exemption/exclusion application - GS 105-282.1(a1)

BOCC REPORT - REAL/PERSONAL
LATE EXEMPTION/ EXCLUSION
SEPTEMBER 3, 2019

NAME	ACCOUNT NUMBER	BILL YEAR	ORIGINAL VALUE	TAXABLE VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	TYPE	NOTES
Bernard E. Lloyd Property Trust	312027	2019	203,742	113,458	(895.25)	Late application for exemption G.S. 105-277.1 (homestead exemption)	HE	
Community Home Trust (Self- Help Venture)	267522	2019	0	0	-	Late application G. S. 105-278.6 (low-or moderate income housing)	BUS	Community Home Trust puchased property from Selp-Help 5/13/2019 and would like to continue the use of the exemption
Empowerment	230480	2019	191,300	0	(3,087.00)	Late application G. S. 105-278.6 (low-or moderate income housing)	BUS	
Godwin, Frances (Virginia)	11299	2019	138,800	69,400	(665.82)	Late application for exemption G.S. 105-277.1 (homestead exemption)	HE	
Jordy, Lisa	287114	2019	226,700	173,033	(502.32)	Late application for exemption G.S. 105-277.1 (homestead exemption)	HE	
McCauley, Homer T. Jr.	14338	2019	122,900	80,320	(422.22)	Late application for exemption G.S. 105-277.1 (homestead exemption)	HE	
Piney Grove Missionary Baptist Church, Inc.	312571	2019	17,500	0	(167.89)	Late application for exemption G.S. 105-278.3 (religious purpose)	BUS	
Tandy, Pamela	323423	2019	96,900	48,450	(815.75)	Late application for exemption G.S. 105-277.1 (homestead exemption)	HE	
Workman, James	104330	2019	266,000	221,000	(417.19)	Late application for exemption G.S. 105-277.1C (disabled veteran)	VA	

(6,973.44) Total

*Circuit Breaker does not result in a reduction in value. The exemption received is based on the income of the taxpayer.

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.

FILED
AUG ~~08~~ 07 2019
ORANGE COUNTY
TAX ADMINISTRATION

Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 8/7/19

To Whom It May Concern:

I, (PRINT NAME) Bernard E Lloyd Property Trust, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9748204440. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

WAS NOT AWARE THAT EXEMPTION WAS REMOVED DUE TO PROPERTY NAME CHANGE

How did you find out about the program(s)? _____

Thank you,

[signature], POA

(Signature)

FILED

MAY 20 2019

ORANGE COUNTY
TAX ADMINISTRATION

Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 5/20/19

To Whom It May Concern:

I, (PRINT NAME) Felicia Strand, Community Home Trust,
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019
on Tax Abstract or Parcel Identification Number(s) (PIN) #
9778976220.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:
CHT purchased this property on 5/13/19 from Self Help with the intent to sell it to a qualified buyer in our Affordable Homeownership program.

How did you find out about the program(s)? _____

Thank you,
Felicia Strand
(Signature)

RECEIVED
MAY 23 2019
Orange Coun..

Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: May 22, 2019

To Whom It May Concern:

I, (PRINT NAME) Delores Bailey Executive Director EmPOWERment Inc.,
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019
on Tax Abstract or Parcel Identification Number(s) (PIN) #
9789403736.~~027~~ 037, 9789403736.024.
9788046303

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:
Properties were closed on after January 1, 2019
Properties were transfered to EmPOWERment Inc. from
CASA who had the same use, afferdable housing.

How did you find out about the program(s)? We are an affordabe housing non-profit.

Thank you,

Delores Bailey
(Signature)

FILED 8

JUL 10 2019

ORANGE COUNTY
TAX ADMINISTRATION

Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 07-10-2019

To Whom It May Concern:

I, (PRINT NAME) Frances B. Godwin (Virginia), **wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year** 2019 **on Tax Abstract or Parcel Identification Number(s) (PIN) #** 9873994167. **Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.**

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

Was not aware of deadline

How did you find out about the program(s)? Tax office

Thank you,

Virginia Frances B Godwin

(Signature)

FILED
JUL 31 2019
ORANGE COUNTY
TAX ADMINISTRATION

Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 7/31/2019

To Whom It May Concern:

I, (PRINT NAME) Lisa Jordy, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9852704575. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain: Just learned of the program

How did you find out about the program(s)? Neighbor

Thank you,

(Signature)

FILED 10

MAR 18 2019

ORANGE COUNTY
TAX ADMINISTRATION

Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: MARCH 18, 2019

To Whom It May Concern:

I, (PRINT NAME) **PINEY GROVE MISSIONARY BAPTIST CHURCH, INC.**

wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year **2019**

on Tax Abstract or Parcel Identification Number(s) (PIN)#**9883389134**

In accordance with North Carolina General Statute 105-282.1 (al), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (al) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain: **We were unaware of the different name on this parcel as "Piney Grove Missionary Baptist Church, Inc" as opposed to "Piney Grove Baptist Church". Accordingly, this parcel was mistakenly omitted from the previous application for tax exemption. This application is tendered to correct that oversight.**

How did you find out about the program(s)? **Through individuals at the Tax Office, and from a Legal Professional in our congregation.**

Thank you,

Cornelius S. Bart

(Signature)

FILED

JUN 17 2019

ORANGE COUNTY
TAX ADMINISTRATION

Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 6-17-19

To Whom It May Concern:

I, (PRINT NAME) Homer Thomas McCauley, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year _____ on Tax Abstract or Parcel Identification Number(s) (PIN) # 9748017386. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

I was aware of Deadline

How did you find out about the program(s)? _____

Thank you,

Homer McCauley

Signature)

RECEIVED
JUN 19 2019
Orange County Tax

Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: June 18, 2019

To Whom It May Concern:

I, (PRINT NAME) PAMELA TANDY,
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019
on Tax Abstract or Parcel Identification Number(s) (PIN) #
9788066395.031.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:
I'm sorry, I did not know about the June 1 deadline. My mother is turning 100 next month and I care for her 24/7. She has dementia and lung disease, so I am busy with her all day. I am trying hard to catch up with other responsibilities

How did you find out about the program(s)? Community Home Trust

Thank you,

pamela Tandy
(Signature)

FILED

AUG 05 2019

ORANGE COUNTY
TAX ADMINISTRATION

Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 8/5/19

To Whom It May Concern:

I, (PRINT NAME) James Workman, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 0807 428755. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain: Just learned of the program at the VA office

How did you find out about the program(s)? VA office Winston Salem

Thank you,

James Workman

(Signature)

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 8-e

SUBJECT: Tax Collector's Annual Settlement for Fiscal Year 2018-19

DEPARTMENT: Tax Administration

ATTACHMENT(S):
Resolution
Reports (5)
Order to Collect
Report of Delinquent Property Taxes (Provided to Clerk on Flash Drive)

INFORMATION CONTACT:
Nancy T. Freeman, Interim Director, 919-245-2735

PURPOSE: To receive the tax collector's annual settlement on current and delinquent taxes, approve by resolution the accounting thereof, and upon acceptance of the reports, issue the Order to Collect for Fiscal Year 2019-2020.

BACKGROUND: The annual settlement provides in detail the collection for the County, all fire and special districts, and the Towns of Carrboro, Chapel Hill, Hillsborough and Mebane during Fiscal Year 2018-2019.

For fiscal year ended June 30, 2019, Orange County's overall current year tax collection percentage was 99.18%. The overall collection percentage can be broken down further into three property classifications: real property, personal property, and motor vehicles. Orange County's fiscal year 2018-2019 current year tax collection percentage for real property was 99.27%, and personal property was 95.60%, which includes motor vehicle gap bills that are billed monthly by the County rather than by the State. The collection rate for registered motor vehicle taxes collected by the State (VTS Registered Motor Vehicles) was 99.88%.

The tax collector is required by North Carolina General Statute (NCGS) 105-373 to give an annual settlement to the governing body. It is the intent of the Machinery Act to create a direct relationship of responsibility and accountability between the tax collector and governing body.

Furthermore, NCGS 105-373 requires the tax collector to furnish a sworn report to the governing body showing a list of property owners whose taxes remain unpaid for the preceding fiscal year. There are four sections to the report: business personal property owners, public personal property owners, individual personal property owners and real property owners. By acceptance of the resolution, the Board designates said list to be entered into the minutes. The tax claim is not discharged or written off. These accounts are recharged to the collector as delinquent accounts, and the collector has full authority to use levy and garnishment to affect their collection. Lists have been provided to the Clerk to the Board for the permanent record of all outstanding tax by property classification.

Two settlement reports for tax are included.

- The first shows all taxes charged for collection for the 2018-2019 fiscal year. All uncollected taxes allowed as credits in a settlement are recharged to the tax collector. Per NCGS 105-373(3)(b) the tax collector is credited with (paraphrased):
    1. All sums representing taxes collected and deposited;
    2. Releases approved by the governing body;
    3. The principal amount of taxes constituting liens on real property;
    4. Amount shown on the insolvent list;
    5. Discounts as allowed by law;
    6. Commissions (if any) lawfully payable to the tax collector as compensation;
    7. Outstanding Property Tax Commission appeals.

- The second settlement report shows all prior years' taxes collected during the 2018-2019 fiscal year. NCGS 105-378 limits the tax collector's use of enforced collection remedies to ten years from the due date of the tax. As such, for fiscal year 2018-2019 the tax collector was charged with collecting remaining taxes from the years 2009-2017, in addition to current year 2018 taxes.

Additional reports are included for review by the governing board:

- One of the reports provides details of all other miscellaneous revenue charged to the Tax Collector for collection during fiscal year 2018-2019. The Tax Collector began the collection of Carrboro Stormwater Fees for the first time this fiscal year.
- An additional report is a minimal bill report that provides the number of bills and amount of taxes waived in accordance with a resolution approved by the governing board on July 26, 1995. NCGS 105-321(f) states, in part, that the governing body of a taxing unit may direct its tax assessor and tax collector not to collect minimal taxes where the total principal amount does not exceed five dollars.
- Another report shows the accounts receivable information for 2018 taxes at the beginning of the 2019 fiscal year.
- The final report is a copy of the delinquent property tax accounts as of June 30, 2019. It is also provided to the Clerk on a flash drive.

Note that the reports bear former Tax Administrator Dwane Brinson's notarized signature, as he was the Tax Collector until June 30, 2019. However, the "Order to Collect" bears the name of the interim Tax Administrator Nancy T. Freeman.

FINANCIAL IMPACT: There is no financial 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 that the Board:

- Receive the Tax Collector's annual settlement, approve and authorize the Chair to sign the resolution accepting it as reported for entry into the minutes; and
- Approve, authorize the Chair to sign, and issue the Order to Collect to the Tax Collector for Fiscal Year 2019-2020.

RES-2019-052

**RESOLUTION APPROVING THE
TAX COLLECTOR'S ANNUAL SETTLEMENT
FOR THE CURRENT YEAR 2018
AND PRIOR YEARS**

BE IT RESOLVED by the Board of Commissioners of Orange County that the following documents attached hereto are received and approved, consisting of the following:

1. Settlement of 2018 Tax Accounts
2. Settlement of Prior Years (2009-2017) Tax Accounts
3. Tax Collector's Report of 2018 Unpaid Taxes
4. Tax Collector's Report of Minimal Property Tax Bills
5. Report of Collections of Non-Tax Revenue and Miscellaneous Taxes
6. Tax Collectors Accounts Receivable

ADOPTED this the 3rd day of September, 2019.

_____
Penny Rich
Chair, Board of County Commissioners

Attest:

_____
Clerk to the Board of County Commissioners

Settlement for 2018 Tax Accounts
Orange County, Fire and Special Districts
Towns of Carrboro, Chapel Hill, and Hillsborough
for Fiscal Year 2018-2019

	Orange County	Fire & Special Districts	Town of Carrboro	Town of Chapel Hill	Town of Hillsborough	Town of Mebane	Grand Total
CHARGES							
Adjusted Levy-Real	141,904,756.36	27,691,667.80	12,815,311.86	37,641,873.41	5,795,801.95	1,194,078.06	227,043,489.44
Adjusted Levy-Personal	6,679,528.43		339,005.13	1,522,018.62	435,229.65	340,777.65	9,316,559.48
Adjusted Levy-Motor Vehicles	1,299.55		255.42	148.91	-	14.62	1,718.50
Adjusted Levy--Personal & Motor Vehicles		1,014,208.87					1,014,208.87
Adjusted Levy-Vehicle Fees			60.00	90.00	-		150.00
Adjusted Levy-VTS Registered Motor Vehicles	10,605,923.56	1,881,107.88	1,508,075.29	2,714,154.75	716,619.14	105,365.93	17,531,246.55
Interest & Penalties	340,446.88	60,794.60	20,006.05	81,386.48	11,549.70	4,697.66	518,881.37
Total	**159,531,954.78**	**30,647,779.15**	**14,682,713.75**	**41,959,672.17**	**6,959,200.44**	**1,644,933.92**	**255,426,254.21**
CREDITS							
Real Uncollected	1,035,763.33	159,081.52	60,436.59	91,457.42	43,240.91	6,383.06	1,396,362.83
Personal Uncollected	294,150.63		17,226.96	119,869.87	8,737.51	5,188.16	445,173.13
Motor Vehicles Uncollected	10.27		4.98	-	-	-	15.25
Personal & Motor Vehicles Uncollected		60,109.90					60,109.90
Motor Vehicle Fees Uncollected			30.00	-	-		30.00
VTS Registered Motor Vehicles Uncollected	13,070.95	2,551.37	4,874.89	1,288.79	214.76	-	22,000.76
VTS Registered Motor Vehicles Cash Deposited	10,592,852.61	1,878,556.51	1,503,200.40	2,712,865.96	716,404.38	105,365.93	17,509,245.79
Cash Deposited	147,596,106.99	28,547,479.85	13,096,939.93	39,034,190.13	6,190,602.88	1,527,996.77	235,993,316.55
Total	**159,531,954.78**	**30,647,779.15**	**14,682,713.75**	**41,959,672.17**	**6,959,200.44**	**1,644,933.92**	**255,426,254.21**
COLLECTION CREDIT							
Cash Deposited	**158,188,959.60**	**30,426,036.36**	**14,600,140.33**	**41,747,056.09**	**6,907,007.26**	**1,633,362.70**	**253,502,562.34**
Prop Tax Appeals Pending Credit	-	-	-	-	-	-	-
Total Collection Credit	**158,188,959.60**	**30,426,036.36**	**14,600,140.33**	**41,747,056.09**	**6,907,007.26**	**1,633,362.70**	**253,502,562.34**
COLLECTION PERCENTAGE							
Real	99.27%	99.43%	99.53%	99.76%	99.25%	99.47%	
Personal	95.60%		94.92%	92.12%	97.99%	98.48%	
Motor Vehicles	99.21%						
Personal & Motor Vehicles	95.60%	94.07%					
Motor Vehicle Fees							
VTS Registered Motor Vehicles	99.88%	99.86%	99.68%	99.95%	99.97%	100.00%	
Total	**99.16%**	**99.45%**	**99.44%**	**99.49%**	**99.25%**	**99.29%**	

Collection Percentage Reported in the CAFR and to the LGC **99.18%** Combined County, Fire & Special District **Overall Collection** **99.25%**

Timothy Dwane Brinson, Tax Collector for Orange County, Towns of Carrboro, Chapel Hill, Hillsborough and Mebane, and applicable fire/special districts, being duly appointed, respectfully reports that he has made a diligent effort within the time permitted by law to collect the taxes due from persons listed out of their personal property and by other means available to him for collection of such taxes.

Sworn to and subscribed before me this the 16 day of August, 2019.

Notary Public

Schern A. McCray
Notary Public
Orange County
North Carolina
My Commission Expires 11/30/19

My commission expires 11/30/19

T. Dwane Brinson, Tax Collector

SETTLEMENT OF UNPAID TAXES
FOR THE YEARS 2009-2017
Orange County, Fire and Special Districts
Towns of Carrboro, Chapel Hill, Hillsborough, and Mebane

		Adjusted Levy	Total Collections	Uncollected Balance (Accounts Receivable)	Interest Collected
Orange County		2,537,371.86	488,472.92	2,048,898.94	
Downtown Revitalization		4,371.17	2,178.18	2,192.99	
Cedar Grove Fire		12,094.56	5,188.26	6,906.30	
Greater Chapel Hill Fire		64.00	64.00	-	
Damascus Fire		607.10	304.70	302.40	
Efland Fire		29,785.72	11,080.72	18,705.00	
Eno Fire		13,099.00	3,716.00	9,383.00	
Little River Fire		4,812.13	2,207.97	2,604.16	
New Hope Fire		11,357.61	4,238.38	7,119.23	
Orange Rural Fire		40,864.14	15,957.53	24,906.61	
Orange Grove Fire		13,070.46	5,933.61	7,136.85	
South Orange Fire		16,731.12	4,571.09	12,160.03	
Southern Triangle Fire		5,073.45	3,808.86	1,264.59	
White Cross Fire		28,322.12	10,915.08	17,407.04	
CH Carrboro School District		321,887.63	119,045.03	202,842.60	
Total County, Fire, and Special Districts		**3,039,512.07**	**677,682.33**	**2,361,829.74**	**234,100.26**
Town of Carrboro	Real	208,515.58	104,596.28	103,919.30	
	Personal Property and Motor Vehicle	103,271.97	3,261.29	100,010.68	
	Total	**311,787.55**	**107,857.57**	**203,929.98**	**11,943.93**
Town of Chapel Hill	Real	242,199.96	120,197.54	122,002.42	
	Personal Property and Motor Vehicle	207,421.27	11,703.07	195,718.20	
	Total	**449,621.23**	**131,900.61**	**317,720.62**	**24,029.23**
Town of Hillsborough	Real	140,787.13	40,806.25	99,980.88	
	Personal Property and Motor Vehicle	(411,758.30)	(446,433.41)	34,675.11	
	Total	**(270,971.17)**	**(405,627.16)**	**134,655.99**	**7,823.78**
Town of Mebane	Real	**4,226.54**	**3,321.30**	**905.24**	
	Personal Property and Motor Vehicle	**(42,067.83)**	**(45,546.06)**	**3,478.23**	
	Total	**(37,841.29)**	**(42,224.76)**	**4,383.47**	**296.79**

Timothy Dwane Brinson, Tax Collector for Orange County, Towns of Carrboro, Chapel Hill, Hillsborough and Mebane, and applicable fire/special districts, being duly appointed, respectfully reports, in accordance with G.S. 105-373(b), the amount of taxes remaining unpaid for years 2009 through 2017, that he has made a diligent effort within the time permitted by law to collect such taxes out of the personal property of such taxpayers, or by other means available to him for collection of such taxes.

Sworn and subscribed before me on this the 16 day of August, 2019

T. Dwane Brinson, Tax Collector

Notary Public

My commission expires 11/30/19

Scherri A. McCray
Notary Public
Orange County
North Carolina
My Commission Expires 11/30/19

2018-2019 Non-Tax Revenue and Miscellaneous Taxes

2018-2019 COLLECTIONS OF NON-TAX REVENUE

Emergency Services Ambulance Fees not inclusive of Medicaid Reimbursement	$	2,709,009.43
Medicaid Reimbursement for Emergency Services	$	592,408.00
Beer & Wine Licenses	$	13,929.50
Rental Vehicle Gross Receipts Tax	$	96,541.24
Emergency Mgmt Collection (all other charges but ambulance)	$	32,940.00
Efland Sewer Loan Collection	$	1,239.80
Solid Waste Programs Fee Collection	$	8,408,009.91
Waste Center Fee Collection	$	4,528.73
3R Fee Collection	$	12,414.19
Occupancy Tax Collection	$	1,522,705.96
TOTAL	**$**	**13,393,726.76**

2018-2019 COLLECTION OF RENTAL VEHICLE GROSS RECEIPT TAX FOR MUNICIPALITIES

Chapel Hill	$	71,894.37
Hillsborough	$	14,558.26
Carrboro	$	46.80
TOTAL	**$**	**86,499.43**

2018-2019 MISCELLANEOUS COLLECTIONS FOR MUNICIPALITIES

Chapel Hill Stormwater	$	2,525,814.04
Carrboro Stormwater	$	780,632.17
Hillsborough Stormwater	$	650,296.34
Hillsborough Waterstone Assessment	$	826,063.23
TOTAL	**$**	**4,782,805.78**

COLLECTIONS OF MISCELLANEOUS AD VALOREM TAXES & MOTOR VEHICLE TAG FEES

Note: Registered Motor Vehicle taxes are collected at the State level with only minimal amounts billed by the County.

	Fiscal Year 2018-2019 Adjusted Levy	Total Collected	Amount Uncollected	Collection Percentage	Adjusted Levy	All Prior Years Total Collected	Amount Uncollected	Collection Percentage
Town of Mebane, Motor Vehicle Taxes	14.62	14.62	-	100.00%	3,501.62	79.21	3,422.41	2.26%
City of Durham, Motor Vehicle Taxes	-	-	-	0.00%	212.26	-	212.26	0.00%
City of Durham, Motor Vehicle Tag Fees	-	-	-	0.00%	60.00	-	60.00	0.00%

TAX COLLECTOR'S REPORT
OF MINIMAL PROPERTY TAX BILLS
Fiscal Year 2018-2019

North Carolina General Statute 105-321(f) is a provision authorizing the governing board of a taxing unit that collects its own taxes to adopt a resolution foregoing the collection of bills that do not exceed a specified amount, up to five dollars ($5.00). The Orange County Board of Commissioners has adopted, by resolution effective July 26, 1995, a policy change to permit the County Assessor and Tax Collector to waive the billing and collection of tax notices that do not exceed five dollars ($5.00), and that the tax collector keep record of such and report the total amount as part of annual settlement.

There were no motor vehicle notices that were less than five dollars ($5.00). The total number of real estate and personal property notices less than five dollars ($5.00) is 2783. The total amount of taxes waived is $3,228.70.

Dwane Brinson
Orange County Tax Administrator

Sworn to and subscribed before me this
the 16 day of August, 2019.

Notary Public

My Commission expires 11/30/19

Scherri A. McCray
Notary Public
Orange County
North Carolina
My Commission Expires 11/30/19

ORANGE COUNTY
NORTH CAROLINA
TAX OFFICE

T. Dwane Brinson, Tax Administrator | 228 S. Churton Street, Hillsborough, NC 27278 | 919.245.2100

State of North Carolina
County of Orange

Tax Collector's Report of FY 2018-2019
Accounts Receivable – Real/Personal Property

Timothy Dwane Brinson, Tax Collector for Orange County, Towns of Carrboro, Chapel Hill, Hillsborough, and Mebane, and applicable Fire Districts being duly appointed, deposes and says:

A complete list of persons owning real and personal property whose tax remain unpaid and the principal amount due has been filed with the Clerk to the Board of County Commissioners and is available for inspection.

The principal amount of 2018 real and personal property as of July 1, 2019 is $1,828,478.38.

Timothy Dwane Brinson
Orange County Tax Collector

Sworn to and subscribed before me this
the 16 day of August, 2019.

Notary Public

Sherri A. McCray
Notary Public
Orange County
North Carolina
My Commission Expires 11/30/19

My Commission expires 11/30/19

ORDER OF THE BOARD OF COUNTY COMMISSIONERS IN ACCORDANCE WITH G.S. 105-321

State of North Carolina
County of Orange

ORDER OF THE BOARD OF COUNTY COMMISSIONERS
IN ACCORDANCE WITH G.S. 105 – 373 and 105 – 321

To: Nancy T. Freeman
Tax Collector of Orange County, Towns of Carrboro, Chapel Hill, Mebane and Hillsborough, and applicable Fire Districts

You are hereby authorized, empowered, and commanded to collect the taxes remaining unpaid as set forth in the 2010 through 2019 tax records filed in the office of the Tax Collector, and in the tax receipts herewith delivered to you in the amounts and from the taxpayers likewise therein set forth. You are further authorized, empowered, and commanded to collect the 2010 through 2019 taxes charged and assessed as provided by law for adjustments, changes, and additions to the tax records and tax receipts delivered to you which are made in accordance with law. Such taxes are hereby declared to be a first lien on all real property of the respective taxpayers in Orange County, Town of Carrboro, Town of Chapel Hill, Town of Hillsborough, Town of Mebane, Fire Districts of Orange Rural, Efland, South Orange, New Hope, Eno, Orange Grove, Greater Chapel Hill, Little River, Cedar Grove, Southern Triangle, Damascus, and White Cross, and Special Districts of Chapel Hill-Carrboro Schools and Chapel Hill Downtown Service District, and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real and personal property, and attach wages and/or other funds, of such taxpayers, for and on account thereof, in accordance with law.

You are further authorized to call upon the Sheriff to levy upon and sell personal property under execution for the payment of taxes.

Within available funds in the budget ordinance and personnel positions established, the Tax Collector may hire employees, and they shall have the authority to perform those functions authorized by the Machinery Act of Chapter 105 of North Carolina General Statutes and other applicable laws for current and previous years' taxes. County personnel presently in the Tax Collector's office will continue to serve in their respective collection positions.

Witness my hand and official seal, this 3rd day of September, 2019

_____
Penny Rich
Chair, Board of County Commissioners

Attest:

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Clerk to the Board of County Commissioners

ORD-2019-032

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 8-f

SUBJECT: Fiscal Year 2019-20 Budget Amendment #1

DEPARTMENT: Finance and Administrative Services

ATTACHMENT(S):
Attachment 1. Budget as Amended Spreadsheet
Attachment 2. Year-To-Date Budget Summary

INFORMATION CONTACT:
Paul Laughton, (919) 245-2152
Gary Donaldson, (919) 245-2453

PURPOSE: To approve budget, grant, and capital project ordinance amendment for fiscal year 2019-20.

BACKGROUND:

(Note: The term "Deferred Revenues" used in several of the items listed below is also known as unearned revenue or prepayments, and refers to revenue received in FY 2018-19 in advance of FY 2019-20. Deferred revenue is reserved and accounted for on the County's balance sheet as a liability to avoid expenditure in FY 2018-19. At the start of FY 2019-20, the deferred revenue is then recognized on the income statement as revenue.)

Criminal Justice Resource Department

1. The Orange County Criminal Justice Resource Department (CJRD) has the following revenue changes to the FY 2019-20 budget:

    - **ABC Board Funds -** After the County's FY 2019-20 Budget was approved; the CJRD received official notification that the ABC Board Funds were to be reduced from $30,000 to $25,000. This amendment reduces that revenue and the drug treatment court expenditures.
    - **Local Reentry Council -** The Criminal Justice Resource Department has received notification that the Local Reentry Council Grant has been approved for its second 1-year term. The department received $150,000 in reimbursement grant from the Department of Public Safety. This will continue funding for two time-limited full-time equivalent (FTE) positions for FY 2019-20 at $123,323 Salary and Benefits and $26,677 in departmental and program supplies. This budget amendment provides for the receipt of these grant funds and amends the following Grant Project Ordinance:

Local Reentry Council Grant ($150,000) - Project # 71375

Revenues for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
DPS Grant Funds	$150,000	$150,000	$300,000
Total Project Funding	**$150,000**	**$150,000**	**$300,000**

Appropriated for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
Local Reentry Council Grant	$150,000	$150,000	$300,000
Total Costs	**$150,000**	**$150,000**	**$300,000**

This budget amendment provides for the reduction of ABC Board funds, as well as the receipt of these additional Grant funds. *(See Attachment 1, column 1)*

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

- **GOAL: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence

Department of Social Services

2. The Orange County Department of Social Services (DSS) has the following revenue and technical amendment changes to the FY 2019-20 budget:

   - **Community Response Program -** The Orange County Partnership for Young Children has increased the award for the Community Response Program by $2,085 from previous year's award to $15,835. This increased revenue will support activities related to Triple P (Positive Parenting Program) and/or Attachment and Behavioral Catch-Up programs.
   - **Community Response Program -** DSS has received a separate one year $100,000 grant award from the North Carolina Department of Health and Human Services for the Community Response Program (CRP). CRPs are intended to fill a gap in the continuum of child maltreatment prevention programing by reaching out to families who have been reported but whose cases have been screened out at intake. These funds will be received and expended in FY 2019-20.
   - **Juvenile Crime Prevention Council (JCPC) -** The Juvenile Crime Prevention Council awarded its final FY 2019-20 funding, which was approved by the Board of Commissioners on June 18, 2019. Due to the timing of the approved final funding amounts, which differs from the amount of JCPC funding included in the budget ordinance, this budget amendment incorporates the revised funding amounts, which increases JCPC revenue by $15,500, reduces the County match by $6,666, and thus decreases a fund balance appropriation in the General Fund by $22,166.
   - **Technical Amendment -** Funds awarded to the Interfaith Council and Orange Congregations in Mission are to be routed through the Social Services departmental budget. This budget amendment will move $136,053 from Human Services Non-departmental into the Social Services budget.

- **DSS Client Services Fund -** The Department of Social Services has received $1,178 in donations to support the annual back to school supply drive. This budget amendment provides for the receipt of these funds, and is budgeted in the DSS Client Services Fund, outside of the General Fund.
- **Toy Chest –** The department of Social Services has received $23,762 in donations for the annual Toy Chest. This budget amendment provides for the receipt of these funds, and budgeted in the DSS Client Services Fund, outside of the General Fund.
- **Adoption Enhancement –** The Department of Social Services has received $20,480 in Special Child Incentive Funds for use in enhancing agency adoption services. This budget amendment provides for the receipt of these funds, and budgeted in the DSS Client Services Fund, outside of the General Fund.

This budget amendment provides for the budgetary changes listed above. *(See Attachment 1, column 2)*

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

- **GOAL: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.
- **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.

Health Department

3. The Orange County Health Department has the following revenue, deferred revenue, and County Fee Schedule changes for the FY 2019-20 budget:

- The Health Department requests to amend the County Fee Schedule to include the following changes in Environmental Health and Personal Health fees:

Description	Current Fee	Proposed Fee
EH - Incomplete/Failed Inspection	$45.00	$50.00
EH – Septic Tank Contractor Education Fee	$50.00	$60.00
EH – Plan Review Swimming Pools (note: the Approved Fee Schedule included a fee of $400.00; it should remain at $350.00)	$400.00	$350.00
PH – Lab: Venipuncture Minimum Fee for Primary Care	$15.00	$20.00
PH – C Reactive Protein (UNC Lab – New Fee)	$0	$5.75

These changes to the County Fee Schedule do not affect revenues budgeted for FY 2019-20.

- **Healthy Communities Program** – The department received notification from the State of a reduction in FY 2019-20 funding of $4,529 in the Healthy Communities

program, based on the Consolidated Agreement Addenda for State funds. This budget amendment provides for an equal reduction in revenues and expenditures to reflect these changes. The department plans to re-allocate available General Health Promotion funds to cover this decrease.

- **Food and Drug Administration** – This action provides for receipt of grant revenue of $3,000 from the Food and Drug Administration to be used for training staff related to food safety standards.
- **United Way Grant Award** – The department received notification of a grant award from United Way in the amount of $31,809 in FY 2019-20. These funds will be used to temporarily increase a current .50 FTE Navigator position to a 1.0 FTE position in the Family Success Alliance program for FY 2019-20.
- **Formerly Incarcerated Transitions (FIT) Program** – As of June 30, 2019, the department has deferred revenue of $2,965 from a Duke Endowment grant related to the FIT Program for use in FY 2019-20. These funds will be used for project support and department supplies.
- **No Fault Well Repair Fund** – This fund was established in FY 2001-02 with an initial budget of $102,500, consisting of one-time revenue form American Stone Company of $87,500 and annual revenue from Orange Water & Sewer Authority (OWASA) of $15,000. As a condition of a special-use permit granted to American Stone Company for the expansion of the rock quarry located on Highway 54 West, the Fund was established for the benefit of residents within 3,000 feet of the existing quarry. The fund is dedicated for the repair or replacement wells in that area that fail, and the failure is found to be unrelated to the quarry operations.

  The last budget amendment approved by the Board of County Commissioners for receipt of the annual $15,000 in OWASA funds occurred on February 21, 2012. Since that time, the Fund has received an additional $105,000 in OWASA funds. This budget amendment provides for the receipt of these additional funds within the No Fault Well Repair Fund, which is a Special Revenue Fund outside of the General Fund.

This budget amendment provides for the revenue changes listed above. *(See Attachment 1, column 3)*

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

- **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.
- **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: 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.

Animal Services

4. Animal Services has the following additional revenue and deferred revenue:

   - **Community Giving Funds** – The department received $1,800 of donations for use toward land surveying for a dog-walking trail. This budget amendment provides for the receipt of these donated funds for use in the current fiscal year for the above-stated purpose.
   - **Petrie Foundation Grant** – The department received a $25,000 grant from the Petrie Foundation in FY 2018-19 within the Spay/Neuter Fund, a special revenue fund outside of the General Fund. As of June 30, 2019, a total of $7,295 remained unspent.

   This budget amendment provides for the receipt of these donations in the General Fund, and appropriates $7,295 from available fund balance in the Spay/Neuter Fund, for use in FY 2019-20. *(See Attachment 1, column 4)*

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

Planning and Inspections

5. The Planning and Inspections Department has $20,301 in unspent fee revenue, collected specifically for use toward technology improvements to the Department's permitting systems. This amendment re-appropriates the unspent funds from fund balance in the General Fund for use in FY 2019-20. *(See Attachment 1, column 5)*

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

Department of Environment, Agriculture, Parks and Recreation

6. The Department of Environment, Agriculture, Parks and Recreation (DEAPR) has deferred revenue for the following programs:

   - **NC Matching Grant** – As of June 30, 2019, the department has $6,638 in deferred revenue, for use in FY 2019-20, related to the Soil and Water division's NC Matching Grant. Matching funds are used for office and educational supplies, staff training and certification costs and award sponsorship.
   - **Little River Park Donations** – As of June 30, 2019, the department had received Little River Park donations of $39,394. These funds have been earmarked as deferred revenue for use in FY 2019-20.

This budget amendment provides for the receipt of these deferred revenues. *(See Attachment 1, column 6)*

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

Department on Aging

7. The Department on Aging has deferred revenue for the following programs:

    - **Carol Woods Donation** – As of June 30, 2019, the department has $163,864 in deferred revenue, for use in FY 2019-20, related to the Carol Woods Donation. These funds will used for Master Aging Plan Initiatives.
    - **Senior Health Insurance and Information Program (SHIIP)** – As of June 30, 2019, the department had received SHIIP Funds of $6,010. These funds have been earmarked as deferred revenue for use in FY 2019-20.
    - **Medicare Improvements for Patients and Providers Act (MIPPA)** – As of June 30, 2019, the department had $4,496 in deferred revenue, for use in FY 2019-20, related to the MIPPA grant.

    This budget amendment provides for the receipt of these deferred revenues. *(See Attachment 1, column 7)*

    SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are applicable to this item:
    - **GOAL: CREATE A SAFE COMMUNITY**
      The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.
    - **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.

Community Relations

8. The Community Relations Department has taken over the responsibility of the administration and operations of the Veterans Memorial project located at the Southern Campus in Chapel Hill. The Veterans Memorial project is set up in the County Capital Projects Fund for the construction and landscaping components of the Memorial, but there are incidental operational supplies that are needed occasionally as well. This budget amendment provides for the receipt of available Community Giving Funds of $3,000 in order to fund necessary non-capital related expenditures within the Community Relations Department related to the Veterans Memorial project. *(See Attachment 1, column 8)*

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

County Manager- Food Council Program

9. The Food Council has received a block grant of $600 from the Center for Environmental Farming Systems and Community Food Strategies at North Carolina State University. This budget amendment provides for the receipt of these grant funds. *(See Attachment 1, column 9)*

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

   - **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.

Tax Administration

10. Orange County Tax Administration is requesting funds in order to secure the services of Complete County Appraisal (CCA) to provide appraisal review of commercial and industrial properties in preparation for the 2021 Revaluation. CCA was used successfully in the 2017 Revaluation in a similar capacity. This budget amendment provides for a fund balance appropriation of $53,000 from the General Fund to cover the costs needed to contract with CCA. *(See Attachment 1, column 10)*

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

Miscellaneous – Non Departmentals

11. The FY 2019-20 Board of Commissioners' Approved Budget included funds of $1,128,115 for a Wage Increase of 2.0%, effective July 1, 2019. This budget amendment provides for the allocation of $1,128,115 within departments to cover the Wage Increase in FY 2019-20.
12. The FY 2019-20 Board of Commissioners' Approved Budget included funds of $25,000 for an increase in the Living Wage from $14.25/hour to $14.95/hour, effective July 1, 2019. This budget amendment provides for the allocation of $25,000 to cover the Living Wage increase within the affected departments.
13. The FY 2019-20 Board of Commissioners' Approved Budget included funds of $22,590 for an increase in phone stipends from $35 to $50. This budget amendment provides for the allocation of $22,590 to cover the Phone Stipend increase within the affected departments.

    This budget amendment provides for the allocations of the above mentioned Miscellaneous items to the affected departments. *(See Attachment 1, column 11)*

    SOCIAL JUSTICE IMPACT: There are no Orange County Social Justice Goal impacts associated with these items.

Community Loan Fund/Historic Rogers Road Neighborhood Infrastructure Capital Project

14. At its June 19, 2018 meeting, the Board of Commissioners approved the transfer of $200,000 from the Historic Rogers Road Neighborhood Infrastructure Capital Project to the Community Loan fund to support County-wide no interest loans for sewer connection to Non-Low Moderate Income residents. At the time of this transfer, it was noted that this was intended to be for an interim period and would likely have to be amended due to construction in progress and the possibility of cost overrun issues due to rock excavation. With this transfer, the balance of $100,000 in the Community Loan Fund is currently adequate to cover the current and projected loan requests in FY 2019-20 to Non-Low Moderate Income residents. The $100,000 will cover approximately ten (10) loan requests at a maximum of $10,000 per connection request.

    This budget amendment provides for the transferring of $100,000 from the Community Loan Fund back to the Historic Rogers Road Neighborhood Infrastructure Capital Project in order to fund rock excavation expenses and other closeout costs, and amends the following Capital Project Ordinance: *(See Attachment 1, column 12)*

    Historic Rogers Road Neighborhood Infrastructure ($100,000) - Project # 10054

    Revenues for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
Alternative Financing	$6,292,000	$100,000	$6,392,000
Contribution from Chapel Hill	$77,400	$0	$77,400
Contribution from Carrboro	$25,200	$0	$25,200
From General Fund	$77,400	$0	$77,400
Total Project Funding	**$6,472,000**	**$100,000**	**$6,572,000**

    Appropriated for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
Land and Associated Costs	$212,000	$0	$212,000
Professional Services	$780,000	$0	$780,000
Construction	$5,005,000	$100,000	$5,105,000
Project Management	$475,000	$0	$475,000
Total Costs	**$6,472,000**	**$100,000**	**$6,572,000**

    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.

Sheriff's Office

15. In FY 2018-19, the North Carolina Clean Energy Technology Center awarded Orange County with a reimbursable grant in the amount of $12,668 to be used toward the purchase of an electric motorcycle for the Sheriff's Office. The purchase was not made in FY 2018-19, and the grantor has extended the grant award into FY 2019-20. The total

cost of the electric motorcycle with the basic police package is $22,285. Orange County received approval to use a $6,450 quote on a basic gasoline motorcycle as the base model comparison for the purposes of this grant. The grant will cover 80% of the difference between these costs. The required County match and total County costs is $9,617 and will come from available Drug Forfeiture funds. This budget amendment provides for the receipt of these reimbursable grant funds and the use of available Drug Forfeiture funds in FY 2019-20 for the purchase of the electric motorcycle. *(See Attachment 1, column 13)*

Phillip Nick Waters Emergency Services Building Remediation Capital Project

16. In March 2019, the Board of Commissioners approved a contract with Sasser Companies for the remediation and reconstruction of the Phillip Nick Waters Emergency Services Building. On June 3, 2019, work for this project commenced with removal of all the Emergency Services Communications equipment. After the equipment was removed, all furniture, files and other items were removed for cleaning at an offsite facility. The deconstruction services for this project began and found that during previous renovations the walls were built using wood studs instead of metal studs. Due to current building and fire codes, these wood studs must be removed and replaced with metal studs.

    Also, during the process of deconstruction prior to the Sasser award, the building was exposed to toxic organic growth that entered into the HVAC equipment. Due to the HVAC equipment being very close to end of life and the release of the organic growth contaminating the system, it is recommended to replace the entire HVAC system. This alleviates the risk of recontamination of the facility with toxic organic growth. Also, due to current condition of the roof system, it is recommended to replace it during the reconstruction. Due to these unforeseen conditions, the project schedule has to be extended for all work to be completed by the end of December 2019.

    These changes, estimated at $731,000, include the increase for the lease extensions, replacement of the entire HVAC system, controls to remotely monitor the HVAC system, all wall rework as required to meet existing building and fire codes, estimated costs for replacement of the existing roof system, and light replacement to LED lighting to meet the goals for energy efficiencies. This budget amendment provides for the increase in the overall project budget by $731,000, and amends the following Capital Project Ordinance:

    Philip Nick Waters Emergency Services Building Remediation Project ($731,000) - Project #10068

    Revenues for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
Alternative Financing – From Repurposed Projects	$549,450	$0	$549,450
Alternative Financing - New	$1,846,209	$731,000	$2,577,209
From General Fund – From Repurposed Projects	$82,800	$0	$82,800
Total Project Funding	**$2,478,459**	**$731,000**	**$3,209,459**

Appropriated for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
Phillip Nick Waters Emergency Services Building Remediation Project	$2,478,459	$731,000	$3,209,459
Total Costs	**$2,478,459**	**$731,000**	**$3,209,459**

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

- **GOAL: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence

Remediating and repairing the Phillip Nick Waters Emergency Services building creates a safe working environment for staff.

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impact is associated with 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.

County Manager- Arts Commission

17. The Arts Commission has received a grant award of $4,200 from the Triangle Community Foundation for the New Realities Triangle 2019-20 Project. These funds will be used to hire a strategic planning consultant. This budget amendment provides for the receipt of these grant funds within the Visitors Bureau Fund, outside of the General Fund. *(See Attachment 1, column 14)*

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

ENVIRONMENTAL IMPACT: Other than item #16, there are no Orange County Environmental Responsibility Goal impacts associated with these Budget Amendment items.

FINANCIAL IMPACT: Financial impacts are included in the background information above. This budget amendment provides for the receipt of these additional funds in FY 2019-20 and increases the General Fund by $422,767, increases the Grant Project Funds by $150,000, increases the DSS Client Services Fund by $45,420, increases the No Fault Well Repair Fund by $105,000, increases the County Capital Projects Fund by $831,000, decreases the Community Loan Fund by $100,000, increases the Spay/Neuter Fund by $7,295, and increases the Visitors Bureau Fund by $4,200.

RECOMMENDATION(S): The Manager recommends the Board approve these budget, grant, and capital project ordinance amendments for fiscal year 2019-20.

Attachment 1. Orange County Proposed 2019-20 Budget Amendment

The 2019-20 Orange County Budget Ordinance is amended as follows:

	Original Budget	Encumbrance Carry Forwards	Budget as Amended	1. CJRD - Reduce ABC Board Contribution and continue Reentry Council Grant	2. DSS - Increase CRP programs, reallocate OCIM & IFC contracts, reduce JCPC and allocate DSS Client Fund revenue	3. Health - decrease in Health Communities funding; increases in Food and Drug Admin funding, reciept of a United Way Grant Award, deferred revenue/in-flows from FIT Program, and receipt of additional revenue in the No Fault Well Repair Fund	4. Animal Services - receipt of Community Giving Funds in the General Fund; and unspent funds in FY 18-19, in the Spay/Neuter Fund, for use in FY 19-20	5. Planning and Inspections - unspent dedicated technology fee revenue from FY 18-19, re-appropriated for use in FY 19-20.	6. DEAPR - Reallocate deferred revenue related to Soil and Water division's NC Matching Grant; and to Little River Park donations	7. Aging - Reallocate deferred revenue/in-flows related to Carol Woods donation, SHIIP funds, and MIPPA funds	8. Community Relations - receipt of Community Giving Funds for use in non-capital related expenditures for the Veterans Memorial project	9. Food Council - Receipt of a block grant award from the Center for Environmental Farming Systems and Community Food Strategies at NCSU	10. Tax Administration - Fund Balance appropriation from the General Fund to cover the costs of contracting for appraisal review of commercial and industrial properties in preparation for the 2021 Revaluation	11. Misc - Allocate 2% Wage Increase, Living Wage Increase, and Phone Stipend increases from Non-Departmentals to Departments	12. Community Loan Fund/County Capital Project - transfer $100,000 from Community Loan Fund to the Historic Rogers Road Neighborhood Infrastructure Capital Project to cover costs of rock excavation	13. Sheriff's Office - receipt of grant funds from the North Carolina Clean energy Technology Center towards the purchase of an electric motorcycle	14. Arts Commission - receipt of grant funds from Triangle Community Foundation	Budget as Amended Through BOA #1
General Fund																		
Revenue																		
Property Taxes	$ 165,153,931	$ -	$ 165,153,931	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ -	$ 165,153,931
Sales Taxes	$ 25,372,861	$ -	$ 25,372,861	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ -	$ 25,372,861
License and Permits	$ 313,260	$ -	$ 313,260	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ -	$ 313,260
Intergovernmental	$ 18,278,612	$ -	$ 18,278,612	$ -	$ 117,585	$ -	$ -	$ -	$ 6,638	$ 10,506	$ -	$ 600	$ -		$ -	$ 12,668	$ -	$ 18,426,609
Charges for Service	$ 12,704,833	$ -	$ 12,704,833	$ -	$ -	$ 33,245	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ -	$ 12,738,078
Investment Earnings	$ 415,000		$ 415,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ -	$ 415,000
Miscellaneous	$ 3,040,769		$ 3,040,769	$ (5,000)			$ 1,800		$ 39,394	$ 163,864	$ 3,000							$ 3,243,827
Transfers from Other Funds	$ 4,034,600		$ 4,034,600															$ 4,034,600
Fund Balance	$ 7,808,006		$ 7,808,006		$ (22,166)			$ 20,301					$ 53,000					$ 7,859,141
Total General Fund Revenues	$ 237,121,872	$ -	$ 237,121,872	$ (5,000)	$ 95,419	$ 33,245	$ 1,800	$ 20,301	$ 46,032	$ 174,370	$ 3,000	$ 600	$ 53,000	$ -	$ -	$ 12,668	$ -	$ 237,557,307
Expenditures																		
Support Services	$ 12,465,362	$ -	$ 12,465,362	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,000	$ -	$ -	$ (1,067,712)	$ -	$ -	$ -	$ 11,400,650
General Government	$ 23,540,653	$ -	$ 23,540,653	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 600	$ 53,000	$ 116,060	$ -	$ -	$ -	$ 23,710,313
Community Services	$ 14,421,090	$ -	$ 14,421,090	$ -	$ -	$ -	$ 1,800	$ 20,301	$ 46,032	$ -	$ -	$ -	$ -	$ 185,996	$ -	$ -	$ -	$ 14,675,219
Human Services	$ 40,822,906	$ -	$ 40,822,906	$ -	$ 102,085	$ 33,245	$ -	$ -	$ -	$ 174,370	$ -	$ -	$ -	$ 440,559	$ -	$ -	$ -	$ 41,573,165
Public Safety	$ 26,643,096	$ -	$ 26,643,096	$ (5,000)	$ (6,666)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 325,097	$ -	$ 12,668	$ -	$ 26,969,195
Education	$ 111,279,115		$ 111,279,115	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ -	$ 111,279,115
Transfers Out	$ 7,949,650	$ -	$ 7,949,650	$ -	$ -		$ -			$ -	$ -	$ -	$ -					$ 7,949,650
Total General Fund Appropriation	$ 237,121,872	$ -	$ 237,121,872	$ (5,000)	$ 95,419	$ 33,245	$ 1,800	$ 20,301	$ 46,032	$ 174,370	$ 3,000	$ 600	$ 53,000		$ -	$ 12,668	$ -	$ 237,557,307
	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Visitors Bureau Fund																		
Revenues																		
Occupancy Tax	$ 1,423,571		$ 1,423,571															$ 1,423,571
Sales and Fees	$ 500		$ 500															$ 500
Intergovernmental	$ 236,703		$ 236,703														$ 4,200	$ 240,903
Investment Earnings	$ 4,000		$ 4,000															$ 4,000
Miscellaneous	$ -		$ -															$ -
Appropriated Fund Balance	$ 259,606	$ -	$ 259,606															$ 259,606
Total Revenues	$ 1,924,380	$ -	$ 1,924,380	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ 4,200	$ 1,928,580
Expenditures																		
General Government	$ 211,168		$ 211,168														$ 4,200	$ 215,368
Community Services	$ 1,713,212	$ -	$ 1,713,212															$ 1,713,212
Total Housing Fund Revenues	$ 1,924,380	$ -	$ 1,924,380	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ 4,200	$ 1,928,580
County Capital Project Fund																		
Revenues																		
Transfer From the General Fund	$ 220,000		$ 220,000	$ -			$ -	$ -	$ -	$ -	$ -							$ 220,000
Alternative Financing	$ -																	$ -
Appropriated Fund Balance	$ -		$ -															$ -
Transfer from Other Funds															$ 100,000			$ 100,000
Medicaid Maximization Funds			$ -															$ -
Total Revenues	$ 220,000	$ -	$ 220,000	$ -			$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 100,000	$ -		$ 320,000
Expenditures																		
County Capital Projects	$ 220,000		$ 220,000	$ -			$ -	$ -	$ -	$ -	$ -				$ 100,000			$ 320,000

Attachment 1. Orange County Proposed 2019-20 Budget Amendment

The 2019-20 Orange County Budget Ordinance is amended as follows:

	Original Budget	Encumbrance Carry Forwards	Budget as Amended	1. CJRD - Reduce ABC Board Contribution and continue Reentry Council Grant	2. DSS - Increase CRP programs, reallocate OCIM & IFC contracts, reduce JCPC and allocate DSS Client Fund revenue	3. Health - decrease in Health Communities funding; increases in Food and Drug Admin funding, reciept of a United Way Grant Award, deferred revenue/in-flows from FIT Program, and receipt of additional revenue in the No Fault Well Repair Fund	4. Animal Services - receipt of Community Giving Funds in the General Fund; and unspent funds in FY 18-19, in the Spay/Neuter Fund, for use in FY 19-20	5. Planning and Inspections - unspent dedicated technology fee revenue from FY 18-19, re-appropriated for use in FY 19-20.	6. DEAPR - Reallocate deferred revenue related to Soil and Water division's NC Matching Grant; and to Little River Park donations	7. Aging - Reallocate deferred revenue/in-flows related to Carol Woods donation, SHIIP funds, and MIPPA funds	8. Community Relations - receipt of Community Giving Funds for use in non-capital related expenditures for the Veterans Memorial project	9. Food Council - Receipt of a block grant award from the Center for Environmental Farming Systems and Community Food Strategies at NCSU	10. Tax Administration - Fund Balance appropriation from the General Fund to cover the costs of contracting for appraisal review of commercial and industrial properties in preparation for the 2021 Revaluation	11. Misc - Allocate 2% Wage Increase, Living Wage Increase, and Phone Stipend increases from Non-Departmentals to Departments	12. Community Loan Fund/County Capital Project - transfer $100,000 from Community Loan Fund to the Historic Rogers Road Neighborhood Infrastructure Capital Project to cover costs of rock excavation	13. Sheriff's Office - receipt of grant funds from the North Carolina Clean energy Technology Center towards the purchase of an electric motorcycle	14. Arts Commission - receipt of grant funds from Triangle Community Foundation	Budget as Amended Through BOA #1
Spay/Neuter Fund																		
Revenues																		
Charges for Services	$ 27,000		$ 27,000															$ 27,000
Intergovernmental	$ 10,000		$ 10,000				$ 7,295											$ 17,295
Miscellaneous	$ 12,300		$ 12,300															$ 12,300
Appropriated Fund Balance	$ 19,050	$ -	$ 19,050															$ 19,050
Total Revenues	$ 68,350	$ -	$ 68,350	$ -			$ 7,295	$ -	$ -	$ -	$ -							$ 75,645
Expenditures																		
Operating	$ 68,350	$ -	$ 68,350				$ 7,295											$ 75,645
Transfer to County Capital	$ -		$ -															$ -
Total Expenditures	$ 68,350	$ -	$ 68,350	$ -			$ 7,295	$ -	$ -	$ -	$ -							$ 75,645
Grant Project Fund																		
Revenues																		
Intergovernmental	$ 144,765		$ 144,765	$ 150,000														$ 294,765
Charges for Services	$ 65,000		$ 65,000															$ 65,000
Transfer from General Fund	$ 57,043		$ 57,043															$ 57,043
Miscellaneous			$ -															$ -
Transfer from Other Funds			$ -															$ -
Appropriated Fund Balance	$ 4,421	$ -	$ 4,421															$ 4,421
Total Revenues	$ 271,229	$ -	$ 271,229	$ 150,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -		$ 421,229
Expenditures																		
NCACC Employee Wellness Grant			$ -															$ -
CFAT Propane Vehicle Grant(multi-year)			$ -															$ -
Electric Vehicle Charging Stations			$ -															$ -
Support Services	$ -	$ -	$ -	$ -			$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -		$ -
Historic Resources Inventory Grant	$ -		$ -															$ -
Community Services	$ -	$ -	$ -	$ -			$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -		$ -
Senior Citizen Health Promotion(Wellness)	$ 141,464	$ -	$ 141,464															$ 141,464
Outreach Literacy Time to Read-Library	$ 94,765		$ 94,765															$ 94,765
Human Services	$ 236,229	$ -	$ 236,229	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -		$ 236,229
EM Performance Grant	$ 35,000		$ 35,000															$ 35,000
Local Reentry Council Grant - CJRD	$ -			$ 150,000														$ 150,000
Public Safety	$ 35,000	$ -	$ 35,000	$ 150,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -		$ 185,000
Total Expenditures	$ 271,229	$ -	$ 271,229	$ 150,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -		$ 421,229
DSS Client Services Fund																		
Revenues																		
Intergovernmental	$ -		$ -	$ -	$ 20,480		$ -	$ -	$ -	$ -	$ -							$ 20,480
General Government	$ -		$ -		$ 24,940													$ 24,940
Transfer from Grant Projects	$ -		$ -															$ -
Total Revenues	$ -	$ -	$ -	$ -	$ 45,420	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ -	$ -		$ 45,420
Expenditures																		
General Assistance			$ -	$ -	$ 45,420		$ -	$ -	$ -	$ -	$ -							$ 45,420
Community Loan Fund																		
Revenues																		
From County Capital Fund	$ 200,000		$ 200,000	$ -			$ -	$ -	$ -	$ -	$ -				$ (100,000)			$ 100,000
Total Revenues	$ 200,000	$ -	$ 200,000	$ -			$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ (100,000)	$ -		$ 100,000
Expenditures																		
Connection Loans	$ 200,000		$ 200,000	$ -			$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ (100,000)			$ 100,000
No Fault Well Repair Fund																		
Revenues																		
OWASA	$ -		$ -	$ -		$ 105,000	$ -	$ -	$ -	$ -	$ -							$ 105,000
American Stone	$ -		$ -	$ -			$ -	$ -	$ -	$ -	$ -							$ -
Total Revenues	$ -	$ -	$ -	$ -	$ -	$ 105,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ 105,000
Expenditures																		
No Fault Well Repairs	$ -		$ -	$ -		$ 105,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -		$ 105,000

Year-To-Date Budget Summary

Fiscal Year 2019-20

General Fund Budget Summary

Original General Fund Budget	$237,121,872
Additional Revenue Received Through Budget Amendment #1 (September 3, 2019)	
Grant Funds	$162,176
Non Grant Funds	$222,124
General Fund - Fund Balance for Anticipated Appropriations (i.e. Encumbrances)	$0
General Fund - Fund Balance Appropriated to Cover Anticipated and Unanticipated Expenditures	$51,135
Total Amended General Fund Budget	**$237,557,307**
Dollar Change in 2019-20 Approved General Fund Budget	$435,435
% Change in 2019-20 Approved General Fund Budget	0.18%

Authorized Full Time Equivalent Positions

Original Approved General Fund Full Time Equivalent Positions	944.970
Original Approved Other Funds Full Time Equivalent Positions	96.600
Total Approved Full-Time-Equivalent Positions for Fiscal Year 2019-20	**1,041.570**

Paul:
increase .50 FTE Navigator position in Health Department to 1.00 FTE thru FY 19-20 (BOA #1)

ORD-2019-033

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 8-g

SUBJECT: Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro City Schools (CHCCS) and Contingent Approval of Budget Amendment #1-A Related to CHCCS Capital Project Ordinances

DEPARTMENT: Finance and Administrative Services

ATTACHMENT(S):
Attachment 1. CHCCS – Lottery Proceeds Debt Service Application

INFORMATION CONTACT:
Paul Laughton, (919) 245-2152
Gary Donaldson, (919) 245-2453

PURPOSE: To approve an application to the North Carolina Department of Public Instruction (NCDPI) to release proceeds from the NC Education Lottery account related to FY 2019-20 debt service payments for Chapel Hill – Carrboro City Schools (CHCCS), and to approve Budget Amendment #1-A (amended School Capital Project Ordinances), contingent on the NCDPI's approval of the application.

BACKGROUND: Both County School Systems have previously presented approved resolutions from their respective Boards requesting that the County modify its Capital Funding Policy by applying accumulated lottery funds to debt service payments, and permitting current year withdrawals of lottery proceeds immediately after the State's quarterly lottery fund allocations. This policy expedites both the application process and the receipt of funds for both school systems.

Currently, the accumulated available lottery proceeds for Chapel Hill – Carrboro City Schools (CHCCS) is $263,198. The attached application requests NCDPI to release lottery proceeds in the amount of $260,000 to cover debt service for projects previously financed for the Chapel Hill – Carrboro City School system.

Budget Amendment #1-A provides for the receipt of the Lottery Proceeds, contingent on NCDPI's approval of the application, and substitutes the amount of Lottery Proceeds approved for debt service as additional Pay-As-You-Go (PAYGO) funds for FY 2019-20 for CHCCS long-range capital needs and projects, and amends the budgets for the following CHCCS capital projects:

Chapel Hill – Carrboro City Schools ($260,000)

ADA Requirements ($35,000) – Project # 54000 (Funds will be used to make necessary facility improvements to comply with ADA requirements.)

Revenues for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
From General Fund (PAYG)	$345,616	$35,000	$380,616
Alternative Financing	$35,000	$0	$35,000
Total Project Funding	**$380,616**	**$35,000**	**$415,616**

Appropriated for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
ADA Requirement Projects	$380,616	$35,000	$415,616
Total Costs	**$380,616**	**$35,000**	**$415,616**

Energy Efficiency/Lighting Improvements ($218,581) – Project # 54003 (Funds will be used towards conversion from pneumatic to digital controls at McDougle Elementary.)

Revenues for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
From General Fund (PAYG)	$535,137	$218,581	$753,718
Alternative Financing	$153,693	$0	$153,693
2/3 Net Debt	$17,677	$0	$17,677
Total Project Funding	**$706,507**	**$218,581**	**$925,088**

Appropriated for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
Energy Management Projects	$706,507	$218,581	$925,088
Total Costs	**$706,507**	**$218,581**	**$925,088**

Fire/Safety/Security ($6,419) – Project # 54004 (Funds will be used for security systems and camera upgrades/expansions.)

Revenues for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
From General Fund (PAYG)	$1,159,000	$6,419	$1,165,419
Lottery Proceeds	$80,000	$0	$80,000
Alternative Financing	$100,000	$0	$100,000
2/3 Net Debt	$250,000	$0	$250,000
Total Project Funding	**$1,589,000**	**$6,419**	**$1,595,419**

Appropriated for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
Emergency/Security Systems	$1,589,000	$6,419	$1,595,419
Total Costs	**$1,589,000**	**$6,419**	**$1,595,419**

Note: The Current FY 2019-20 Budgets represent the cumulative budgeted funds for these projects in the Chapel Hill-Carrboro City Schools district since 2009, which is the last time completed projects funds were closed out. Staff plans to bring recommendations to the Board of County Commissioners in a future BOCC meeting for closing out completed school and county capital projects.

FINANCIAL IMPACT: The total Lottery Proceeds requested from the NCDPI for Chapel Hill–Carrboro City Schools is $260,000.

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

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board approve, and authorize the Chair to sign, the application for North Carolina Education Lottery Proceeds; and approve Budget Amendment #1-A receiving the Lottery Proceeds and the amended CHCCS Capital Project Ordinances, contingent on NCDPI's approval of the application.

Attachment 1

APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY

Approved: _____

Date: _____

County: Orange County

LEA: Chapel Hill-Carrboro City Schools

Address: P.O. Box 8181 Hillsborough, NC

Contact Person: Gary Donaldson

Title: Chief Financial Officer

Phone: (919) 245-2453

Project Title: FY 2019-20 Debt Service (Limited Obligation Bonds - Series 2011)

Location:

Type of Facility:

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

(3) No county shall have to provide matching funds…

(4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.

(5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. ***Applications must be submitted within one year following the date of final payment to the Contractor or Vendor***.

Short description of Construction Project: Debt Service associated with the Limited Obligation Bonds - Series 2011 (Morris Grove Elementary)

Estimated Costs:

Purchase of Land	$	
Planning and Design Services		
New Construction		
Additions / Renovations		
Repair		
Debt Payment / Bond Payment		260,000.00
TOTAL	$	260,000.00

Estimated Project Beginning Date: 7/1/2019

Est. Project Completion Date: 6/30/2020

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of $ 260,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) (Date)

(Signature — Chair, Board of Education) (Date)

ORD-2019-034

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 8-h

SUBJECT: Acceptance of Grant for Electric Vehicle Infrastructure and Approval of Budget Amendment #1-B

DEPARTMENT: Asset Management Services, Orange County Transportation Services, Financial and Administrative Services

ATTACHMENT(S):
Project Award Letter
Statement of Work

INFORMATION CONTACT:
Brennan Bouma, 919-245-2626
Theo Letman, 919-245-2007
Paul Laughton, (919) 245-2152

PURPOSE: To:

1) Accept $147,247 in reimbursement from the North Carolina Clean Energy Technology Center (NCCETC) through its "Clean Fuel Advanced Technology (CFAT)" grant program to purchase a solar electric vehicle charging station, and update twelve (12) of the County's original electric vehicle charging stations, and lease the County's first plug-in electric passenger vehicle;
2) Approve Budget Amendment #1-B; and
3) Authorize the County Manager to sign the associated funding agreement and any other necessary documentation for the successful completion of this project pending final review by the County Attorney's Office.

BACKGROUND: On March 29, 2019, Orange County staff responded to a request for proposals from the North Carolina Clean Energy Technology Center (NC CETC) for Clean Fuel Advanced Technology (CFAT) 2019 Round 2 grant funding. This grant program is sponsored by the NC Department of Transportation and funded with federal Congestion Mitigation Air Quality funds.

The primary purpose of the grant is to reduce transportation related emissions in 24 eligible North Carolina counties, and Orange County has been funded through this grant twice previously.

Grant funding will be used to defray the costs of upgrading a 2-year vehicle lease to enable Orange County to acquire its first plug-in electric passenger vehicle. This vehicle will be used within Orange County's CarShare program, maximizing its availability to County staff across all departments.

CFAT grant funds will also allow the County to replace 12 failing, increasingly incompatible, and irreparable EATON electric vehicle charging stations with updated stations from the State Contract. This will reinforce Orange County's promotion of electric vehicles by enabling newer electric vehicles to charge which are blocked by current firmware incompatibilities. It will also restore the reliability of Orange County's public charging network.

Finally, these grant funds will allow Orange County to purchase a standalone solar EV charging station which will allow Orange County Transportation Services to charge the three (3) plug-in hybrid minivans which will form the backbone of the new mobility-on-demand program. This improvement will fully-charge the batteries for those vehicles and enable them to travel a total of 100 miles per day on renewable solar energy without connecting to the grid. It will also be a critical demonstration project as the County implements its commitment to transition to 100% renewable energy by 2050. The grant project period of performance extends through January 2022.

FINANCIAL IMPACT: Orange County will provide 20%, or $36,812 in cost share, for this 2019 CFAT grant project funding award of $147,247. The cost share is contributed toward an overall project total of $184,059. The required 20% matching funds for the grant are available in the Asset Management Services budget. The base costs for the 2-year vehicle lease will come from Orange County Transportation Services vehicle procurement funds. Budget Amendment #1-B provides for the receipt of these grant funds, and establishes the following Grant Project Ordinance:

Electric Vehicle Charging Station Grant - 2019 ($147,247) - Project # 71321

Revenues for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
NCCETC Grant Funds	$0	$147,247	$147,247
Total Project Funding	**$0**	**$147,247**	**$147,247**

Appropriated for this project:

	Current FY 2019-20	FY 2019-20 Amendment	FY 2019-20 Revised
Electric Vehicle Charging Station Grant	$0	$147,247	$147,247
Total Costs	**$0**	**$147,247**	**$147,247**

Project Element	Expense Description	Qty	Per Item Cost	CFAT Grant Funds	Orange Co. Cost Share	Total Cost
Electric Vehicle Lease Upgrade	Difference in monthly lease costs required to upgrade from gasoline to electric *($10,537 for 24 months in base lease costs to be covered separately by Orange County Transportation Services*).	24	$571	$10,967	$2,742	$13,709
EV Charging Station Replacement	EVSE Replacement Swap-out from 1 Port Pedestal to 1 AppCtrl smart Port Pedestal	12	$5,746	$55,162	$13,790	$68,952
	Electrical Infrastructure Parts and Pathways to EV Charging Station	12	$256	$2,458	$614	$3,072
	Engineered Drawings as needed, Consulting, remote system monitoring and reporting, Energy Management/ Environment Systems program management	12	$896	$8,602	$2,150	$10,752
	Tax (7.5%)	1	$6,208	$4,967	$1,242	$6,208
	Shipping	1	$490	$392	$98	$490
Standalone Solar EV Charging Station	EV ARC™ Base Unit	1	$ 57,500	$46,000	$11,500	$57,500
	Transformer ARC Upgrade - required for shipping outside of California. allows the pre-assembled unit to be shipped on the back of a flatbed trailer	1	$ 1,900	$1,520	$380	$1,900
	Envision Charge J-1772 EV charging plug	3	$ 1,789	$4,294	$1,073	$5,367
	40kWh Battery Storage Upgrade	1	$ 10,022	$8,018	$2,004	$10,022
	Bumper Stops (set of 3)	1	$ 365	$292	$73	$365
	Warranty (included in base price)	1	$ -	$0	$0	$0
	Shipping and Handling (ExWorks San Diego, CA)	1	$ 5,722	$4,578	$1,144	$5,722
Project Total				$147,247	$36,812	$184,059
% of project total				80%	20%	

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.

The expansion of the County's electric vehicle fleet supports the growing electric vehicle industry in Orange County and North Carolina which supports jobs and investments in research and development, charging station manufacturing, and electrical contracting. Electric vehicles in Orange County are also able to refuel for less than half of the cost of gasoline, safeguarding taxpayer resources.

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

- **CLEAN OR AVOIDED TRANSPORTATION**
  Implement programs that monitor and improve local and regional air quality by: 1) promoting public transportation options; 2) decreasing dependence on single-occupancy vehicles, and 3) otherwise minimizing the need for travel.
- **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.

Operating an electric vehicle in North Carolina has some of the lowest air quality impacts per mile of any personal or fleet vehicle. Electric vehicles are also the only vehicles that get cleaner over time since they depend on an electric grid that is regulated to be cleaner and to contain more renewable sources each year. Furthermore, supporting the creation of innovative new transit services such as mobility-on-demand creates the additional impact of reducing the dependence on single-occupancy fossil fuel powered vehicles. Improving local transportation-related 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.

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

1) Accept $147,247 in reimbursement from the North Carolina Clean Energy Technology Center (NCCETC) through their “Clean Fuel Advanced Technology (CFAT)” grant program to purchase a solar electric vehicle charging station, and update twelve (12) of the County’s original electric vehicle charging stations, and lease the County’s first plug-in electric passenger vehicle;
2) Approve Budget Amendment #1-B;
3) Authorize the Manager to sign the associated grant funding agreement and any other necessary documentation for the successful completion of this project pending final review by the County Attorney’s Office; and
4) Direct staff to proceed with the project.

NC STATE UNIVERSITY

NC CLEAN ENERGY TECHNOLOGY CENTER

College of Egineering
N.C. Clean Energy Technology Center
Campus Box 7409
Raleigh, NC 27695-7401
919.515.2788 (P)
resapienza@ncsu.edu
www.nccleantech.ncsu.edu

June 10, 2019

Brennan Bouma
Orange County Asset Management Services
P.O. Box 8181
Hillsboro NC 27278

Mr. Bouma:

We are pleased to inform you that the Orange County Asset Management Services CFAT application for the purchase and deployment of one (1) battery solar canopy with integrated electric vehicle charging has been approved. The grant award is for $147,247.00; matching funding required by the Orange County Asset Management Services is $36,812.00.

You will shortly receive a statement of work (SOW), based on your application and modifications that occurred during the application and review process, for review and approval. After approval, it will be submitted to the NCSU Contracts and Grants office to generate a formal contract. This is the time to be sure of project parameters and timing. This award is for reimbursement of a fixed amount. If the costs to complete the project exceed the approved amount, the additional costs will be borne by the Orange County Asset Management Services. However, if the project costs are less than the estimated budget, the amount reimburse ed may not be the full amount. The amount reimbursed will be subject to the 20% minimum cost share requirement.

After the SOW is finalized, we encourage you to issue a press release and take advantage of every opportunity to educate others about your use of alternative fuel(s) and advanced transportation technologies. Along with recognizing the NC Clean Energy Technology Center, please acknowledge the NC Department of Environmental Quality.

Thank you for the Orange County Asset Management Services's interest in improving North Carolina's air quality. We look forward to working with you on successful completion of the project.

Sincerely,

Richard Sapienza
Clean Transportation Program Director
NC Clean Energy Technology Center
NC State University

2019 ROUND 2
Clean Fuel Advanced Technology (CFAT)
Statement of Work

Project Summary:
Orange County is proposing to complete a three-part project including:

1.) Upgrading a vehicle lease to a plug-in hybrid electric vehicle (PHEV) which will be available for use by all Orange County staff through the CarShare program managed by Orange County Asset Management Services, and;
2.) Renewing much of Orange County's public charging network by replacing 12 failing, increasingly incompatible, and irreparable EATON electric vehicle supply equipment (EVSE, sometimes referred to as "charging stations") with 11 updated single-plug EVSE and 1 dual-plug EVSE. This expansion will allow for the County's first plug-in passenger vehicle to charge, and;
3.) Acquiring a standalone solar EVSE that will fully charge 3 PHEV minivans operated by Orange County Public Transportation to serve as ADA-accessible On-Demand Transit vehicles for urban and rural residents. Given that these vehicles will be stationed in a sunny parking lot that is far from an existing grid connection, and given that the County has committed to transitioning to 100% renewable energy-based operation by 2050, this charging station solution is ideal.

Given his familiarity with the CFAT program, as well as his direct management of the County's EVSE network and CarShare program, the Orange County Sustainability Coordinator, Brennan Bouma, will manage this project. Bouma will work with the Orange County Asset Management Services as well as Orange County Public Transportation to provide administrative support, tracking, and reporting on this project throughout the reporting period (see Bouma's resume in Attachment 9).

Plan for Deliverables

Plan for Task #1 Acquisition / Installation of Equipment with Documentation of Work.

The steps to prepare grant-funded equipment and sites for each element of the project are listed below. None of these elements require ground disturbance or concrete cutting:

- **Lease Vehicle PHEV Upgrade:** A 2-year lease of one 2019 Chevy Volt will be procured from an approved vendor per Orange County's Procurement Manual (see Attachment 8). The incremental cost determination detailed in the Budget (Attachment 2) is based on quotes received from Enterprise showing the difference in monthly costs between a 2019 Chevy Volt (106 mpge*) and a comparable 2019 Chevy Cruze (32 mpg*) over a two year lease. The Volt was selected due to its suitability for long-range or short-range travel as well as the fact that its



Figure 1: Orange County CarShare parking sign.

final assembly is in U.S. This leased vehicle will replace a 2001 Chevy Malibu (21 mpg*) which is currently part of the County's CarShare shared vehicle program. The CarShare program is a telematics-enabled distributed vehicle reservation program similar to ZipCar that is open to all Orange County employees with a valid license. Given that most CarShare trips are well within the 53 mile all-electric limit of the 2019 Volt's batteries, the Volt is expected to run on battery power 80% of the time. Once a contract is in place, Orange County will inspect and take delivery of the vehicle, add NC Smart Fleet labelling, and once it is cleared for use it will be delivered to its parking space. In advance of its delivery, the County will mark its reserved parking space with appropriate CarShare program signage (See Figure 3) by mounting to an existing parking deck wall.

* MPG ratings listed here are from fueleconomy.gov

- **Irreparable EVSE Replacement:** A final quote will be developed with a state contract vendor per Orange County's Procurement Manual (see Attachment 8). Once a contract is in place, the vendor will remove irreparable EATON charging stations and pedestals, reconfigure mounting brackets, and install new pedestal-mounted EVSE. Once the new EVSE are commissioned, Orange County will add NC Smart Fleet labelling and they will be placed into service. On average during the last year the usage of the County's 2 networked EVSE was 3,873 kWh. Multiplying this by the 12 EVSE to be replaced though this proposal gives an estimated 46,476 kWh of EV charging. Maintenance and upkeep of these EVSE should be minimal. Their operation will be monitored remotely by the Sustainability Coordinator and repairs will be completed as needed by Asset Management Services, with warranty repairs covered by Clipper Creek.

- **Standalone Solar EVSE:** A due diligence search will be conducted to identify all vendors who can supply standalone solar charging for 3 electric vehicles without requiring ground disturbance or concrete cutting. Then a vendor will be selected either through a bid process or sole source contracting process per Orange County's Procurement Manual (see Attachment 8). Once approved and a contract is in place, the vendor will deliver, assemble, and commission the solar canopy, battery pack and EVSE. This includes sending personnel to offload with a 15,000lb capacity forklift, un-stow the pre-assembled unit and make it operational. Orange County will then add NC Smart Fleet labelling and this standalone solar EVSE will be placed into service. Based on a solar site assessment conducted for this area by Envision Solar, a 4.3kW standalone solar EVSE such as the one specified in their quote (see Attachment 6) could supply up to 5,250 kWh per year. Based on the expected base usage of its 3 charging plugs by the three Orange County Public Transportation vehicles (100 miles per day) as well as the expected usage of the EVSE by visitors to those government facilities, it is reasonable to expect that all of these kWh will be used. Maintenance and upkeep of this equipment will be completed per manufacturer guidelines and as-needed by Asset Management Services, with warranty repairs covered by the manufacturer(s). For the EV ARC™ standalone solar EVSE specified in the quote from Envision Solar (see Attachment 6) the standard maintenance plan calls for Asset Management Services to:
    - Visually inspect structure, enclosure exterior, array, EV charger and charger outlet for damage (Monthly)
    - Rinse and clear debris off solar array and structure (as needed – rain will naturally clean the array)
    - Install recommended local firmware update (6 months or as directed)
    - Grease slew drives (1 – 2 years or as needed) used for solar tracking.

Copies of paid invoices for all costs associated with project will be provided quarterly with quarterly reports and reimbursement requests. Quarterly reports will include a brief description of what was accomplished during acquisition and installation. A final cost share letter will be submitted with final invoice as required.

Plan for Task #2: Usage tracking of project technology/fuel.

The Orange County Sustainability Coordinator will utilize the quarterly tracking form provided by NCCETC to provide details of activities tied to the task of tracking of the EVSE usage and fuel use of the PHEV lease vehicle during the project. For the first 24 months of the project actual usage data will be reported and then usage estimates will be provided for the remaining 12 months.

Specific metrics to be reported as a minimum:

- **Lease Vehicle PHEV Upgrade:**
  Fuel usage and mileage data will be reported based on GoEnergies fuel card data used by all County fleet vehicles.

- **Irreparable EVSE Replacement:**
  Total kWh dispensed and an estimate of electric miles will be reported. Number of charge sessions will be reported as well if this data is collected by the metering installed.

- **Standalone Solar EVSE:**
  Total kWh dispensed and an estimate of electric miles will be reported. Number of charge sessions will be reported as well if this data is collected by the metering installed.

Plan for Task #3: Public Awareness and Education.

Provide detail of activities tied to the task of raising public awareness and educating others during the project. See complete application instructions in Section 5 of RFP.

Orange County will document all public awareness and education activities on quarterly reports submitted to the NC Clean Energy Technology Center, including contact information of the communication and social media staff who were involved and copies of all press releases and promotional material used to showcase project. All press releases will acknowledge funding support through the "NC Clean Energy Technology Center at NC State University with federal Congestion Mitigation Air Quality funding provided from the NC Department of Transportation."
As part of Orange County's public awareness and education work under this grant, signage and decals will be posted on applicable vehicles and equipment and documentation of participation in NC Smart Fleet initiative will be reported in quarterly reports.

This 3-part project is structured to inherently increase public awareness and Orange County will further disseminate information about these projects in the following ways.

- **Lease Vehicle PHEV Upgrade:**
  The Orange County CarShare program is a telematics-enabled distributed vehicle reservation program similar to ZipCar that is open to all Orange County employees with a valid license. The ability for 1,400 Orange County employees to have access to a plug-in electric vehicle over a two-

year period will provide valuable exposure to help normalize electric vehicle technology. The ability of the plug-in hybrid to run on gasoline will increase new user comfort with the vehicle and increase overall utilization and user exposure. The availability of this vehicle will be advertised to County staff, the Orange County Commission for the Environment, Board of Orange County Commissioners and posted on the County's CarShare webpage. It will also be co-promoted as a part of the innovative CarShare program which is helping to right-size Orange County's fleet.

- **Irreparable EVSE Replacement:**
  Replacing non-functioning, unreliable, and incompatible EATON EVSE with well-established, rugged, and up-to-date Clipper Creek EVSE will enable all Orange County EV drivers to use and rely on the Orange County EVSE network. The presence of more EVs actively charging will in itself serve as advertising to increase awareness of the viability and accessibility of electric vehicles. Notification of the upgrade to the EVSE will be posted on PlugShare and will be sent to the Alternative Fuels Data Center so they can update their interactive database and map. The upgraded stations will also be highlighted in the County newsletter which reaches more than 1,200 readers including traditional news media reporting staff. A press release will be created and sent out with the newsletter story in coordination with Orange County Public Relations staff.

- **Standalone Solar EVSE:**
  This partnership between the Orange County Public Transportation and the Sustainability Program to launch a renewable energy-powered mobility-on-demand program will help to increase public awareness and acceptance of electric vehicle technology. As these three clearly-marked PHEV vans drive around Orange County picking up passengers, they will serve as mobile advertising for low-emissions transportation.

  Orange County Public Transportation also has a full time marketing person who is active on social media and hold regular public education events. Orange County will work with the OCPT marketing staff to amplify the inherent visibility of the proposed project through social media outreach and in-person events such as the County's Earth Evening event. The Sustainability Program also regularly interacts with a segment of Orange County who is most interested in environmental conservation and air quality and they would welcome news of this investment in clean air. A press release will be created and sent out along with a County newsletter story in coordination with Orange County Public Relations staff.
  #

Plan for Task #4 Reporting.

Progress reports will be submitted quarterly based on the schedule and templates provided by NCCETC and will cover all deliverables related to this three-part project. This documentation of achieved deliverables and cost-share will accompany all itemized paid invoice reimbursement requests.

A final cost share letter providing a description of cost share funding sources and the stating total cost share contribution will be submitted on Orange County letterhead with the final invoice. A brief final report summarizing the accomplishments of Tasks 1-3 will be compiled and submitted no later than fifteen (15) days following the completion of the project and no later than January 15, 2022.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 8-i

SUBJECT: Approval of FY 2019-20 Forest Service Contract

DEPARTMENT: Environment, Agriculture, Parks and Recreation (DEAPR), Financial Services

ATTACHMENT(S):
FY 2019-20 Contract
2018 Summary of Accomplishments

INFORMATION CONTACT:
David Stancil, 245-2510
Paul Laughton, 245-2152
Christian Hirni, 245-2514

PURPOSE: To approve the annual agreement between Orange County and the North Carolina Forest Service, a division of the North Carolina Department of Agriculture and Consumer Services (DACS), for protection, development, reforestation, management and improvement of forestlands in Orange County.

BACKGROUND: Each year, Orange County and the N.C. Forest Service enter into an agreement under authority of Sections 113-54 and 113-59 of the N.C. General Statutes to provide for the continuation of active protection of Orange County forestlands by the Forest Service. The Forest Service is a component of the Division of Forest Resources within DACS, and includes regional, district and county offices. The District 11 office is located in Orange County on NC 86 south of Hillsborough, headed by District Forester Jennifer Roach. The County office is located in Boone Square Shopping Center in Hillsborough.

The County and District offices of the Forest Service are actively involved with County staff from several departments and participate in many joint activities, both in terms of statutory responsibilities and coordinated public education efforts. Responsibilities of the District and County Forester include:

- Promotion and practice of forest management to develop and improve forestlands, and promote reforestation,
- Protection of water quality,
- Protection of forestlands from insects and diseases,
- Controlling forest fires in the County,
- Detecting and extinguishing fires that break out, and investigating the origin of forest woodland and field fires,
- Enforcement of State forest fire laws,
- Provision of mutual aid in times of emergency, and

- Taking preventative measures, educational and otherwise as necessary, to prevent forest fires.

In addition to their statutory responsibilities, the County and District offices participate in many public education efforts. For example, the County's Lands Legacy Program calls for the conservation of high priority natural areas, prime forests and wildlife habitat. Part of the strategy to address this priority is through public seminars on Sustainable Forest Management and Stewardship, in which the County and District offices participate. Forest Service staff also provided Wildland Fire Suppression training classes to volunteer fire departments. A summary of accomplishments for 2018 by the Forest Service is included as an attachment.

FINANCIAL IMPACT: As is done each year, the anticipated budget for the Forest Service contract is shared with the County prior to budget approval, and amounts budgeted accordingly and approved as part of the County budget in June. The approved FY 2019-20 total Forest Service budget is $147,134, with the County's share of the budget as per the proposed contract at $58,854. These funds were included in the adopted FY 2019-20 County budget.

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

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impact is applicable to this item:

- **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.)

Promoting sustainable forestry practices, and protecting county woodlands from forest fires and other hazards helps mitigate adverse impacts to the natural resources of the County.

RECOMMENDATION(S): The Manager recommends that the Board approve the attached annual agreement between Orange County and the N.C. Forest Service for FY 2019-20, and authorize the Chair to sign the agreement.

North Carolina Department of Agriculture and Consumer Services
N.C. Forest Service

Steven W. Troxler
Commissioner

Scott Bissette
Assistant Commissioner

3314 NC 86 South
Hillsborough, NC 27278
Telephone: (919) 732-8105
July 22, 2019

D-11 FA
Coop Unit
Budget-Orange County

David Stancil
Environment and Resource Conservation
PO Box 8181
Hillsborough, NC 27278

Mr. Stancil:

Attached are five (5) copies of Orange County's agreement with the North Carolina Forest Service for the fiscal year beginning July 1, 2019. Please have the Chairman of the Board of County Commissioners and the County Finance Officer sign ALL five (5) copies of the attached agreements and return **at least 2 (two)** signed copies to the North Carolina Forest Service at the above address.

This year's budget is $147,134; with the State paying $88,280 and the County share being $58,854.

If there are any questions concerning this request, please feel free to contact County Ranger Chris Hirni or myself.

Sincerely,

Jennifer Johnson Roach
District Forester

JJR:pra

cc: Chris Hirni, Orange County Ranger
110 Boone Square, Suite 12
Hillsborough, NC 27278
Phone: (919) 732-8152

STATE OF NORTH CAROLINA

Department of

Agriculture & Consumer Services

$ 147,134
Total Cooperative Appropriation

$ 88,280 60%
State

$ 58,854 40%
County

AGREEMENT FOR THE PROTECTION, DEVELOPMENT AND IMPROVEMENT OF FOREST LAND IN **ORANGE COUNTY**, NORTH CAROLINA

THIS AGREEMENT, made under authority of "An act to authorize Counties to cooperate with State in Forest Protection, Reforestation and promotion of Forest Management," **Article 75 of Chapter 106, G.S. 106-895 through G.S. 106-910, by Session Laws 2011-145, s. 13.25(p), effective July 1, 2011,** and also under authority of the North Carolina Department of Agriculture and Consumer Services (hereinafter Called the Department), party of the first part, and the Board of Commissioners of **ORANGE COUNTY** in the State of North Carolina (hereinafter called the Board), party of the second part, witnesseth:

That WHEREAS the said Board, recognizing the need for active forest protection, development, reforestation, management and improvement in **ORANGE COUNTY**, has accepted the offer of the Department for cooperation in accomplishing this object:

Now THEREFORE, in consideration of the mutual covenants hereinafter set forth, the said parties contract and agree to maintain a legally appointed and equipped Forest Ranger organization in said county at the joint cost of the State and County, insofar as the joint funds will permit, as follows:

Part I. THE DEPARTMENT AGREES:

1. To select, employ and appoint, after consultation with the Board, a County Forester or County Forest Ranger for the purposes of controlling forest fires in said County; for detecting and extinguishing fires that break out; for investigating the origin of forest, woodland and field fires; for enforcing State forest fire laws; for taking such preventative measures, educational and otherwise, as shall seem necessary to prevent forest fires; for developing and improving the forests through reforestation promotion and practice of Forest Management practices; and for protection from insects and diseases.

2. To furnish to each Forester or Forest Ranger so employed a badge of office, stationery and report forms, instructional posters for use in the County, leaflets for distributing to landowners and others; to purchase necessary equipment, communication systems, and other Forestry improvements deemed necessary insofar as the joint funds will permit.

3. To pay the Forester or Forest Ranger for all official services rendered, at a fair rate of pay. Rates of pay are to be established by the Department in accord with existing State salary schedules.

4. To direct supervise, instruct, and inspect, through its agents, the work and conduct of the Forester or Forest Ranger, to discipline and, when necessary, discharge such Forester or Forest Ranger.

5. To submit to the Board of Commissioners monthly (or at other mutually satisfactory intervals) an itemized statement of all monies to be paid by the County and those paid by the Department for proper conduct of the work within said County.

6. To make available annually from State, Federal, and other funds allotted to it, the sum of **EIGHTY-EIGHT THOUSAND, TWO HUNDRED EIGHTY DOLLARS ($88,280)** as its share of an annual budget of **$147,134** for carrying the work in said County.

Part II. THE BOARD AGREES:

1. To pay to the Department **40%** of the total cost of the Forester or Forest Ranger salaries and expenses and of other proper expenditures made in connection with the over-all Forestry program in said County, upon receipt and consequent approval of the periodic statements submitted by the Department.

2. To appropriate annually the sum of **FIFTY-EIGHT THOUSAND, EIGHT HUNDRED FIFTY-FOUR DOLLARS ($58,854)** which sum shall be available for expenditure under the terms of this Agreement and shall represent the County's share of the annual budget.

Part III. IT IS EXPRESSLY AGREED AND UNDERSTOOD BY BOTH PARTIES:

1. That this Agreement becomes effective **July 1, 2019.**

2. That the annual appropriations as set forth above may be revised by mutual agreement between the Department and the Board, based on the amount of annual appropriation desirable for the proper conduct of the Forestry work, such revision to become effective at the beginning of a given Fiscal Year. Any unused balance of County funds remaining at the end of a Fiscal Year shall revert to said County unless otherwise mutually agreed upon by both parties.

3. That the Board reimburses the Department as provided in Part II, Item 1, by forwarding a county voucher drawn in favor of the Department for the amount of the County's share of expenditures as set forth in the Department's periodic statement to the Board. That such payments be made by the Board within thirty days following receipt of the Department's billing.

4. That title to all improvements and equipment purchased and/or constructed in connection with this agreement will rest with the Department; such materials or their equivalent will remain in the County as long as this agreement is in effect, or as long as they are needed by the Department for the proper conduct of the work therein.

5. That the Forester or Forest Ranger periodically or at the request of the Board, shall present to the Board statements of the work being done within the County, so that said Board may be fully informed at the times regarding the Forestry finances and activities within the County.

IN WITNESS WHEREOF, the said parties do hereunto affix their names and seals upon the date herein below specified.

For the Board of County Commissioners of **ORANGE COUNTY**:

Date _____ _____ Chair

Provisions for the payment of the monies to fall due under this Agreement have been made by appropriation duly made or by bonds or notes duly authorized, as required by the "County Fiscal Control Act."

Date _____ _____ County Finance Officer

For the North Carolina Department of Agriculture & Consumer Services:

Date 7-11-2019 _____ Signature

N. David Smith, Chief Deputy Commissioner

NCFS 2018 Summary of Accomplishments in Orange County





Prepared by: Christian Hirni, Orange County Forest Ranger

County Overview for 2018

The following report and attachment detail the staff and accomplishments of the North Carolina Forest Service for Orange County and its citizens. As you can see from the attached data and statistics, the practice and proper management of forestry is still very important to the economy and environment in Orange County.

County N.C.F.S. Resources

Personnel

Position	Name	Years With NCFS
County Ranger	Christian Hirni	9
Assistant County Ranger	Justin Bennett	13
Forest Fire Equipment Operator	David Ward	2

County personnel are supported by 11 District Office employees based in Hillsborough, which are 100% state funded. In addition to this, 450+ employees are available from across the state to assist with incidents and technical advice in Orange County.

N.C.F.S. Vehicles and Heavy Equipment

Year	Model	Miles
2013	Ford F-350 4x4 Initial Attack Engine	62,000
2014	Ford F-350 4x4 Initial Attack Engine	60,000
2011	Ford F-150 Pickup	166,000
2008	Sterling Truck/Tractor & lowboy trailer	39,000
1996	John Deere 650G Crawler Tractor with Plow	1,670 Tach Hours



Forest Resources in Orange County

Land Area in Orange County (total)	**254,720 Acres**
Total Forest Land **(protected by NCFS from fire, insects and disease)**	150,400 Acres
Privately Owned Forest Land **(eligible for management and cost share assistance)**	136,700 Acres

*Here in Orange County the N.C. Forest Service has a unique opportunity to act in a dual role involving traditional forestry and the up and coming field of urban forestry. Included in the statistics below is the number of urban assists and plans conducted by our staff.

Traditional Forest Management

Traditional forestry involves assisting landowners in the management of forest health, timber growth, timber stand improvement, harvesting and reforestation of timber land. Recommendations are made taking into account both the goals of the landowner and sound forest management practices that protect and enhance wildlife and water quality.

Management Plans prepared	31
Management Plans Acres	1,174
Site Preparation Acres	27
Reforestation Acres	137
Total Harvest Acres (including thinning)	483
Timber Stand Improvement Acres	41
Acres under Forestry Best Management Practices	2,439
Active Logging Inspections	64



Forest Stewardship

The Forest Stewardship Program is a cooperative effort involving several agencies and forestry professionals. It is designed to encourage landowners to manage their natural resources to enhance timber, fish and wildlife, water, soils, and aesthetics. **This year we are proud to announce that Orange Water and Sewer Association has been announced as the Forest Stewardship Agency Partner Award for 2018**! Below is a list of Orange County Forest Stewardship Committee members and the agencies with which they are associated. This year **1** comprehensive Forest Stewardship Plan covering **52** acres was written for landowners detailing the total resources on their property and making recommendations on how to best manage them.

Clell Britt, Assistant District Forester, N.C. Forest Service
Kelley Douglass, Wildlife Biologist, N.C. Wildlife Resources Commission



Figure 1: Former District Forester John Howard presents Ruth Rouse the Forest Stewardship Award for the OWASA Buckhorn Tract in southern Orange County

Cost Share Assistance

The N.C. Forest Service offers assistance in forest management through managing cost share assistance in forest practices. The most common practice is of course reforestation by way of planting trees in cutover areas or reforesting old fields. In 2018, The N.C.F.S. main program, the Forest Development Program (F.D.P.) reimbursed landowners in Orange County with a total of **$5,390** of cost share assistance. The average cost of $85.00 per acre of reforestation is offset by the cost share of $35.00 per acre or 40% of the total cost, allowing an additional **146** acres to be planted in Orange County that otherwise may not have been planted. In 2019, an additional **215+** acres have been approved for cost share assistance.

Tree Improvement and Nursery Program

The N.C. Forest Service owns and operates two nurseries that are involved in growing and selling, at a minimum cost, genetically improved and area specific seedlings to be planted by private and public landowners in North Carolina. In 2018, the Orange County office delivered and provided planting advice on an additional **170** assorted conifers and **420** assorted hardwoods for a total of **590** individual trees planted from N.C.F.S. nurseries. This is *in addition to* the **146 acres** of pine reforestation done under traditional forestry practices in 2018. Through the combined efforts of the N.C. Forest Service and our cooperative agencies, a grand total of over **66,200** trees were planted in Orange County in 2018!



Prescribed Burning

The North Carolina Forest Service performs prescribed burning for private and public landowners on a contracted basis as well as assists other local and state agencies with their burning programs. These burns can be prescribed for the reduction of hazardous fine fuels as well as many ecological benefits such as improving wildlife forage and habitat. Currently in Orange County, the N.C.F.S. has been assisting not only private landowners but agencies such as North Carolina State Parks at Occoneechee State Recreation Area. A total of **112** acres were managed with prescribed fire use utilizing the N.C.F.S. in some phase of planning and/or the burn itself.



Urban Forest Management

Urban Forestry involves assisting landowners in the management of the health and quality of their urban forest. This can range from individual shade trees to neighborhood and/or community urban plans. Both the County Ranger and Assistant County Ranger in Orange County are Certified Arborists to better assess urban trees and forests

Shade Tree Assists	65
Urban Plans	18



*Dogwood Anthracnose on a dogwood on the outskirts of Chapel Hill. Many fungal diseases saw an uptick due the unusually wet fall/ winter of 2018/19

Tree City USA

The Tree City USA program is a national program that provides the framework for community forestry management for cities and towns across America. The N.C. Forest Service helps administer the program with the Arbor Day Foundation here in North Carolina. There are currently **3 Tree City USA** towns in Orange County.

City	Years in Program
Town of Carrboro	33

Town of Chapel Hill	19
Town of Hillsborough	15

TREE CITY USA

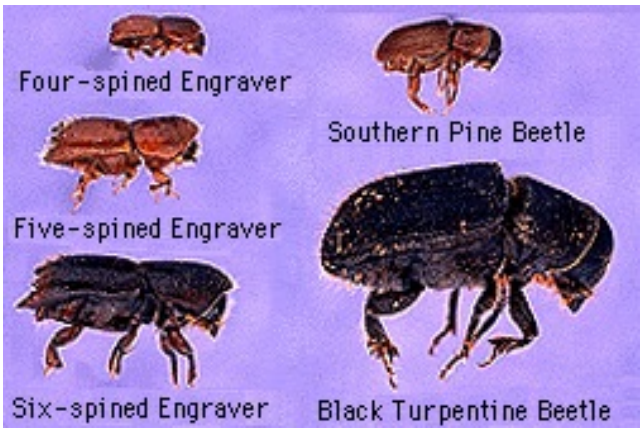
Insect and Disease Control

The North Carolina Forest Service is responsible for monitoring and responding to any report of pest and disease in the forests of our state. This can range from native Southern Pine Beetle outbreaks to monitoring for the Emerald Ash Borer. Emerald Ash Borer, or E.A.B, was discovered in Orange County during the late summer of 2015.

Insect and Disease Activity	3
Insect and Disease Activity Acres	61



*Black Turpentine Beetle found in a drought stressed loblolly pine





* Emerald Ash Borer discovered in Durham, Wake and Orange Counties in 2015.

Fire Control

In 2018, with a busy spring and a very wet fall fire season, the N.C.F.S. in Orange County responded to **35** wildfires burning a total of **22** acres. A total of **12** warning tickets were issued to burning offenders as part of our Fire Prevention Program.



*Orange County Rangers Christian Hirni and Justin Bennet worked expensively with Orange Rural Fire Department on a series of fires along the railroad in Hillsborough this last fire season.



Information and Education

The N.C. Forest Service conducts Fire and Forest Management educational programs for groups of all ages and demographics. These can range from Career Days, Smokey Bear fire prevention programs at a local elementary school or parade, local Envirothon and FFA club training, to landowner workshops to better assist property owners in knowing their available resources.

School Programs	23 (Over 2100 students!!)
Town Parades	3
Other Outreach Programs	17
Safety and Wildfire Programs	10
News Stories (Paper/Radio/T.V.)	3



*Smokey and Ranger Justin at a local elementary school teaching fire prevention!



*Ranger Chris at Orange County Emergency Services Education Day

Fire Department Assistance Program

The N.C. Forest Service offers assistance to all fire departments across the state and in Orange County. Through our F.D.A.P. we are able to provide special assistance in relation to Wildland Fire Suppression courses, a 50/50 matched grant for purchasing wildland fire gear, managing GSA purchasing for discounted fire gear, discounted Class A foam purchasing for fire departments and the DoD/FEPP federal loan and donation programs for the more expensive items such as trucks and high output generators.

In 2018, White Cross Fire Department and Orange Grove Fire Department received a full 40 hour training in Wildland Fire Suppression. The course, known

as S-130/190 and L-180, is a federal certification administered by the North Carolina Forest Service through the National Wildfire Certification Group. In June of 2018, 18 firefighters with the two departments completed the full 40 hours and are now state and nationally certified in Wildland Firefighting.



*Smokey the Bear rides atop the new Chapel Hill Fire Department Fire Vehicle in the Chapel Hill Holiday Parade

The above report is just a brief overview of all the North Carolina Forest Service has been involved with in the past year in Orange County. As you can see forest management in all of its aspects and wildfire control is very active and important in Orange County. The Forest Service is only able to accomplish the above with the assistance of Orange County government and the 40% funding of the cooperative budget.

We would gladly present this report at a regularly scheduled County Commissioners Meeting or discuss it and any of our programs.

Seeing county landowners accomplish their goals of forest management and helping the local agencies manage their programs allows us the chance to succeed not only in our mission but also in our sense of place and appreciation here in

Orange County. We appreciate the support of Orange County in funding the North Carolina Forest Service mission and our continued accomplishments here in Orange County, North Carolina.

Sincerely,

Christian Hirni
Orange County Ranger
North Carolina Forest Service

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 8-j

SUBJECT: Finalization of Property Exchange Between the County and Holloways

DEPARTMENT: County Manager, Asset Management Services (AMS)

ATTACHMENT(S):
1 – Agreement
2 – Recombination Plat
3 – Resolution to Exchange Real Property

INFORMATION CONTACT:
Travis Myren, Deputy County Manager, 919-245-2308
Steve Arndt, AMS Director, 919-245-2658
Alan Dorman, AMS Assistant Director, 919-245-2627

PURPOSE: To:
1) Authorize the County Manager to complete all required documentation and take necessary action to effect a land exchange between the County and the Holloway family related to the development of the County's Northern Campus, subject to final review by the County Attorney; and
2) Approve and authorize the Chair to sign the Resolution to Exchange Real Property.

BACKGROUND: The County purchased three parcels of land in 2018 located on Highway 70 for the development of the Northern Campus. The Northern campus will consist of three new County facilities – the Detention Center, the Environmental and Agriculture Center, and the Parks Operations Base. Soon after the purchase of the parcels, the adjacent property owners, William and Donna Holloway approached the County about a proposal to exchange a portion of their land with the County. After an initial review it was determined that an exchange of land with the Holloways would benefit the County as it would provide better options for siting the three facilities on the property.

The County negotiated an agreement with the Holloways (Attachment 1) that specified the eventual terms of the exchange, including the payment of $7,000 to the Holloways for the re-alignment of a fence along the new property line.

The property to be exchanged is depicted on the re-combination plat (Attachment 2), and shown as tracts A, B, and C. The details of the exchange are as follows:

<u>The County will exchange the following:</u>

Tract A - A 1,827 square foot portion of property (approximate value of $763) located at 1010 US Highway 70, Hillsborough (PIN 9864397758). The property is approximately 2.0 acres prior to the exchange and approximately 3.022 acres after the exchange.

Tract C - A 129,632 square foot portion of property (approximate value of $24,052) located at the 520 Orange Heights Loop, Hillsborough (PIN 9864398253). The property is approximately 8.879 acres prior to the exchange and approximately 5.912 acres after the exchange.

For the following portion of the Holloway Property:

Tract B - A 46,135 square foot portion of property (approximate value of $11,533) located at 1014 US Highway 70, Hillsborough (PIN 9864490515). The property is approximately 6.395 acres before the exchange and approximately 8.354 after the exchange

The closing documents for the exchange were prepared and signed by the Holloways over the summer, and authorization by the Board is needed finalize the exchange.

Public notice of the exchange of the proprieties was advertised in *The Herald Sun* on August 15, 2019.

FINANCIAL IMPACT: The closing costs and other legal fees associated with the land exchange will total approximately $10,000. In addition, $7,000 will be paid by the County to the Holloways for the re-alignment of a fence associated with the land exchange.

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:

1) Authorize the County Manager to complete all required documentation and take necessary action to effect a land exchange between the County and the Holloway family related to the development of the County's Northern Campus, subject to final review by the County Attorney; and
2) Approve and authorize the Chair to sign the Resolution to Exchange Real Property.

Attachment 1

EXCHANGE AGREEMENT

THIS EXCHANGE AGREEMENT (the "Agreement") is made and entered into as of the latest date executed (the "Effective Date") by and between WILLIAM ALLEN HOLLOWAY, and wife, DONNA R. HOLLOWAY (collectively, "Holloway") and ORANGE COUNTY, N.C., ("County").

W I T N E S S E T H:

WHEREAS, Holloway owns certain real property in Orange County containing approximately 6.4 acres having PIN 9864-49-0515 (the "Holloway Lot");

WHEREAS, County owns certain real property in Orange County containing approximately 8.89 acres having PIN 9864-39-8253 ("County Lot");

WHEREAS, Holloway desires to exchange, sell, and convey to County that certain portion of the Holloway Lot labeled "Land Swap Area 1" as generally shown on Exhibit A attached hereto ("Tract 1"); and

WHEREAS, County desires to exchange, sell, and convey to Holloway that certain portion of the County Lot labeled "Land Swap Area 2" as generally shown on Exhibit A attached hereto ("Tract 2"); and

WHEREAS, the County desires to purchase a temporary construction and permanent sewer and utility easements over the Holloway Lot to provide utilities to the County Lot and specifically to facilitate the connection of the County's sanitary sewer line with the existing Gravity Sewer line located on a property adjacent to the Holloway Lot as generally shown on Exhibit A attached hereto (collectively the "Sewer Easement"); and

WHEREAS, immediately following the exchange, Holloway agrees to remove certain fencing and allow the County to install access gates as generally shown on Exhibit A (the "Fence Realignment"); and

WHEREAS, the County agrees to protect certain existing vegetation on the County Lot running along and with the existing driveway located on the Holloway Lot after closing as shown on Exhibit A (the "County Protected Vegetative Area"); and

WHEREAS, Holloway agrees to protect certain existing vegetation located along the southern border of Tract 2 after closing as shown on Exhibit A subject to the right to install fencing within the designated area in the future (the "Holloway Protected Vegetative Area")

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Holloway does hereby contract and agree to sell and convey, and the County does hereby agree to purchase, Tract 1 along with the Sewer Easement, and County does hereby contract and agree to sell and convey, and Holloway does hereby agree to purchase, Tract 2 all upon the terms and conditions hereinafter set forth:

1. Consideration; Closing. Holloway will convey Tract 1 and the Sewer Easement to the County in exchange for the conveyance of Tract 2 by the County to Holloway. As additional consideration hereunder, Holloway agrees to protect vegetation pursuant to the Holloway Protected Vegetative Area in exchange for the County's obligation to protect the County Protected Vegetative Area. Closing shall take place on or before the date (the "Closing Date") that is seven (7) days after the Town of Hillsborough rezones Tract 1 to a designation requested by the County and the time for appealing the rezoning decision has expired. The closing shall take place at the offices of County's counsel, or such other place that is mutually agreeable to the parties. Holloway shall deliver exclusive possession of Tract 1 to County at closing, and County shall

deliver exclusive possession of Tract 2 to Holloway at closing subject to the Sewer Easement and the Holloway Protected Vegetative Area.

2. Holloway Deliveries. Within five (5) days after the Effective Date, Holloway shall deliver to County copies of all information pertaining to the Holloway Lot, including, but not limited to, title information, including a copy of Holloway's owner's policy of title insurance, surveys, environmental reports, inspection reports, zoning information, soil investigations and reports, site and development plans, permits, entitlements, and all other reports pertaining to the Holloway Lot (collectively, "Due Diligence Materials"). Holloway hereby grants County and its agents the right of entry onto the Holloway Lot at any time prior to closing for the purposes of inspecting, surveying, testing or otherwise studying the condition of the Holloway Lot. If County determines, in County's sole discretion, that Tract 1 or the Holloway Lot is unsuitable for any reason whatsoever, then County may terminate this Agreement upon written notice to Holloway on or before closing. In the event this Agreement is terminated for any reason pursuant to this paragraph or any other provision in this Agreement, each party agrees to execute, at request of the other party, an instrument acknowledging and memorializing such termination, and that the parties shall have no further obligations hereunder. In addition, Holloway and Orange County shall cooperate with one another in applying for the rezoning of Tract 1 and Tract 2 prior to Closing as contemplated in Section 6(a) of this Agreement. Specifically, Holloway hereby agrees to execute all rezoning applications and other related permit documents deemed necessary by Orange County prior to Closing related to Tract 1.

3. Closing Documentation & Definition.

(a) At closing, Holloway shall execute and deliver to County the following:

(i) a recombination plat for recording showing: (a) the recombination of Tract 1 with the remainder of the County Lot; (b) the recombination of Tract 2 with the remainder of the Holloway Lot; (c) the location and dimensions of the Sewer Easement; (d) the current and future locations of the Fence Realignment; (e) County Protected Vegetative Area, and (f) Holloway Protected Vegetative Area all of which are intended to generally conform to the drawing shown in the form of Exhibit A attached hereto (the "Recombination Plat"). The parties understand and agree that the final locations and dimensions of Tract 1, Tract 2, Sewer Easement, the Fence Realignment, the Holloway Protected Vegetative Area, and the County Protected Vegetative Area will be determined by the Recombination Plat that generally conforms to the Exhibit A. Holloway hereby agrees that Exhibit A is sufficiently definite to describe the intent of the parties regarding the conveyances agreed upon herein;

(ii) a general warranty deed on the most current North Carolina Bar Association form or its equivalent (the "Warranty Deed") conveying to County fee simple, marketable, indefeasible, and insurable (at regular title insurance rates) title to Tract 1 along with the Sewer Easement, free and clear of all liens, assessments, charges and encumbrances, except for general utility easements and matters shown on recorded plats;

(iii) an affidavit affirming that as of the Closing Date there are no outstanding unsubordinated mortgages, and unsatisfied judgments, tax liens or bankruptcies against or involving the Holloway and that there are no unrecorded interests in the Property of any kind;

(iv) a Non-Foreign Person affidavit;

(v) a 1099 IRS Form containing reporting information; and

(vi) an owners and contractors affidavit on a form sufficient for use by County in obtaining title insurance on the Property free and clear of any mechanics' or materialmen's lien or tenants in possession exceptions;

(vii) a partial release deed executed by Holloway's lender(s) releasing Tract 1 from all existing deeds of trust, if any;

(viii) a settlement statement evidencing the flow of funds necessary to complete the transactions contemplated herein; and

(ix) recordable covenant and agreement running with the land that Holloway, and/or its successors and assigns will not remove existing vegetation and trees from Holloway Protected Vegetative Area except for any necessary pruning and maintenance for so long as the County owns the County Lot.

(b) At closing, County shall execute and deliver to Holloway the following:

(i) a recombination plat for recording showing: (a) the recombination of Tract 1 with the remainder of the County Lot; (b) the recombination of Tract 2 with the remainder of the Holloway Lot; (c) the location and dimensions of the Sewer Easement; (d) the current and future locations of the Fence Realignment; (e) County Protected Vegetative Area, and (f) Holloway Protected Vegetative Area all of which are intended to generally conform to the drawing shown in the form of Exhibit A attached hereto (the "Recombination Plat"). The parties understand and agree that the final locations and dimensions of Tract 1, Tract 2, Sewer Easement, the Fence Realignment, the Holloway Protected Vegetative Area, and the County Protected Vegetative Area will be determined by the Recombination Plat that generally conforms to the Exhibit A. County hereby agrees that Exhibit A is sufficiently definite to describe the intent of the parties regarding the conveyances agreed upon herein;

(ii) a special warranty deed on the most current North Carolina Bar Association form or its equivalent (the "Special Warranty Deed") conveying to Holloway fee simple, marketable, indefeasible, and insurable (at regular title insurance rates) title to Tract 2, free and clear of all liens, assessments, charges and encumbrances, except for existing encumbrances, easements and matters shown on recorded plats;

(iii) a Non-Foreign Person affidavit;

(iv) a 1099 IRS Form containing reporting information; and

(v) a partial release deed from the County's lender(s) releasing Tract 2 from all existing deeds of trust, if any;

(vi) a settlement statement evidencing the flow of funds necessary to complete the transactions contemplated herein; and

(vii) recordable covenant and agreement that County, and/or its successors and assigns will not remove existing vegetation and trees from the County Protected Vegetative Area except for any necessary pruning and maintenance for so long as Holloway owns the Holloway Lot.

4. Closing Costs and Prorations. Holloway shall pay for the revenue stamps on the deed for Tract 1. The revenue stamps for Tract 1 will be based on the per square foot of land value according to the Orange County tax records. County will prepare and pay for the preparation of the Sewer Easement, deeds for Tracts 1 and 2, and for the documentation of the Protected Vegetative Areas. Holloway shall pay for the cost associated with other documents to be delivered by Holloway to County, though no other document is expected by the County for this transaction. Cou nty shall pay for recording the deeds and the Sewer Easements. County shall pay the costs for preparation and recording of the Recombination Plat. Each party shall pay its own attorney fees and any other costs and expenses that it incurs hereunder. All City-County ad valorem taxes on the Tract 1 for the year in which the closing occurs will be based on the per square foot of

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land value according to the Orange County tax records and shall be prorated on a calendar year basis to the date of the closing. Holloway will be responsible for the payment of ad valorem taxes on Tract 2 for the year in which the closing occurs, if any. All deferred taxes, back taxes, penalties and interest, if any, and all confirmed governmental assessments on the Holloway Lot shall be paid by Holloway at closing.

5. Title Examination. County will cause its attorney to examine the title to the Holloway Lot prior to closing and advise Holloway in writing of any objections to said title, and Holloway shall have the right (but not the obligation) for a period of ten (10) days from the date of notice of said objections within which to remedy said objections to the reasonable satisfaction of County and its attorney. In the event said objections are not cured or remedied within said ten (10) day period, the County, at its election, shall have the right to either (a) accept such title subject to the objections, or (b) terminate this Agreement. County will cause a North Carolina licensed surveyor or engineer to prepare a survey of the Holloway Lot and said survey shall be deemed to be a part of County's title examination, and County shall have the same rights as to matters of survey. Notwithstanding anything herein to the contrary, Holloway shall discharge all money liens against the Property at or before closing or provide for the release of Lot 1 from all such liens.

6. Conditions Precedent. The obligations of County under this Agreement are conditioned upon the following:

(a) the rezoning of Tract 1 by the Town of Hillsborough to a zoning designation that permits the County's intended use of Tract 1 along with the rezoning of Tract 2 consistent with the current zoning designation of the remainder of the Holloway Lot;

(b) approval of the Recombination Plat by the Town of Hillsborough and the subsequent recordation thereof;

(c) the final approval of the applicable sewer authority allowing for the connection of a sanitary sewer line running from the County Lot over and across Tract 1 (as shown on Exhibit A) with the existing Gravity Sewer;

(d) the approval and ratification of this Agreement and the transactions contemplated hereby by the Orange County Board of Commissioners;

If any of the foregoing conditions is not satisfied by the Closing Date, then the County shall not have any further obligation hereunder and this Agreement shall terminate upon notice to Holloway from the County.

7. Representations and Warranties by Holloway. Holloway represents and warrants to County that:

(a) Holloway owns the Property in fee simple, free of all monetary liens and judgments except as disclosed to County.

(b) Holloway has all requisite power and authority to execute this Agreement, the closing instruments listed in Section 3 hereof, and any other instruments required to be delivered by Holloway under the terms of this Agreement.

(c) The conveyance of the Property pursuant hereto will not violate any private restriction or agreement or to Holloway's actual knowledge without investigation or inquiry any applicable statute, ordinance, governmental restriction or regulation.

(d) During the term of this Agreement, Holloway shall not have executed or created any contract, option, easement, covenant, condition, restriction, lien or encumbrance with respect to the Holloway Lot or any portion thereof or have made any physical changes to Tract 1.

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(e) There is no action, litigation, pending or threatened condemnation, or other proceeding of any kind pending against the Holloway which relates to or affects the Holloway Lot.

(f) Holloway, on the Closing Date, will have complied with all of its obligations required to be performed by that date, unless such compliance has been waived in writing by County, and all warranties made hereunder shall be true and correct on the Closing Date.

(g) To Holloway's best knowledge, there are no underground storage tanks of any type located on Tracts 1.

(h) To Holloway's best knowledge, no portion of Tract 1 has been used to generate, manufacture, refine, transport, treat, store, handle or contain any hazardous, dangerous or toxic substance, as those terms are defined in all applicable environmental laws, rules, regulations or ordinances of any federal, state or local government or agency, including, without limitation, toxic wastes or asbestos or products made from either, nor to the best of its knowledge, has it ever been used for a purpose that would generate hazardous substances that might have been discharged on or buried in Tract 1.

Holloway hereby agrees that the truthfulness of each of said representations and warranties and of all other representations and warranties herein made is a condition precedent to the performance by County of its obligations hereunder, and all of said representations and warranties shall be deemed to be repeated at closing. In the event any of the conditions precedent to closing in this Agreement have not been satisfied or waived as of a closing date, or upon the breach by Holloway of any representation, warranty, condition or provision hereof, County may, prior to any closing date, terminate this Agreement and exercise any other rights it may have at law or equity.

8. Additional Property. County and Holloway understand that a utility provider may require County to relocate a utility line from the location shown on Exhibit A facilitate the utility connection contemplated herein. Holloway agrees to the relocation of the Sewer Easement across Tract 2 and/or the Holloway Lot if required by the utility provider. There is no plan or intention for the Sewer Easement to cross the current Holloway home site property situated north of Tract 2.

9. Broker's Commission. Each party represents and warrants to the other that it has contracted with no real estate broker with respect to the transaction contemplated by this Agreement. Each party agrees to indemnify and hold the other party harmless from any losses, claims or damages (including reasonable attorneys' fees) incurred because of a breach of the representations in this Section 9.

10. Survival. The terms, covenants, conditions, representations, warranties, and agreements of this Agreement shall survive the closings.

11. Notices. All notice or election required or permitted to be given or served by any party hereto upon any other party shall be deemed given or served in accordance with the provisions of this Agreement, if said notice or election is directed to Holloway by delivering it personally to William Holloway or Donna Holloway or if said notice or election is directed to County, by delivering it personally to Jeff Thompson, or if mailed in a sealed wrapper by United States registered or certified mail, return receipt requested, postage prepaid, or sent by facsimile or overnight delivery service, properly addressed as follows:

if to the County: Orange County
131 West Margaret Lane
Suite 300
Hillsborough, NC 27278
Attn: Jeff Thompson
Email: jethompson@orangecountync.gov

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DRH

if to Holloway: 1014 U.S. 70 WEST
HILLSBOROUGH, NC 27278

Email: BILLYDONNA84@YAHOO.COM

Each such mailed notice or communication shall be deemed to have been given to, or served upon, the party to which addressed on the date the same is deposited in the United States registered or certified mail, return receipt requested, postage prepaid, or for delivery by facsimile or with an overnight delivery service, properly addressed in the manner above provided. Each such delivered notice or communication shall be deemed to have been given to, or served upon the party to whom delivered, upon the delivery thereof in the manner above provided. Any party hereto may change its address for the service of notice hereunder by delivering written notice of said change to the other party hereunder, in the manner above specified ten (10) days prior to the effective date of such change.

In order to expedite the transaction contemplated herein, telecopied or electronic signatures may be used in place of original signatures on this Agreement or on other notices given under this Agreement. The parties agree to be bound by signatures on the telecopied or electronic documents. If telecopied or electronic signatures are delivered, the parties will each forward original counterparts to the other promptly after delivery of the telecopied signatures.

12. Captions. Section headings or captions appearing in this Agreement are for convenience only, are not a part of this Agreement, and are not to be considered in interpreting this Agreement.

13. Entire Agreement, Modification. This Agreement constitutes the entire and complete agreement between the parties hereto and supersedes any prior oral or written agreements between the parties with respect to the purchase, sale, and other terms contemplated by this Agreement. It is expressly agreed that there are no verbal understandings or agreements which in any way change the terms, covenants and conditions herein set forth, and that no modification of this Agreement and no waiver of any of its terms or conditions shall be effective unless made in writing and duly executed by the parties hereto. All parties to this Agreement actively participated in negotiating the terms and conditions hereof and no provision shall be construed either in favor of or against any party by virtue of such party being the drafter of this Agreement.

14. Binding Effect. All covenants, agreements, warranties and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, personal representatives, successors and permitted assigns. Holloway acknowledges and agrees that Coble is a permitted assignee.

15. Controlling Law. This Agreement has been made and entered into under the laws of the State of North Carolina and said laws shall govern the interpretation hereof.

16. Construction of Terms. Where appropriate, any word denoting the singular shall be deemed to denote the plural, and vice versa. Where appropriate, any word denoting or referring to one gender shall be deemed to include the neuter or other gender as appropriate.

17. Remedies. In the event Holloway defaults under the terms hereof, County shall be entitled to any remedies at law or equity, including specific performance of this Agreement or termination of this Agreement. Prior to exercising any remedies, the party seeking to exercise its remedies shall give the other party written notice of default and 30 days in which to cure the default.

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18. Computation of Time. Any time period provided for herein which shall end on a Saturday, Sunday or legal holiday shall extend to 5:00 p.m. Eastern Time of the next full business day. In computing periods of time under this Agreement, the Effective Date shall not be counted.

19. Sewer Easement. The Sewer Easement conveyed to the County by Holloway includes appurtenant easements that expressly permit County, and or its successors and assigns, to cross those portions of the Holloway Lot and Tract 2 that are necessary for County to access, repair and maintain the sewer line and any other utility infrastructure necessary to access, install, service, and maintain utilities that will be located within Tracts 1 and 2. The parties understand and agree that the exact acreage, dimensions, locations, and/or relocations of Tracts 1 and 2.

60TH WB Def 6.26.18

20. Fence Realignment. On or before the ~~630th~~ day following Closing Date, Holloway will remove those certain portions of the fences on Lot 1 and the Holloway Lot as indicated on Exhibit A and the Recombination Plat. The County shall pay Holloway $7,000.00 after closing for Holloway's labor in connection with the Fence Realignment (the "Realignment Fee"). The Realignment Fee fee will be paid after closing within seven (7) business days following the County's confirmation that Holloway has removed the fence on Lot 1 in accordance with the terms of this Agreement. No Realignment Fee shall be due Holloway whatsoever if the fences on Lot 1 are not removed by Holloway within the ~~30~~ 60 days following the Closing Date. County shall have the right to enter Lot 1 and the Holloway Lot and remove the fence and invoice Holloway for the cost of removal if Holloway does not comply with the requirement to remove the fence pursuant to this Section 20. County, at it sole cost and expense, shall have the right to install access gates to any fencing Holloway installs on Lot 1 for access to the Sewer Easement.

6.26.18 WBH NDRH

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the Effective Date.

HOLLOWAY:

William Allen Holloway

Date signed: 6·26·18

Donna R. Holloway

Date signed: 6·26·18

COUNTY:

Orange County, North Carolina

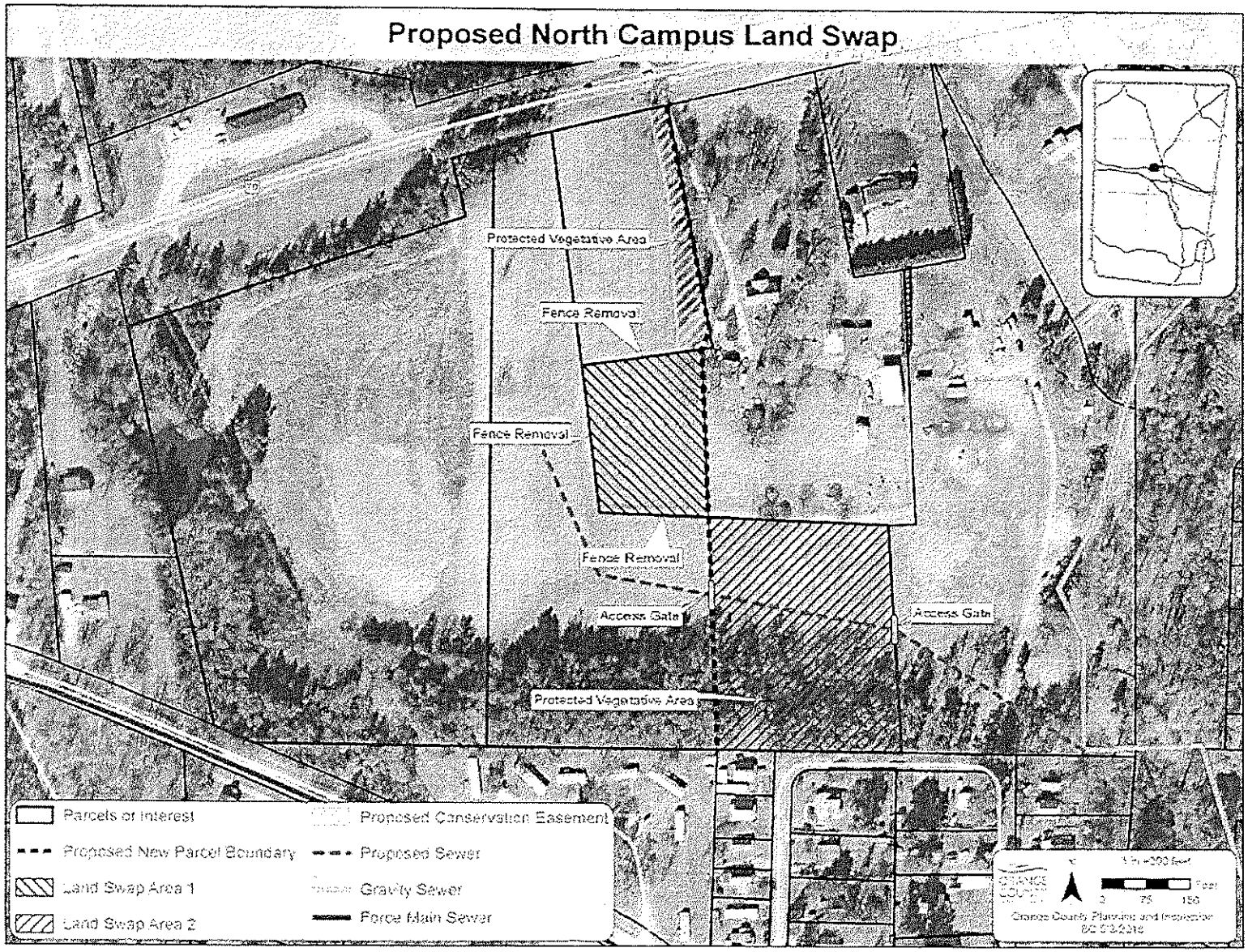
By:

Name: Bonnie B. Hammersley

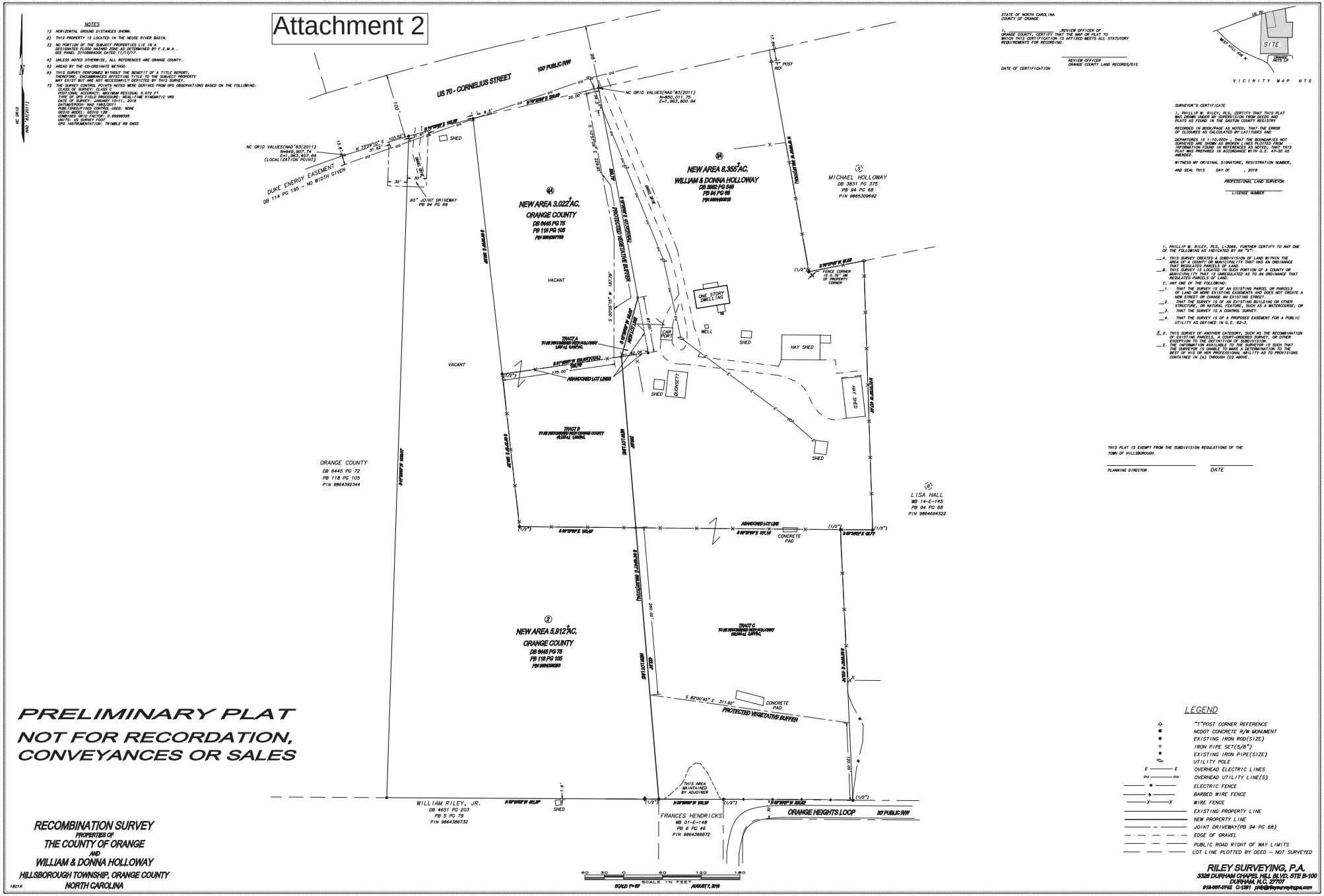
Title: Orange County

Date signed: 7/5/18

EXHIBIT A


Proposed North Campus Land Swap
Protected Vegetative Area
Fence Removal
Fence Removal
Fence Removal
Access Gate
Access Gate
Protected Vegetative Area
Parcels of Interest
Proposed New Parcel Boundary
Land Swap Area 1
Land Swap Area 2
Proposed Conservation Easement
Proposed Sewer
Gravity Sewer
Force Main Sewer
Orange County Planning and Inspection

Attachment 2



PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCES OR SALES

RECOMBINATION SURVEY
PROPERTIES OF
THE COUNTY OF ORANGE
AND
WILLIAM & DONNA HOLLOWAY
HILLSBOROUGH TOWNSHIP, ORANGE COUNTY
NORTH CAROLINA
1801R

RILEY SURVEYING, P.A.
3320 DURHAM CHAPEL HILL BLVD, STE B-100
DURHAM, N.C. 27707
919-697-0742 C-1291 phil@rileysurveying.com

ORANGE COUNTY

NORTH CAROLINA

RESOLUTION TO EXCHANGE REAL PROPERTY

WHEREAS, Orange County is the owner of that certain parcel of land situated adjacent to 1010 US Highway 70 having PIN 9864397758 and an approximate value of $36,400; and

WHEREAS, Orange County is the owner of that certain parcel of land situated adjacent to 520 Orange Heights Loop having PIN 9864398253 and an approximate value of $72,000; and

WHEREAS, William and Donna Holloway are the owner of that certain parcel of land situated at 1014 US Highway 70 having PIN 9864490515 and an approximate value of $70,300; and

WHEREAS, the parties desire to exchange said parcels as follows:
A 1,827 square foot portion (approximate value $763) of the County Parcel situated at 1010 US Highway 70, Hillsborough, NC and having PIN 9864397758 being approximately 1.6 acres prior to the exchange and approximately 3.022 acres after the exchange.

A 129,632 square foot portion (approximate value $24,052) of the County Parcel located at the 520 Orange Heights Loop, Hillsborough, NC and having PIN 9864398253, being approximately 8.879 acres prior to the exchange and approximately 5.912 acres after the exchange.

to be exchanged for

A 46,135 square foot portion (approximate value $11,533) of the William and Donna Holloway property located at 1014 US Highway 70, Hillsborough, NC and having PIN 9864490515, being approximately 6.395 before the exchange and approximately 8.354 after the exchange.

WHEREAS, the exchange is to be an even trade with other consideration being all due diligence and transfer costs and fess pay by Orange County as well as $7,000 paid to the Holloways for the re-alignment of a fence; and,

WHEREAS, the County has properly advertised by Public Notice its intent to exchange said real property, and has complied with all statutory requirements to accomplish the same.

NOW THEREFORE, BE IT RESOLVED, the properties are exchanged as shown above and the Chair is authorized to execute any and all documents and take whatever action is necessary to accomplish the purpose of this Resolution

ADOPTED on this 3rd day of September, 2019.

_____
Penny Rich, Chair

ATTEST:

_____
Donna Baker, Clerk to the Board

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda
Item No. 8-k

SUBJECT: Northern Campus Easement Acquisition

DEPARTMENT: Planning & Inspections Department

ATTACHMENT(S):
1. Easement Sketch

INFORMATION CONTACT:
Craig Benedict, Planning Director, 245-2575
John Roberts, County Attorney, 245-2318
Anne Marie Tosco, Staff Attorney, 245-2320

PURPOSE: To authorize the acquisition/dedication of utility easements to facilitate extension of public sewer to the Northern Campus Project.

BACKGROUND: Orange County authorized the process for the purchase of land for the Northern Campus on April 3, 2018. The site plan for the Northern Campus includes the extension of Hillsborough public sewer along adjacent properties to serve the site from the southeast corner.

Although the County is pursuing easement acquisition through voluntary and compensatory means, specific authority is also needed from the BOCC to obtain easement by condemnation, if necessary.

FINANCIAL IMPACT: Monies are available in the Capital Investment Plan (CIP) budget to accommodate compensation and/or condemnation.

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

- **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: The following Orange County Environmental Responsibility Goal impact is 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.

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

1) Authorize the Manager to acquire easements consistent with the project budget; and
2) Authorize the acquisition of easements by the Manager through an eminent domain action, if the Manager deems such action necessary, after review by the County Attorney.

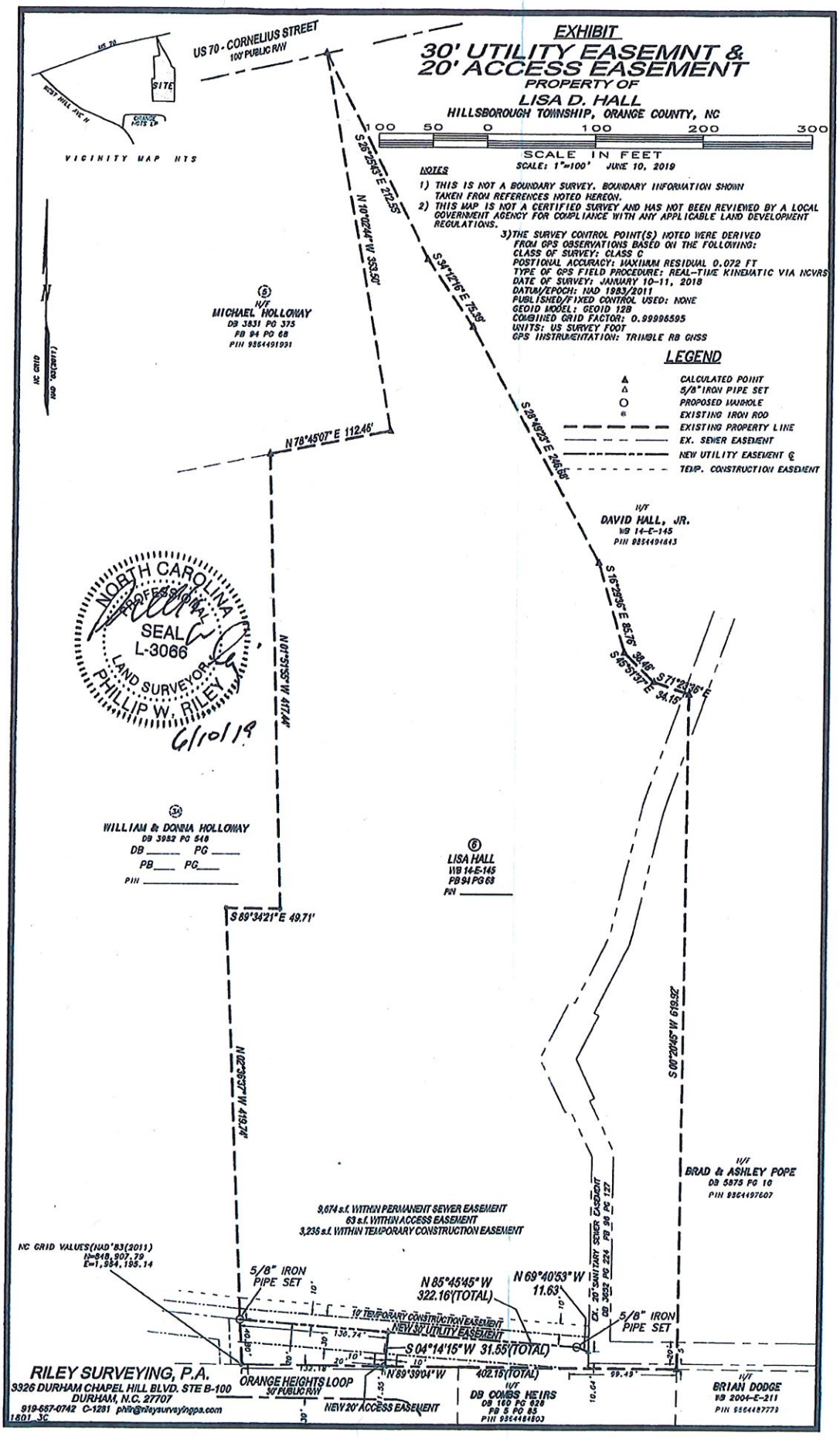


EXHIBIT
30' UTILITY EASEMNT &
20' ACCESS EASEMENT
PROPERTY OF
LISA D. HALL
HILLSBOROUGH TOWNSHIP, ORANGE COUNTY, NC
SCALE IN FEET
SCALE: 1"=100' JUNE 10, 2019
VICINITY MAP NTS
US 70 - CORNELIUS STREET
100' PUBLIC R/W
SITE
NOTES
1) THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION SHOWN TAKEN FROM REFERENCES NOTED HEREON.
2) THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.
3)THE SURVEY CONTROL POINT(S) NOTED WERE DERIVED FROM GPS OBSERVATIONS BASED ON THE FOLLOWING:
CLASS OF SURVEY: CLASS C
POSITIONAL ACCURACY: MAXIMUM RESIDUAL 0.072 FT
TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC VIA NCVRS
DATE OF SURVEY: JANUARY 10-11, 2018
DATUM/EPOCH: NAD 1983/2011
PUBLISHED/FIXED CONTROL USED: NONE
GEOID MODEL: GEOID 12B
COMBINED GRID FACTOR: 0.99996595
UNITS: US SURVEY FOOT
GPS INSTRUMENTATION: TRIMBLE R8 GNSS
LEGEND
CALCULATED POINT
5/8" IRON PIPE SET
PROPOSED MANHOLE
EXISTING IRON ROD
EXISTING PROPERTY LINE
EX. SEWER EASEMENT
NEW UTILITY EASEMENT ℄
TEMP. CONSTRUCTION EASEMENT
MICHAEL HOLLOWAY
DB 3831 PG 375
PB 94 PG 68
PIN 9864491931
DAVID HALL, JR.
WB 14-E-145
PIN 9864491843
WILLIAM & DONNA HOLLOWAY
DB 3952 PG 546
DB ____ PG ____
PB ____ PG ____
PIN ____
LISA HALL
WB 14-E-145
PB 94 PG 68
PIN ____
BRAD & ASHLEY POPE
DB 5875 PG 16
PIN 9864497607
DB COMBS HEIRS
DB 160 PG 826
PB 5 PG 83
PIN 9864484803
BRIAN DODGE
WB 2004-E-211
PIN 9864487773
N 78°45'07" E 112.46'
N 10°02'44" W 353.50'
S 26°25'43" E 212.55'
S 84°12'16" E 75.88'
S 28°49'25" E 246.58'
S 15°29'36" E 85.76'
S 45°51'37" E 34.15'
S 71°23'35" E
N 10°15'55" W 414.14'
S 89°34'21" E 49.71'
N 02°35'37" W 419.24'
S 45°02'00" W 619.32'
9,674 s.f. WITHIN PERMANENT SEWER EASEMENT
63 s.f. WITHIN ACCESS EASEMENT
3,236 s.f. WITHIN TEMPORARY CONSTRUCTION EASEMENT
NC GRID VALUES(NAD'83(2011)
N=848,907.79
E=1,984,195.14
5/8" IRON PIPE SET
N 85°45'45" W 322.16'(TOTAL)
N 69°40'53" W 11.63'
20' SANITARY SEWER EASEMENT DB 3522 PG 224 PB 96 PG 127
5/8" IRON PIPE SET
19' TEMPORARY CONSTRUCTION EASEMENT
NEW 30' UTILITY EASEMENT
S 04°14'15" W 31.55'(TOTAL)
N 89°39'04" W 402.15'(TOTAL)
ORANGE HEIGHTS LOOP
50' PUBLIC R/W
NEW 20' ACCESS EASEMENT
RILEY SURVEYING, P.A.
3326 DURHAM CHAPEL HILL BLVD. STE B-100
DURHAM, N.C. 27707
919-557-0742 C-1281 phil@rileysurveyingpa.com
1801 JC
NORTH CAROLINA
PROFESSIONAL
SEAL
L-3066
LAND SURVEYOR
PHILLIP W. RILEY
6/10/19

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 8-I

SUBJECT: Resolution of Approval – Conservation Easement on Triangle Land Conservancy-McQueen Property

DEPARTMENT: Environment, Agriculture, Parks and Recreation (DEAPR)

ATTACHMENT(S):
1. Resolution of Approval
2. Location Map
3. Site Map
4. Draft Conservation Easement

INFORMATION CONTACT:
David Stancil, 245-2510
Christian Hirni, 245-2514

PURPOSE: To consider a resolution to approve the acceptance by Orange County of a conservation easement for Triangle Land Conservancy's McQueen Property.

BACKGROUND: The acquisition of conservation easements to protect highly important natural and cultural resource lands in Orange County is a longstanding goal of the Board of Commissioners, and is a priority of the Lands Legacy program. Since 2001, the County has partnered with landowners and other entities to protect 2,647 acres of significant natural areas and prime farmland with permanent conservation easements, leveraging over $4 million in outside funding and grants toward these easements.

Triangle Land Conservancy (TLC) contacted the County asking if the County would hold a permanent conservation easement on the approximately 40-acre McQueen Property. TLC obtained a mini grant from the Clean Water Management Trust Fund to cover the transaction fees associated with the property donation to TLC. A condition of the grant is for an outside organization hold a conservation easement on the property.

The property is entirely forested with mature mixed hardwoods. It is bound on the north by approximately 2,300 stream feet of an unnamed tributary of Phil's Creek located in the University Lake Protected Watershed.

The property is approximately one mile upstream of TLC's Shenandoah Conservation easement and two and half miles upstream of University Lake (owned by OWASA). Conservation of this property will protect the drinking water of southern Orange County and protect the wildlife habitat of a multitude of species. TLC plans to hold this property in perpetuity to protect water quality and to provide wildlife habitat.

The planned conservation easement would be held by Orange County. All development rights will be extinguished through the conservation easement. The planned conservation easement area is depicted on the attached site map. A draft deed of conservation easement is also provided.

FINANCIAL IMPACT: TLC would donate the conservation easement to Orange County and TLC would cover all transaction fees. There would be no cost to the County.

The McQueen property is enrolled in the Present Use Value taxation program, so the conservation easement does not lessen the amount of property taxes paid to the County. The decrease in the property's market value caused by the conservation easement (and extinguishing of its development rights) will not lower the property value to a level that is less than the present farm use value.

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

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

- **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 conservation of this land by Triangle Land Conservancy and the conservation easement held by Orange County will protect an area of mixed mature hardwoods, which provide important wildlife habitat, and will protect 2,300 linear feet of a stream that feeds into University Lake, a water supply for OWASA.

RECOMMENDATION(S): The Manager recommends the Board adopt and authorize the Chair to sign the resolution approving the acceptance by Orange County of the conservation easement, and authorize the Chair and the Clerk to sign the conservation easement agreement, subject to final review by staff and County Attorney, with a closing and recordation of the document expected to occur on or about December 31, 2019.

ORANGE COUNTY BOARD OF COMMISSIONERS

RESOLUTION

Approval of Conservation Easement
between
Orange County
and
Triangle Land Conservancy

WHEREAS, Orange County has adopted goals that promote the preservation of natural areas, wildlife habitat, prime farmland, and open space in the County; and

WHEREAS, Orange County established the Lands Legacy Program for the purpose of protecting the most significant natural and cultural resources through partnerships with landowners and other conservation entities; and

WHEREAS, one component of the Lands Legacy Program is the acquisition of conservation easements on riparian buffers within water supply watersheds; and

WHEREAS, the Triangle Land Conservancy – McQueen property includes approximately 40 acres in the University Lake protected watershed that includes 2,300 linear feet of a stream that drain to Phil's Creek and to University Lake—a drinking water supply reservoir for the towns of Chapel Hill and Carrboro; and

WHEREAS, Triangle Land Conservancy, the owners of the McQueen property, wish to grant a permanent conservation easement to Orange County, which will protect the forested riparian corridors on the property; and

WHEREAS, a conservation easement on this approximately 40 acres would ensure the preservation of this forested property and stream buffers for future generations;

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Commissioners does hereby 1) accept on behalf of Orange County the conservation easement for land owned by Triangle Land Conservancy; 2) approve the execution of this conservation easement agreement with Triangle Land Conservancy, in accordance with the terms of the proposed easement agreement, subject to final review by staff and the County Attorney; 3) authorize the Chair and the Clerk to sign the easement agreement on behalf of the Board, with a closing to occur on or about December 31, 2019; and 4) authorize County staff to sign any and all closing documents upon consultation with the County Attorney.

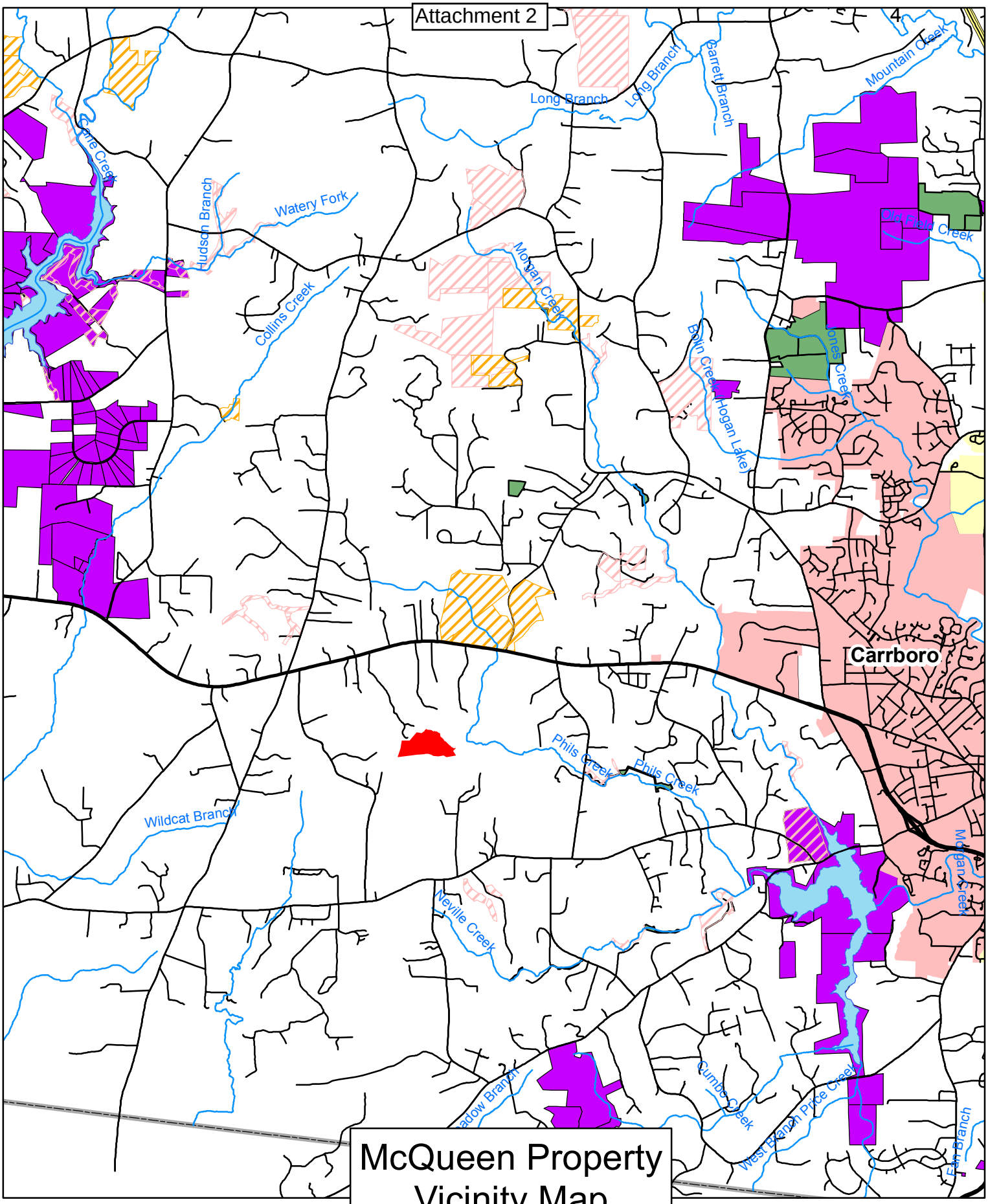
BE IT FURTHER RESOLVED that the Board thanks Triangle Land Conservancy for their civic-minded granting of this conservation easement through the Lands Legacy Program.

This the 3rd day of September, 2019.

_____
Penny Rich, Chair
Orange County Board of Commissioners

_____
Donna Baker, Clerk to the Board

Attachment 2



McQueen Property Vicinity Map

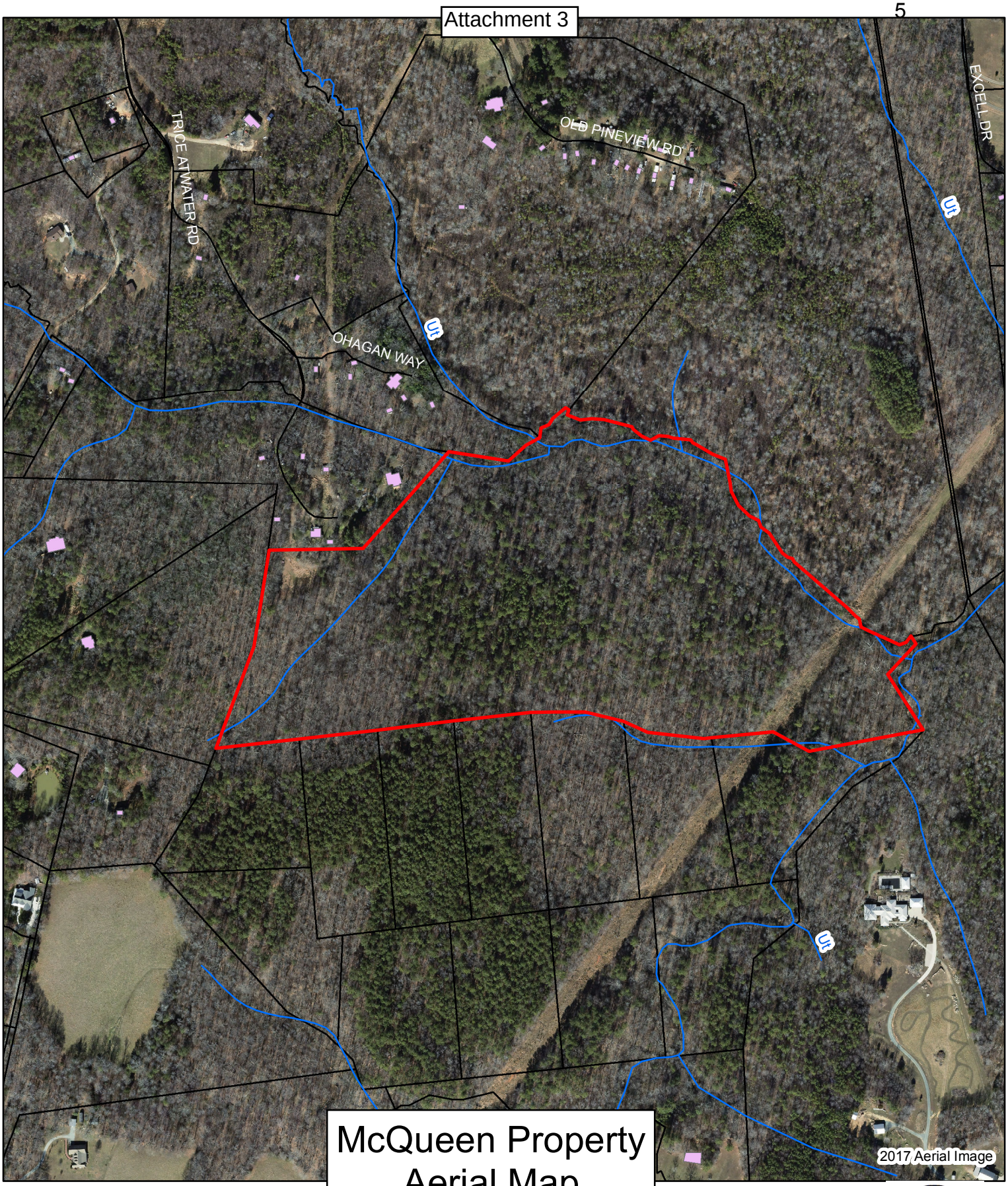
- McQueen Property
- Conservation Easements Held By County
- Conservation Easements Held By Others
- Reserviors
- County Parks and Open Space
- Non County Parks And Open Space
- Major Streams
- Streets

N

Date: 10/2/2018

1 inch = 5,280 feet

Attachment 3



McQueen Property Aerial Map

McQueen Property
Building Footprints
Parcels
Lakes And Ponds
Streets
Streams

N

1 inch = 448 feet

DEAPR
Date: 10/2/2018

CONSERVATION EASEMENT
McQueen Property

Prepared by: Orange County and Clean Water Management Trust Fund

After Recording Return to: Christian Hirni, DEAPR
Box 8181, Hillsborough, NC 27278

NORTH CAROLINA ORANGE COUNTY
Tax Parcel No. 9758376969 CWMTF No. _____

THIS DEED OF CONSERVATION EASEMENT ("**Conservation Easement**") is made, given, granted, and executed on this the ___ day of MONTH YEAR by and between TRIANGLE LAND CONSERVANCY, a nonprofit corporation organized and existing under the laws of the State of North Carolina ("**Grantor**"), its address being: 514 Duke Street, Durham, NC 27701, and ORANGE COUNTY, a local government of the State of North Carolina ("**Grantee**"), its address being: P.O. Box 8181, Hillsborough, NC 27278. Grantor and Grantee may hereinafter be referred to collectively as the "**Parties**."

RECITALS & CONSERVATION PURPOSES

A. Grantor owns in fee simple absolute certain real property lying and being in Bingham Township, Orange County, North Carolina, which consists of [approximately 40] acres, and which is more particularly described in "**Exhibit A**" which is attached hereto and incorporated herein by reference as if fully set forth herein (the "**Property**").

B. Grantor is a non-profit organization whose primary purpose is the conservation, preservation, or restoration of North Carolina's cultural, environmental, or natural resources.

C. The State has enacted the Conservation and Historic Preservation Agreements Act, Chapter 121, Article 4 of the North Carolina General Statutes ("**N.C.G.S.**"), which provides for the enforceability of restrictions, easements, covenants, and conditions "appropriate to retaining land or water areas predominantly in their natural, scenic or open condition . . . ."

D. The Clean Water Management Trust Fund is authorized by N.C.G.S. Chapter 143B, Article 2, Part 41 to acquire land and interests in land on behalf of the State:

- for riparian buffers for the purposes of providing environmental protection for surface waters and urban drinking water supplies and establishing a network of riparian greenways for environmental, educational, and recreational uses,

- for the purpose of protecting and conserving surface waters and enhancing drinking water supplies, including the development of water supply reservoirs,

- to provide buffers around military bases to protect the military mission,

- that represent the ecological diversity of North Carolina, including natural features such as riverine, montane, coastal, and geologic systems and other natural areas to ensure their preservation and conservation for recreational, scientific, educational, cultural, and aesthetic purposes, and

- that contribute to the development of a balanced State program of historic properties.

E. Grantor and Grantee have agreed that the entire Property shall be subject to this Conservation Easement. As aforementioned, the Property is more particularly described in **Exhibit A**.

The Property has the following conservation values and serves the following conservation purposes:

- to preserve, enhance, restore, and maintain the natural features and resources of the riparian buffer, to control runoff of sediment, and to improve and maintain the water quality, of portions of a tributary of Phil's Creek, which is located approximately 2 miles upstream of University Lake,

- to protect and preserve the ecological diversity including natural features such as an intact upland hardwood community for recreational, scientific, educational, cultural, and aesthetic purposes,

Moreover, Grantor and Grantee recognize that the Property has other conservation values and purposes, including fish and wildlife conservation, open space values, and scenic values (hereinafter, collectively with the conservation values described in this **Section E** of the Recitals and the conservation purposes of this Conservation Easement, the "**Conservation Values**").

F. Grantor has received a grant from the Clean Water Management Trust Fund

("Fund") in accordance with Grant Contract No. 2018D-003 between Grantor and the Fund on March 27, 2019 (the "**Grant Contract**"). In the Grant Contract, Grantor agreed to enter into this Conservation Easement. The terms and conditions of the Grant Contract are incorporated herein by reference as if fully set forth herein. The Grant Contract is on file and available for public inspection in the offices of the Grantor, the Grantee and the Fund. The Grant Contract and this Conservation Easement are collectively referred to herein as the "**Project**."

G. Grantor and Grantee acknowledge that the Property is currently unencumbered except as permitted in Article V of this Conservation Easement. The Property's characteristics, its current use, and its state of improvement are described in a Baseline Documentation Report (the "**BDR**"), which is incorporated into the Grant Contract and is on file and available for public inspection in the offices of Grantor, Grantee and the Fund. The Parties acknowledge that the BDR is the appropriate basis for monitoring compliance with the objectives of preserving the Conservation Values and that it is not intended to preclude the use of other evidence (e.g. surveys, appraisals) to establish the condition of the Property at the time of the execution of this Conservation Easement if there is a controversy over such condition.

NOW, THEREFORE, in consideration of the premises and the mutual benefits recited herein, together with other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, the Grantor hereby unconditionally and irrevocably gives, grants, and conveys forever and in perpetuity to the Grantee, its successors and assigns, and the Grantee hereby accepts, this Conservation Easement of the nature and character and to the extent hereinafter set forth in, on, over, through, and across the Property, together with the right and easement to preserve and protect the Conservation Values.

The purpose of this Conservation Easement is to protect and preserve the Conservation Values as outlined above in **Section E** of the Recitals including the Conservations Purpose(s) and it shall be so held, maintained, and used therefore. Grantor hereby conveys to Grantee all development rights that are now or hereafter allocated to, or are implied or inherent in, the Property, and the Parties agree that such rights are terminated and extinguished, and may not be used on or transmitted to any other property. It is the further purpose of this Conservation Easement to prevent any use of the Property that will impair or interfere with the preservation of said Conservation Values. Grantor intends that this Conservation Easement will restrict the use of the Property to such activities as are consistent with the Conservation Values.

[INSERT ANY RECORDED EASEMENTS THE PARTIES ARE RELYING ON FOR ACCESS INTO ITEM 2 IMMEDIATELY BELOW.]

FURTHER, for the purpose of providing uninterrupted access to the Property, Grantor grants and conveys unto Grantee, its successors and assigns, a perpetual right of ingress, egress, and regress to and from the Property (1) in that certain _____ foot wide right-of-way shown on the Plat identified in **Exhibit A** as providing access to the Property from _____, (2) in any other right-of-way appurtenant to the Property, and (3) across any other lands owned by Grantor.

ARTICLE I. DURATION OF EASEMENT

This Conservation Easement shall be perpetual. It is an easement in gross, runs with the land, and is enforceable by Grantee against Grantor, its representatives, successors, assigns, lessees, agents, and licensees.

ARTICLE II. RIGHTS RESERVED TO GRANTOR

Grantor reserves certain rights accruing from the fee simple ownership of the Property, including the right to engage in or permit others to engage in the uses of the Property that are not inconsistent with this Conservation Easement or the Conservation Values. All rights reserved by the Grantor, are reserved for Grantor and its successors and assigns, and are considered to be consistent with this Conservation Easement and the Conservation Values. Grantor shall continue to own and may use the Property in any lawful manner that is consistent with this Conservation Easement and the Conservation Values. The Parties acknowledge and agree that they have no right to agree to any activity that would result in the termination of this Conservation Easement.

The Property shall be restricted from any development or usage that would impair or interfere with the Conservation Values including the purposes of this Conservation Easement. The following uses are reserved as indicated:

A. Passive Recreational Use. Grantor reserves the right to engage in and to permit others to engage in passive recreational uses of the Property requiring minimal surface alteration of the land, so long as related alterations, construction, improvements, maintenance, activities, and uses pose no threat to the Conservation Values. By way of illustration, such passive recreational uses may include non-commercial hunting, non-commercial fishing, hiking, walking, scientific study, animal/plant observation, nature and environmental education, historic tours, photography, and any other purposes consistent with these accepted uses and the maintenance of the Conservation Values, subject to all applicable federal, state, and local laws and regulations. All improvements shall be subject to the terms and conditions set forth herein and by the Grant Contract. Usage of motorized vehicles on the Property is prohibited, except as they are used on allowed roads, trails, or paths, exclusively for management, maintenance, or stewardship purposes.

B. Public Use and Access. Grantor reserves the right to allow public access and use of the Property for the purpose of creating open space with associated passive recreational activities as provided for herein.

C. Existing Roads and Trails. Grantor reserves the right to maintain existing unpaved roads and trails on the Property. These roads and trails shall not be paved or covered with asphalt, but gravel and permanent vegetation may be used to stabilize them. Associated ditches, culverts, and bridges may be maintained and replaced as necessary as maintenance of the road or trail. All necessary care shall be taken to maintain existing roads and trails in a manner so as not to impair any Conservation Values. Existing roads shall not be realigned without the prior written consent of the Fund.

D. Greenway Trails. Subject to the Fund's prior written approval, Grantor reserves the right to construct paved greenway trails on the Property for the purpose of recreation. All paved greenway trails must be located a minimum distance of 30 feet from the top of bank of surface waters, unless such locations are physically impracticable, and must be located so as not to impair the Conservation Values. When required by the terrain, paved greenway trails may include boardwalks, ramps, and handrails to the extent necessary. The Grantor may also construct and maintain park benches, litter receptacles, and trail/feature signs along paved greenway trails. All necessary care shall be taken to construct and maintain such features and paved greenway trails in a manner so as not to impair any Conservation Values either during or after construction. The Fund reserves the right to close any paved greenway trails that are considered detrimental to the Conservation Values. All realignments of greenway trails shall be treated the same as new greenway trails and require the prior written approval of the Fund.

E. Natural Surface Trails. Grantor reserves the right to construct natural surface trails on the Property for the purpose of hiking and non-motorized bicycling. All natural surface trails must be located a minimum distance of 30 feet from the top of the bank of all surface water, unless such locations are physically impracticable, and must be located so as not to impair the Conservation Values. All trail construction involving soil disturbance must follow best practices for sustainable trail design and construction and must have prior written approval by the Fund. Private trails for personal use by the landowner and a small number of guests that will not have more than a de minimis impact on the land, water quality, or environment are excepted from the requirements of the immediately preceding sentence. When required by the terrain, natural surface trails may include boardwalks, ramps, and handrails to the extent necessary. The Grantor may also construct and maintain park benches, litter receptacles, and trail/feature signs along natural surface trails. All necessary care shall be taken to construct and maintain such features and natural surface trails in a manner so as not to impair any Conservation Values either during or after construction. The Fund reserves the right to close any natural surface trails that are considered detrimental to conservation values. All realignments of natural surface trails are subject to the requirements of this Section.

H. Vegetation Management. Grantor reserves the right to manage vegetation for the following activities: (1) boundary marking, fencing, and signage, (2) selective cutting, prescribed burning, and the application of herbicides and pesticides for fire containment, insect and disease control, restoration of hydrology, wetlands enhancement, and/or control of invasive exotic plants, and (3) removal of damaged trees and debris caused by storms, fire, or other casualty, which pose a threat to life or property.

J. Native Community Restoration, Management, and Maintenance. Grantor reserves the right to perform all activities necessary to restore, manage, and/or maintain the native plant and animal communities on the Property. All necessary care shall be taken to protect all Conservation Values, and restoration, management, and maintenance activities shall be carried out in a manner so as not to impair any Conservation Values either during or after the activities.

K. Hunting and Fishing. Grantor reserves the right to hunt and fish in accordance

with all federal, state, and local rules and regulations.

ARTICLE III. PROHIBITED AND RESTRICTED ACTIVITIES

Any activity on, or use of, the Property that is inconsistent with this Conservation Easement or the Conservation Values is prohibited. The Property shall be maintained in its natural, scenic, wooded, and open condition and restricted from any development or use that would impair or interfere with this Conservation Easement or the Conservation Values.

Without limiting the generality of the immediately foregoing Paragraph, the following activities and uses are expressly prohibited or restricted on the Property as stated, except to the extent of rights specifically reserved to Grantor in **Article II**. When an activity or use is prohibited or restricted in, within, on, or of the Property, the activity or use is prohibited or restricted in, on, over, under, through, above, and across the Property.

A. Industrial and Commercial Use. Industrial and commercial activities are prohibited on the Property.

B. Agricultural, Grazing and Horticultural Use. Agriculture, grazing, horticultural and animal husbandry operations and any rights of passage for such purposes are prohibited on the Property.

C. Disturbance of Natural Features, Plants, and Animals. There shall be no cutting or removal of trees and no disturbance of other natural features on the Property except as permitted in **Article II**.

D. Construction of Buildings. There shall be no constructing or placing of any building, mobile home, asphalt or concrete pavement, billboard or other advertising display, antenna, utility pole, tower, conduit, line, pier, landing, dock, or any other temporary or permanent structure or facility on the Property.

E. Signs. Signs are not permitted on the Property except for the following signs: no trespassing signs, local, state, or federal traffic or similar information signs, for sale or lease signs, signs identifying the Conservation Values of the Easement, signs identifying the Grantor as owner of the Property, signs identifying the Grantee as holder of the Conservation Easement, educational signs, and interpretative signs.

F. Mineral Use, Excavation, Dredging. There shall be no filling, excavation, dredging, mining, or drilling on the Property. There shall be no removal of topsoil, sand, gravel, rock, peat, minerals, hydrocarbons, or other materials from the Property. There shall be no change in the topography of the Property in any manner except as necessary to combat erosion or incidental to conservation management activities permitted on the Property.

G. Wetlands and Water Quality. There shall be no pollution or alteration of surface waters on the Property. There shall be no construction or other activities that would be detrimental to water quality or that would alter the natural water levels, drainage, sedimentation,

or water flow in, on, or over the Property or into any surface waters. There shall be no construction or other activities that would cause soil degradation or erosion. There shall be no diking, dredging, alteration, draining, filling, or removal of wetlands, except as a necessary part of restoring natural hydrology, enhancing wetlands, or improving water quality, as permitted by state and any other appropriate authorities, and then only after written approval is granted by the Fund for such activities.

H. Dumping. Dumping of soil, trash, ashes, garbage, waste, abandoned vehicles, appliances, machinery, or other materials on the Property is prohibited.

I. Conveyance and Subdivision. The Property shall not be divided, subdivided, or partitioned. Interests in the Property, including, but not limited to the fee simple interest, shall not be divided, subdivided, or partitioned. Without limiting the foregoing, the Property shall not be conveyed except in its current configuration as a single parcel of property.

J. Open Space and Development Rights. The Property shall not be used to satisfy open space or density requirements of any cluster or other development scheme or plan. The development rights encumbered by this Conservation Easement shall not be transferred to any other land pursuant to a transfer of development rights scheme, a cluster development arrangement, or otherwise.

K. Mitigation. There shall be no use of the Property or any portion thereof to satisfy compensatory mitigation requirements under 33 USC Section 1344, NCGS §143-214.11, or otherwise, or any successor or replacement provision of the foregoing.

ARTICLE IV. ENFORCEMENT AND REMEDIES

A. Enforcement and Remedies. To accomplish the purpose(s) of this Conservation Easement, Grantee is allowed to prevent any activity on or use of the Property that is inconsistent with the purpose(s) of this Conservation Easement, and to require the prompt restoration to the condition required by this Conservation Easement of such areas or features of the Property that may have been damaged by such activity or use. Upon any breach of the terms of this Conservation Easement by Grantor that comes to the attention of the Grantee, the Grantee shall, except as provided below, notify the Grantor in writing of such breach. The Grantor shall have ninety (90) days after receipt of such notice to correct the conditions constituting such breach. If the breach remains uncured after ninety (90) days, the Grantee may enforce this Conservation Easement by appropriate legal proceedings for damages, injunctive relief, and any other legal or equitable remedy. The Grantee shall also have the power and authority, consistent with its statutory authority: (a) to prevent any impairment of the Property by acts which may be unlawful or in violation of this Conservation Easement; (b) to otherwise preserve or protect its interest in the Property; or (c) to seek damages from any appropriate person or entity. Notwithstanding the foregoing, the Grantee reserves the immediate right, without notice, to obtain a temporary restraining order, injunction, or other appropriate relief if the breach of the term of this Conservation Easement is or would irreversibly or otherwise materially impair the benefits to be derived from this Conservation Easement. The Grantor and Grantee acknowledge that under

such circumstances damage to the Grantee would be irreparable and remedies at law will be inadequate. The rights and remedies of the Grantee provided hereunder shall be in addition to, and not in lieu of, all other rights and remedies available to Grantee in connection with this Conservation Easement, including, without limitation, those set forth in the Grant Contract under which this Conservation Easement was obtained.

B. Access for Inspection and Right of Entry. Grantee shall have the right, by and through their agents and employees, to enter the Property to inspect the Property for compliance with this Conservation Easement at all reasonable times and with prior notice and, if necessary, cross other lands retained by the Grantor for the purposes of (1) inspecting the Property to determine if the Grantor is complying with the covenants and purpose(s) of this Conservation Easement; (2) enforcing the terms of this Conservation Easement; (3) taking any and all actions with respect to the Property as may be necessary or appropriate with or without order of the Court, to remedy or abate violations hereof; and (4) making scientific and educational observations and studies and taking samples in such a manner as will not disturb the quiet enjoyment of the Property by the Grantor.

C. Termination and Proceeds of Property Rights Created. This Conservation Easement gives rise to a property right that is immediately vested in the Grantee at the time of recordation, with a fair market value that is equal to the proportionate value that the Conservation Easement bears to the value of the Property as a whole on the date of the recording of this Conservation Easement. This proportionate value shall remain constant.

1. Eminent Domain. Whenever all or part of the Property is taken, or threatened to be taken, by exercise of eminent domain by public, corporate, or other authority, or by negotiated sale in lieu of condemnation, so as to abrogate any restriction imposed by this Conservation Easement, the Grantor shall immediately give notice to Grantee and the Fund, and shall take all appropriate actions related to such taking or negotiated sale in coordination with and with the consent of the Grantee and the Fund, to recover the full value of the taking and all incidental or direct damages resulting from the taking. The Grantee, its successors and assigns, shall be entitled to a portion of the proceeds of such sale, exchange, involuntary conversion of the Property, or any damage award with respect to any judicial proceeding according to Grantee's proportional interest in the value of the Property as determined under Treasury Regulations §1.170A-14(g)(6)(ii) or any successor regulation. "**Proceeds of Sale**" shall mean the cash value of all money and property paid, transferred, or contributed in consideration for, or as otherwise required as a condition to the sale, exchange or involuntary conversion of the Property, or any damages otherwise awarded as a result of judicial proceeding, *minus* the Grantor's expenses from such transaction or proceeding. As allowed by NCGS §146-30(a), Grantee shall use its share of the Proceeds of Sale in a manner consistent with the purpose(s) of the Conservation Easement as set forth herein. Notwithstanding the foregoing, all Proceeds of Sale shall be distributed among the Parties according to each Party's respective contribution to the purchase price of the Property and this Conservation Easement. For the purposes of determining any distribution of proceeds pursuant to this section, Grantor's proportionate contribution to the purchase price shall be deemed to be 100%, and Grantee's proportionate contribution to the purchase price

shall be deemed to be 0%.

2. Changed Conditions. If a subsequent, unexpected change in conditions surrounding the Property makes impossible or impractical the continued use of the Property for the purpose(s) of this Conservation Easement as set forth herein, and the Conservation Easement is extinguished by judicial proceeding, the Grantee, its successor and assigns, shall be entitled to a portion of the proceeds of any sale, exchange, involuntary conversion of the Property, or any damage award with respect to any judicial proceeding according to Grantee's proportional interest in the value of the Property as determined under Treasury Regulations §1.170A-14(g)(6)(ii) or any successor regulation. "**Proceeds of Sale**" shall mean the cash value of all money and property paid, transferred, or contributed in consideration for or as otherwise required as a condition to the sale, exchange or involuntary conversion of the Property, or any damages otherwise awarded as a result of judicial proceeding, *minus* the Grantor's expenses from such transaction or proceeding. As allowed by NCGS §146-30(a), Grantee shall use its share of the Proceeds of Sale in a manner consistent with the purpose(s) of the Conservation Easement as set forth herein. Notwithstanding the foregoing, all Proceeds of Sale shall be distributed among the Parties according to each Party's respective contribution to the purchase price of the Property and this Conservation Easement. For the purposes of determining any distribution of proceeds pursuant to this section, Grantor's proportionate contribution to the purchase price shall be deemed to be 100%, and Grantee's proportionate contribution to the purchase price shall be deemed to be 0%.

D. Acts Beyond Grantor's Control. Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury or change in the Property resulting from the acts of third parties not authorized by Grantor, or from causes beyond the Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken in good faith by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to life, property damage or harm to the Property resulting from such causes.

E. Costs of Enforcement. Any costs incurred by Grantee or the State of North Carolina in enforcing the terms of this Conservation Easement against Grantor, including, without limitation, any costs of restoration necessitated by Grantor's acts or omissions in violation of the terms of this Conservation Easement, shall be borne by Grantor.

F. No Waiver and Third Party Enforcement. Enforcement of this Conservation Easement shall be at the discretion of the Grantee and any forbearance by Grantee to exercise its rights hereunder in the event of any breach of any term set forth herein shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or of any other term of this Conservation Easement or of Grantee's rights. No delay or omission by Grantee in exercise of any right or remedy shall impair such right or remedy or be construed as a waiver. In the event Grantee determines there is a breach of this Conservation Easement, Grantor fails to cure said breach as provided herein, and Grantee thereafter exercises its discretion and forbears taking action to enforce this Conservation Easement the State of North Carolina shall have a third party right of enforcement and may, upon a determination that the

conservation values of the Property have been impaired by Grantor's breach, assume the enforcement rights of Grantee pursuant to Sections A, B, and E of this Article and take appropriate action to enforce the terms of this Conservation Easement.

ARTICLE V. TITLE

The Grantor covenants and represents and warrants (i) that the Grantor is the sole owner and is seized of the Property in fee simple and has good right to grant and convey the aforesaid Conservation Easement; (ii) that there is legal access to the Property, (iii) that the Property is free and clear of any and all encumbrances, except those permitted exceptions outlined below, none of which would nullify, impair or limit in any way the terms or effect of this Conservation Easement; (iv) that Grantor shall defend its title against the claims of all persons whomsoever; and (v) that the Grantee, its successors and assigns, shall have the right to monitor and defend the terms of the aforesaid Conservation Easement. The following are permitted exceptions to the above covenants, representations, and warranties: _____. This Conservation Easement is conveyed as an absolute gift to the Grantee subject to an executory interest in the State of North Carolina. Such executory interest shall accrue in the State of North Carolina only in the event the Grantor or Grantee attempts to terminate, transfer, or otherwise divest itself of any rights, title, or interest in and to the Conservation Easement, except as specifically authorized herein, without the prior written consent of the State, which consent shall not be unreasonably withheld. Upon accrual of the executory interest all rights, title, and interest in the Conservation Easement of the Grantor or Grantee, as the case may be, shall automatically vest in the State of North Carolina.

ARTICLE VI. MISCELLANEOUS

A. Stewardship of the Conservation Easement. Pursuant to the terms of the Grant Contract and any contract for stewardship of the Property entered into pursuant to the Grant Contract, Orange County, its successors or assigns, will monitor and observe the Property in perpetuity to assure compliance with the purposes and provisions of this Conservation Easement and the provisions of the Grant Contract, and that it will report on the condition of the Property, or provide for such reporting to the State and the Fund no less frequently than once a year; and further will report immediately to the State and the Fund any observed and/or known violations of this Conservation Easement or the Grant Contract. The Parties acknowledge that the associated stewardship monies awarded under the Grant Contract are administered pursuant to NCGS §143B-135.236 which establishes the North Carolina Conservation Easement Endowment Fund, or any successor law, and the internal policies and procedures of the Fund, and that Orange County's obligation to monitor the Property at any given time is contingent on the availability of said stewardship funds and payment of same to Orange County and if such funds are or become unavailable Orange County has no further obligation to monitor the Property. Further, the Parties acknowledge that this obligation to monitor the Property is assignable provided such assignment is made with the prior written approval of the Fund and evidenced by a written instrument signed by the Parties thereto and recorded in the Office of the Register of Deeds of Orange County. Provided further, that any such assignment of Orange County's obligation to monitor the Property shall include a right of entry onto the Property for the assignee of said monitoring obligation, and shall require the monitoring to be carried out in accordance

with and subject to NCGS §143B-135.236 or any successor law, and the Fund's internal stewardship policies and procedures. The Parties specifically acknowledge that neither Orange County's obligation to monitor the Property, nor its assignment of said obligation, shall have any effect on the rights and obligations of the Grantee of this Conservation Easement. Further, the Parties covenant that the obligation to provide monitoring of the Property will survive any transfer of Grantor's fee interest in the Property.

B. Subsequent Transfers of the Fee. Grantor agrees for itself, its successors and assigns, that in the event it intends to transfer the Property or any interest in the Property, to notify the Grantee and the Fund in writing of the names and addresses of any party to whom the Property is to be transferred, the nature of the interest to be transferred, and the terms and conditions of the intended transfer, at least sixty (60) days before the transfer is intended to be consummated. Grantor, for itself, its successors and assigns, further agrees to make specific reference to this Conservation Easement in a separate paragraph of any subsequent lease, deed, or other legal instrument by which any interest in the Property is conveyed. The Property owner shall not convey the Property or any interest therein, and shall not incur, assume, or suffer to exist any lien, upon or with respect to the Property, without disclosing to the prospective buyer the Conservation Easement, the obligations of the Property owner and limitations on use of the Property. Nothing in this Section abrogates or limits **Section I of Article III** hereof.

C. Subsequent Transfers of the Conservation Easement. The Parties hereto recognize and agree that the benefits of this Conservation Easement are in gross and assignable with any such assignee having all the rights and remedies of Grantee hereunder. The Parties hereby covenant and agree, that in the event this Conservation Easement is transferred or assigned, the transferee or assignee of the Conservation Easement will be a qualified organization as that term is defined in Section 170(h)(3) of the Internal Revenue Code of 1986, as amended, or any successor section, and the regulations promulgated thereunder (the "Code") that is organized or operated primarily for one of the conservation purposes specified in Section 170(h)(4)(A) of the Code, a qualified holder as that term is defined in the Act or any successor statute, and a qualified grant recipient pursuant to N.C.G.S. Chapter 143B, Article 2, Part 41. The Parties further covenant and agree that the terms of the transfer or the assignment will be such that the transferee or assignee will be required to continue to carry out in perpetuity the purpose(s) of the Conservation Easement that the contribution was originally intended to advance as set forth herein, but acknowledge specifically that any transfer or assignment of the Conservation Easement shall have no effect on Orange County's obligation to provide stewardship of the Conservation Easement as set forth in this Article VI.

D. Existing Responsibilities of Grantor and Grantee Not Affected. Other than as specified herein, this Conservation Easement is not intended to impose any legal or other responsibility on the Grantee, or in any way to affect any existing obligation to the Grantor as owner of the Property. Among other things, this shall apply to:

1. Taxes. The Grantor shall continue to be solely responsible for payment of all taxes and assessments levied against the Property. If the Grantee is ever required to pay any taxes or assessments on its interest in the Property, the Grantor will reimburse the Grantee for the same.

2. Upkeep and Maintenance. The Grantor shall continue to be solely responsible for the upkeep and maintenance of the Property to the extent it may be required by law. The Grantee shall have no obligation for the upkeep or maintenance of the Property.

3. Liability and Indemnification. If the Grantee is ever required by a court to pay damages resulting from personal injury or property damage that occurs on the Property, the Grantor shall indemnify and reimburse the Grantee for these payments, as well as reasonable attorneys' fees and other expenses of defending itself, unless the Grantee has committed a deliberate act that is determined to be the sole cause of the injury or damage.

E. Conservation Purpose. Grantor and Grantee, each for itself, and its respective successors and assigns, agree that this Conservation Easement shall be held exclusively for conservation purposes set forth by the Grant Contract, this Conservation Easement and as specified in Section 170(h)(4)(A) of the Code. Further, this Conservation Easement shall be construed to promote the purposes of the Act and such purposes of this Conservation Easement as are defined in Section 170(h)(4)(A) of the Code.

F. Recording. Grantee shall record this instrument and any amendment hereto in timely fashion in the official records of Orange County, North Carolina, and may re-record it at any time as may be required to preserve Grantee's rights.

G. Notices. Any notices shall be sent by registered or certified mail, return receipt requested, to the parties at their addresses shown below:

If to Grantee:
Orange County
P.O. Box 8181
Hillsborough, NC 27278

If to Owner:
Triangle Land Conservancy
514 S. Duke Street
Durham, NC 27701

H. Amendments. Grantor and Grantee, or their successors in interest in the Property, are free to jointly amend this Conservation Easement to meet changing conditions, provided that no amendment will be allowed that is inconsistent with the purpose(s) of this Conservation Easement or affects the perpetual duration of this Conservation Easement. Such amendment(s) require the prior written consent of both Grantor and Grantee and shall be effective upon recording in the public records of Orange County, North Carolina.

I. Environmental Condition of the Property. The Grantor warrants, represents and covenants to the Grantee that to the best of its knowledge after appropriate inquiry and investigation: (a) the Property described herein is and at all times hereafter will continue to be in full compliance with all federal, state and local environmental laws and regulations; (b) as of the date hereof there are no hazardous materials, substances, wastes, or environmentally regulated substances (including, without limitation, any materials containing asbestos) located on, in or

under the Property or used in connection therewith; (c) that there is no environmental condition existing on the Property that may prohibit or impede use of the Property for the purpose(s) set forth herein; and (d) the Grantor will not allow such uses or conditions.

J. Indemnity. The Grantor agrees to the fullest extent permitted by law, to protect, indemnify and hold harmless Grantee from and against all claims, actions, liabilities, damages, fines, penalties, costs, and expenses suffered as a direct or indirect result of any violation of any federal, state, or local environmental or land use law or regulation or of the use or presence of hazardous substance, hazardous waste, or other regulated material in, on or under the Property.

K. Entire Agreement. The Recitals set forth above and the exhibits, if any, attached hereto are incorporated herein by reference. This instrument, including the Grant Contract incorporated by reference herein, sets forth the entire agreement of the Parties with respect to the Project and supersedes all prior discussions, negotiations, understandings, and agreements relating to the Project. To the extent that this Conservation Easement is in conflict with the Grant Contract, the terms of the Conservation Easement shall control.

L. Interpretation. This Conservation Easement shall be construed and interpreted under the laws of the State and the United States, and any ambiguities herein shall be resolved so as to give maximum effect to the conservation purposes sought to be protected herein. The normal rule of construction of ambiguities against the drafting party shall not apply in the interpretation of this Conservation Easement. Further, this Conservation Easement shall be construed to promote the purposes of the Act, which authorizes the creation of conservation agreements for purposes including those set forth herein, and such conservation purposes as are define in Section 170(h) (4) (A) of the Code. If any provision of this Conservation Easement is found to be invalid, the remainder of the provisions of this Conservation Easement, and the application of such provision to persons or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.

M. Parties. Every provision of this Conservation Easement that applies to the Grantor or to the Grantee or to the Fund shall likewise apply to their respective executors, administrators, successors, and assigns.

N. No Extinguishment through Merger. The Parties agree that the doctrine of extinguishment by merger shall not apply to this Conservation Easement because of the public interest in its enforcement. The Parties agree that this Conservation Easement and its terms shall survive any coming together of the ownership of the fee interest in the Property and the Conservation Easement interest, and that this Conservation Easement shall not be merged into the fee interest. Further, the Parties agree that if Grantee, or any successor in interest to Grantee, acquires title to any fee interest in the Property subject to this Conservation Easement, (i) said owner shall observe and be bound by the obligations and the restrictions imposed upon the Property by this Conservation Easement, and (ii) this Conservation Easement shall not be extinguished through the doctrine of merger in any way in view of the public interest in its enforcement.

O. Subsequent Liens**.** No provisions of this Conservation Easement shall be

construed as impairing the ability of Grantor to use this Property for collateral for borrowing purposes, provided that any mortgage or lien arising there from shall be subordinated to this Conservation Easement.

P. Gender. The designations Grantor, Grantee, State, and Fund, as used herein shall include the Parties and their administrators, successors, and assigns, and shall include the singular, plural, masculine, feminine, or neuter as the context may require.

Q. Headings. The headings of the various sections of this Conservation Easement have been inserted for convenience only and shall not modify, define, limit, or expand the express provisions of this Conservation Easement.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns, forever. The covenants agreed to and the terms, conditions, restrictions, and purposes imposed as aforesaid shall be binding upon Grantor and Grantor's representatives, successors and assigns, and shall continue as a servitude running in perpetuity with the Property.

[See next page for signatures and notary acknowledgement]

IN WITNESS WHEREOF, the Grantor and Grantee, intending to legally bind themselves, have set their hands on the date first written above.

GRANTOR:

TRIANGLE LAND CONSERVANCY

By: _____
Mavis Gragg,
Chair of the Board of Directors

Accepted:

GRANTEE:

ORANGE COUNTY, NORTH CAROLINA

By: _____
Penny Rich,
Chair of the Orange County Board of Commissioners

ATTEST:

By: _____
Donna S. Baker, Clerk to the
Board of Commissioners

Acknowledgments

NORTH CAROLINA
COUNTY OF ORANGE

I, _____, a Notary Public for said County and State do hereby certify that _____ personally appeared before me and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal this the ____ day of _____, 2019.

_____
Notary Public

My commission expires:
_____

NORTH CAROLINA
COUNTY OF ORANGE

I, _____, a Notary Public of Orange County, North Carolina do hereby certify that Donna S. Baker personally appeared before me this day and acknowledged that she is Clerk to the Board of Commissioners for Orange County, North Carolina and that by authority duly given and as the act of Orange County, North Carolina the foregoing instrument was signed in its name by the Chair of the Orange County Board of Commissioners, and attested by her as Clerk to said Board of Commissioners.

Witness my hand and official stamp or seal this the ____ day of _____, 2019.

_____
Notary Public

My commission expires:

_____

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY
PROPERTY OF TRIANGLE LAND CONSERVANCY
BINGHAM TOWNSHIP
ORANGE COUNTY, NORTH CAROLINA

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 8-m

SUBJECT: Adoption of Policies Related to North Carolina Housing Finance Agency (NCHFA) – 2019 Urgent Repair Program (URP19) Grant Award

DEPARTMENT: Housing and Community Development

ATTACHMENT(S):
1) NCHFA FY19 Grant Award Letter
2) Orange County Proposed URP2019 Assistance Policy
3) Orange County Revised Procurement and Disbursement Policy

INFORMATION CONTACT:
Bonnie Hammersley, County Manager, (919) 245-2300

PURPOSE: To adopt and authorize the Chair to sign the Assistance and Revised Procurement and Disbursement Policies for the NCHFA 2019 Urgent Repair Program (URP19) Grant Award and authorize the County Manager and Housing and Community Development (H&CD) Department staff to make any required changes as requested by the North Carolina Housing Finance Agency (NCHFA).

BACKGROUND: On April 11, 2019, Orange County received notice of a grant award for the 2019 Urgent Repair Program (URP19). The award of $80,000, with a local match by the County of $40,000, will assist twelve (12) low income owner-occupied households with urgent repairs. The NCHFA Grant funds will provide a maximum of $10,000 per unit for repairs. Eligible households are those with one or more full-time household members with special needs (i.e., elderly, disabled, Veteran and/or a household with a child 6 or under with an elevated blood-lead level). The total household income for eligible applicants cannot exceed 50% of the County's Area Median Income. H&CD staff will utilize its current Urgent Repair Applicant List, as well as seek other potential applicant households through newspaper advertisements, listing information on the County's Website and posting notices at senior and community centers throughout Orange County.

The NCHFA Grant Award requires that, by September 6, 2019, jurisdictions receiving URP19 grant funds adopt policies for Assistance and Procurement and Disbursement for their programs. The policies outline the details for applicant eligibility, approved repair categories, bid solicitation and payment processes for the program. These policies are slightly different from the policies for the County funded urgent and comprehensive housing rehabilitation activities. However, if County funds are used as leverage for the NCHFA Grant funds, then the proposed policies would apply rather than the local County policies.

FINANCIAL IMPACT: No negative financial impact is anticipated by the approving of these policies. The NCHFA Urgent Repair Program Grant funds leverages the County FY19-20 funds and allows more homes to be addressed under the Urgent Repair Program.

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: 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.
- **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 H&CD staff will undertake the above as it relates to any work write-ups developed and repairs conducted to the extent feasible, given the nature of repairs completed under NCHFA's 2019 Urgent Repair Program,

RECOMMENDATION(S): The Manager recommends that the Board adopt and authorize the Chair to sign the required policies and authorize the County Manager and Housing and Community Development Department staff to make any required changes as requested by the North Carolina Housing Finance Authority (NCHFA).

NORTH CAROLINA
HOUSING
FINANCE
AGENCY

ATTACHMENT 1

April 11, 2019

A self-supporting
public agency

Scott Farmer
Executive Director

PO Box 28066
Raleigh, NC
27611-8066

3508 Bush Street
Raleigh. NC
27609-7509

Tel.. 919-877-5700
Fax. 919-877-5701
www.nchfa.com

Ms. Bonnie Hammersley, County Manager
Orange County
PO Box 8181
Hillsborough, NC 27278

Dear Ms. Hammersley:

I am pleased to inform you that Orange County has been conditionally approved to receive an amount not to exceed $80,000 under the 2019 cycle of the Urgent Repair Program (URP19).

The URP19 Program attracted applications from a broad variety of housing providers across the state. Fifty-eight applications were received, with funding requests totaling $6.74 million. Our total commitment to URP19 of $4.5 million funded thirty-eight projects this year (66% of all applicants) and will provide urgently needed repairs or modifications to the homes of 631 households in sixty-one counties. Success in this competition reflects your organization's commitment and capacity to respond to the need for urgent repair assistance in your service area.

A one-day Implementation Workshop is scheduled for June 11, 2019 in Raleigh. Detailed workshop information will be emailed to you and the person identified in your application as the Program contact. An URP19 Funding Agreement will be sent to you after you submit some required post-approval documentation and key staff have attended the workshop. Please do not begin work on your project until a Funding Agreement has been forwarded to you and properly executed.

On behalf of the Agency, I congratulate you on your successful application. If you have any questions regarding this award, please contact Chuck Dopler at (919) 981-5008.

Sincerely,

Sonia B. Joyner

Sonia B. Joyner
Director of Home Ownership Programs

cc: Sherrill Hampton, Director of Housing and Community Development

ATTACHMENT 2

Orange County Assistance Policy
For the 2019 Cycle of the
NCHFA-Funded Urgent Repair Program

What is the Urgent Repair Program? Orange County has been awarded $80,000 by the North Carolina Housing Finance Agency ("NCHFA") under the 2019 cycle of the Urgent Repair Program ("URP19"). This program provides funds to assist very low and low-income households with special needs in addressing housing conditions which pose imminent threats to their life and/or safety or to provide accessibility modifications and other repairs necessary to prevent displacement of very low and low-income homeowners with special needs such as the frail, elderly and persons with disabilities. At least twelve (12) households will be assisted under Orange County's URP19 Program.

This Assistance Policy describes who is eligible to apply for assistance under URP19, how applications for assistance will be rated and ranked, what the form of assistance is and how the repair/modification process will be managed. The County has tried to design this URP19 project to be fair, open and consistent with the County's approved application for funding and with NCHFA's URP Program Guidelines.

The funds provided by NCHFA come from the North Carolina Housing Trust Fund. Additional funds for construction costs are provided by Orange County in the amount of $40,000.

Eligibility Requirements: To be eligible for assistance under URP19 applicants must meet the following requirements:

1) must reside within Orange County and own and occupy the home in need of repair;
2) must have a household income which does not exceed 50% of the County median income for the household size (see income limits below);
3) must have a special need (i.e. be 62 years old or older, handicapped or disabled, a single parent with a dependent child living at home, a Veteran, a large family with five (5) or more household members or a household with a child below the age of six (6) with an elevated blood lead level (between 10g/dl and 20g/dl));
4) must have urgent repair needs which cannot be met through other state or federally-funded housing assistance programs.

URP19 Income Limits* for Orange County

Number in Household	30% of Median (very-low income)	50% of Median (low income)
1	$17,850	$29,700
2	$20,400	$33,950
3	$22,950	$38,200
4	$25,450	$42,400
5	$27,500	$45,800
6	$29,550	$49,200
7	$31,600	$52,600
8	$33,600	$56,000

*Income limits are subject to change based on annually published HUD HOME Limits and will be updated each year. This update will not require a re-approval by the governing authority.

What Outreach Efforts will be Undertaken to Announce the Urgent Repair Program? Orange County will advertise or publish an article about the Urgent Repair Program in the local English-speaking and Spanish-speaking newspapers serving the County (*The News of Orange and La Noticia*) and provide printed information about the program at the Passmore and Seymour Senior Centers; Cedar Grove, Rogers Road and the Efland-Cheeks Community Centers; Orange County Home Preservation Coalition; Orange County Affordable Housing Coalition; Carrboro Town Hall, Chapel Hill Town Hall, Orange County DSS Office and on the County's website.

Selection of Applicants: The County has devised the following priority system to rank eligible applicants, determine which of them will be selected for assistance and in what order. Under this system, applicants will receive points for falling into certain categories of special need and income. The applications will be ranked according to which receive the most points.

Priority Ranking System for Orange County's URP19

Special Needs (for definitions, see below)	*Points*
Disabled, Elderly or Veteran Head of Household *(62 or older)*	4
Disabled, Elderly or Veteran Household Member *(not Head of Household)*	3
Single-Parent Household *(with one or more minor children in the home)*	3
Emergency *(may submit without regard to application deadlines)*	3
Large Family *(5 or more permanent family members)*	2
Elevated Blood Lead Level Child	2
Income (See Income Table above)	*Points*
30% or below County Area Median Income	10
31% to 50% of County Area Median Income	5

Under NCHFA Program Guidelines, a minimum of 50% of households assisted must have incomes which are 30% or less of the area median income for the household size, and no household with an income exceeding 50% of the area median income will be eligible. This guideline will be adhered to strictly and will be the primary factor in the selection of those households to be assisted under URP19.

Recipients of assistance under the URP19 will be chosen by the above criteria without regard to race, color, religion, national origin, sex, familial status and disability. Note that in the likely case of applicants receiving identical scores, the application with the earlier submission date will be considered first.

The Definitions of Special Needs Populations Under URP19 are:

- *Elderly*: An individual age 62 or older.
- *Emergency*: A situation in which a household member has an immediate threat of being evicted or removed from a home due to health or safety issues within a time frame that the program can complete a repair to stop eviction or removal. These applications will be received at any time during the funding cycle and evaluated on the ability of the program to complete

the work in a timely manner that meets the goal of assisting homeowners to remain in their home.

- *Disabled*: A person who has a physical, mental or developmental disability that greatly limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment.
- *Large Family*: A large family household is composed of five or more individuals; at least four are immediate family members.
- *Head of Household:* The person or persons who own(s) the house.
- *Household Member*: Any individual who is an occupant (defined below) of the unit to be rehabilitated shall be considered a "household member" (the number of household members will be used to determine household size and all household members are subject to income verification).
- *Occupant*: An occupant is defined as any immediate family member (mother, father, spouse, son/daughter of the head of the household, regardless of the time of occupancy); or non-immediate family member who has resided in the dwelling at least three (3) months prior to the submission of the family's application.
- *Single-Parent Household:* A household in which one and only one adult resides with one or more dependent children.
- *Veteran*: A person who served in the active military, naval or air service, and who was discharged or released therefrom under conditions other than dishonorable.
- *Child with elevated blood lead level*: a child younger than the age of six (6) with an elevated blood lead level between 10μ g/dl and 20μg/dl.

Client Referral and Support Services: Homeowners assisted through the Urgent Repair Program (URP 2019) may also need other services. When the Urgent Repair Program staff meets the homeowner during the intake process, if needed, they will discuss the resources and programs available in the County and provide pamphlets and a list of the agencies with contact information. With the Homeowner's permission, any referrals to other agencies will be included in the Housing Case File.

What is the Form of Assistance Under URP19? The County will provide assistance in the form of a forgiveable loan to homeowners whose homes are selected for repair/modification. The unsecured, interest-free loan, will be forgiven at a rate of $2,000 per year until the principal balance is reduced to zero. As part of the application process, all applicants will be provided detailed information about these loans, and will be required to attest to receiving this information.

What is the Amount of the Loan? The amount of the loan will depend on the scope of work necessary to address the identified imminent threats to life and/or safety and that will be determined by the County's Rehabilitation Specialist. There is no minimum to the amount of the loan; however, the maximum life-time limit according to the guidelines of NCHFA's URP19 Program is $10,000.

What are the Eligible Kinds of Repairs? Only repairs that address imminent threats to the life and/or safety of occupants of the dwelling unit or accessibility modifications will be performed

under the County's URP. Please understand that all deficiencies in a home will likely not be able to be repaired with the available funds.

All work that is completed under URP19 must meet or exceed the NC Residential Building Code.

Who will Conduct the Work on the Homes? The County is obligated under URP19 to ensure that quality work is done at reasonable prices and that all work is contracted through a fair, open and competitive process. To meet these requirements, the County will invite bids only from Contractors who are part of an "approved Contractors' registry". Please request a copy of the County's Procurement and Disbursement Policy for further information.

(Homeowners who know of quality Rehabilitation Contractors that are not on the County's Approved Contractors Registry are welcome to invite them to apply and interested contractors should contact David Saconn, Rehabilitation Specialist.)

A minimum of three (3) approved contractors will be invited to bid on each job and the most responsive and responsible low bidder will be selected for the contract. "Responsive and responsible" is described in the Procurement and Disbursement Policy.

What are the Steps in the Process, from Application to Completion? Now that you have the information about how to qualify for the Orange County's URP19 Program, what work can be done and who will do it, let's go through all the major steps in the process:

1. **Completing an Application Form:** Applications are available on the Orange County Website or at other locations as described in Section on Outreach Efforts above or by contacting Diane Beecham, Community Development Specialist at 919-245-4358 or dbeecham@orangecountync.gov. Proof of ownership, occupancy and income will be required. Orange County will accept applications throughout the grant period, based on the availability of funds. In addition, the County maintains a Waiting List for its local Urgent Repair Program and applicants who qualify under the County's local program may be considered for NCHFA's FY19 Urgent Repair Program if they meet the program requirements.

2. **Preliminary Inspection:** The County's Rehabilitation Specialist will visit the homes of all applicants to determine the need and feasibility of repairs/modifications. The Rehabilitation Specialist will also make a second visit to the home in order to do a more thorough inspection. See Item 5 below.

3. **Screening of Applicants:** Orange County will accept applications throughout the program grant period based on the availability of funds. Eligible households with emergency situations will be given priority over other applicants. After advertising for a 15-day period, the first rating and ranking of applicants will take place on October 14, 2019. The 2nd 15-day advertising period will be scheduled for January 2020. However, if the first advertisement and number of persons coming from the County's Local Urgent Repair Applicant List yields at least twelve (12) eligible applicants and units to be addressed, no further advertisement will occur.

All rehabilitation work must be under contract by October 15, 2020. In addition, all rehabilitation work must be completed by December 31, 2020. Prior to entering into a contract with the County, the income, property ownership and property tax payment status of households to be assisted will be verified. Applicants may contact Diane Beecham, Community Development Specialist, at 919-245-4358 or dbeecham@orangecountync.gov to confirm the disposition of their application.

4. **Applicant Briefings:** Approved applicants will be provided detailed information on assistance, program repair/modification standards and the contracting procedures associated with their project at this informational briefing.

5. **Development of the Work Write-Up:** The County's Rehabilitation Specialists will visit the home again for a more thorough inspection. All parts of the home must be made accessible for this inspection, including the attic and crawlspace, if any. The homeowner should report any known problems such as electrical short circuits, blinking lights, roof leaks, etc. The Rehabilitation Specialist will prepare a complete and detailed set of work specifications ("work write-up"). A final, confidential cost estimate will also be prepared by the Rehabilitation Specialist to be used to evaluate the submitted bids.

   If the needed repairs require that household furniture and other goods be stored, the Orange County URP19 Program may provide an onsite storage pod. However, the contractor will only be required to move furniture to the storage pod. The moving of any other household goods into the onsite storage will be the responsibility of the homeowner.

6. **Formal Agreement:** After the review and approval of the work write-up, the homeowner will sign a formal agreement that will explain and govern the repair/modification process and an explanation of the Promissory Note, which is considered a forgivable loan. This agreement will define the roles of the parties involved throughout the process.

7. **Bidding:** The work write-up and bid documents will be sent to a minimum of three (3) contractors on the Approved Contractors' Registry who will be given a minimum of one (1) week in which to inspect the property and prepare bid proposals. Note that the inspection of the property by the contractors is mandatory. The names of the invited contractors will be supplied to the homeowner. Each will need access to those areas of the house in which work is to be performed in order to prepare a bid. A bid opening will be conducted at the Orange County Department of Housing and Community Development at a specified date and time, with all bidders and the homeowner invited to attend.

8. **Contractor Selection:** Within 48 hours of the bid opening and after review of bid breakdowns and timing factors, the winning bidder will be selected. All bidders and the homeowner will be notified of (1) the selection, (2) the amount, (3) any support or contingency costs that will be included in the loan amount and (4) if other than the lowest responsive and responsible bidder is selected, the specific reasons for the selection.

9. **Execution of Loan and Contract Documents:** The loan will be executed, as well as the repair/modification contract prior to work beginning on the project. This contract will be

between the contractor and homeowner, with Orange County as an interested third party. The cost of the actual work and project-related support costs up to the maximum amount of $1,000 will be included in the loan document.

10. **Pre-Construction Conference:** A pre-construction meeting will be held immediately following the execution of loan and contract documents unless due to scheduling conflicts, prior arrangements have been made with the homeowner and contractor for another date and time. The meeting will be held at the offices of Orange County Housing and Community Development Department at 300 West Tryon Street, 3rd Floor of the Richard Whitted Building, Hillsborough, NC. At this time, the homeowner, contractor and applicable County program representatives will be present and discuss the details of the work to be done. Starting and ending dates will be agreed upon, along with any special arrangements such as weekend or evening work hours, storage of household furniture, if applicable and the disposition of items to be removed from the home (such as old plumbing, etc.). If the contract has been executed, the County will issue a "Notice to Proceed Order" formally instructing the contractor to commence by the agreed upon date and time.

11. **Construction:** The contractor will be responsible for obtaining any required building permits for the project before beginning work. The permit must be posted at the house during the entire period of construction. Program staff will closely monitor the Contractor during the construction period to make sure that the work is being done according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. County Code Enforcement Officers, as applicable, will inspect new work for compliance with the State Building Code as required by the guidelines of URP19. The homeowner will be responsible for working with the contractor toward protecting personal property by clearing work areas as much as practicable.

12. **Change Orders:** All changes to the scope of work must be reduced to writing as a contract amendment ("change order") and approved by all parties to the contract: the homeowner, the contractor and two representatives of Orange County. If the changes require an increase in the loan amount, a Loan Modification stating these changes in the contract amount must be completed by the County and executed by the homeowner. If the changes result in a decrease in the loan amount, an estoppel informing the homeowner of these changes in the contract amount will be completed by the County and conveyed to the Homeowner.

13. **Payments to the Contractor:** The Contractor will be paid following inspection of and satisfactory completion of all items on the work write-up and change orders, if any, as outlined in the County's Procurement and Disbursement Policy. All requests for payment by the contractor must be accompanied by an invoice detailing the items completed.

14. **Post-Construction Meeting:** Following construction, the contractor and the Rehabilitation Specialist will sit down with the homeowner, again. At this meeting, the contractor will hand over all owner's manuals and warranties on equipment. The contractor and Rehabilitation Specialist will go over operating and maintenance requirements for any new equipment installed and discuss general maintenance of the home with the homeowner. The homeowner will have the opportunity to ask any final questions about the work and the loan.

15. **Closeout:** Once each item outlined in the associated work write-up has been satisfied, the job is fully completed and the homeowner has signed a Certificate of Satisfaction, the job will be closed.

What are Orange County's Key Program Dates? If, after reading this document, you feel that you qualify for this program and wish to apply, please keep the following dates in mind:

- First advertisement of Orange County URP19 and applications available to the public starting September 23, 2019.
- First deadline for applications to be returned to Orange County is October 9, 2019
- First rating and ranking of applications will take place on October 14, 2019.
- 2nd advertisement period begins January 13, 2020, if needed.
- Second deadline for applications to be returned to Orange County is January 31, 2020, if needed.
- Second rating and ranking of applications will take place on February 7, 2020, if needed.
- All rehabilitation work must be under contract by October 15, 2020.
- All rehabilitation work must be completed by December 31, 2020.

How Do I Request an Application? Contact:

Diane Beecham, Community Development Specialist
Orange County Department of Housing and Community Development
P.O. Box 8181
300 W. Tryon Street
Hillsborough, NC 27278
(919) 245-4358
dbeecham@orangecountync.gov

Interested persons may also pick up an application at the Orange County Department of Social Services, Orange County Health Department, Orange County Department of Aging, Chapel Hill Town Hall, Carrboro Town Hall, Rogers Road Community Center, Cedar Grove Community Center and the Efland-Cheeks Community Center. A copy of the application is also available on the County's Website.

Is There a Procedure for Dealing with Complaints, Disputes and Appeals? Although the application process and repair/modification guidelines are meant to be as fair as possible, Orange County realizes that there is still a chance that some applicants or participants may feel that they were not treated fairly or have complaints. The following procedures are designed to provide an avenue for resolution of complaints and appeals.

<u>During the application process:</u>

1. If an applicant feels that his/her application was not fairly reviewed or rated and would like to appeal the decision made about it, he/she should contact the Community Development Specialist within five (5) days of the initial decision and voice their concern. If the applicant remains dissatisfied with the decision rendered after speaking with the Community Development Specialist, the detailed complaint and appeal should be put into writing and

submitted to the Director of Orange County's Housing and Community Development Department within ten (10) business days of the initial decision at 300 West Tryon Street, 3rd Floor of the Richard Whitted Building, Hillsborough, NC 27278.

2. Orange County will respond in writing to any complaints or appeals within fifteen (15) business days of receiving the written complaint and appeal.

During the repair/modification process:

1. If the homeowner feels that repairs or modifications are not being completed per the contract, he/she must inform the contractor and applicable Orange County's Rehabilitation Specialist.
2. The Rehabilitation Specialist will inspect the work in question. If it is found that the work is not being completed according to contract, the Rehabilitation Specialist will review the contract and work write-up with the contractor, again and ask the contractor to remedy the problem.
3. If problems persist, a Mediation Conference between the homeowner and the contractor may be convened by the Rehabilitation Specialist and facilitated by the County's Housing and Community Development Director.
4. Should the Mediation Conference fail to resolve the dispute, the Housing and Community Development Director will render a written final decision.
5. If the Rehabilitation Specialist finds that the work is being completed according to the contract and work write-up, the complaint will be noted and the Rehabilitation Specialist and the homeowner will discuss the concern and the reason for the Rehabilitation Specialist's decision.

Will the Personal Information Provided Remain Confidential? Yes. All information in applicant files will remain confidential. Access to the information will be provided only to County employees who are directly involved in the program, the North Carolina Housing Finance Agency and auditors.

What about Conflicts of Interest? No officer, employee or other public official of the County, or member of the Board of County Commissioners, or entity contracting with the County that exercises any functions or responsibilities with respect to URP19 shall have any interest, direct or indirect, in any contract or subcontract for work to be performed with program funding, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. Relatives of County employees, Board of County Commissioners and others closely identified with the County may be approved for rehabilitation assistance only upon public disclosure before the County Commissioners and written permission from NCHFA.

What about Favoritism? All activities under URP19, including rating and ranking applications, inviting bids, selecting contractors and resolving complaints, will be conducted in a fair, open and non-discriminatory manner, entirely without regard to **race, color, religion, national origin, sex, familial status and disability.**

Who can I Contact about URP19? Any questions regarding any part of this application or program should be addressed to:

Diane Beecham, Community Development Specialist
Orange County Department of Housing and Community Development
P.O. Box 8181/300 W. Tryon Street

Hillsborough, NC 27278
919-245-4358/dbeecham@orangecountync.gov

The designated staff person above, as well as all staff in Orange County's Housing and Community Development Department will do their utmost to answer questions and inquiries in the most efficient and correct manner possible.

This Assistance Policy is adopted this _____day of _____ 20__.

_____
Board Chair

_____
Witness

ATTACHMENT 3

ORANGE COUNTY PROCUREMENT AND DISBURSEMENT POLICY

Housing Rehabilitation Programs, Including Local and NCHFA Urgent Repair Activities

A. Procurement Policy

1. To the maximum extent practical, Orange County (the "County") promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's (NCHFA) Urban Repair Program (URP) and the County's other housing rehabilitation programs. Bids are invited from contractors who are included on the County's Approved Contractor Registry. Any current contractor listed with and approved by the County and in good standing (i.e. no unresolved past performance issues and not listed on the federal or state debarred list) will receive automatic approval status on the Contractor Registry.

2. To be listed on the Approved Contractor Registry, a contractor must complete an application, submit proof of insurance and have their recent work inspected and approved by the County's Rehabilitation Specialist. Orange County will get on an annual basis all contractors' insurance renewals. All contractors working on pre-1978 properties must have their firms be Renovate, Repair and Paint (RR&P) certified. Only contractors with an RR&P certificate on file will be invited to bid on pre-1978 properties.

3. A minimum of three (3) eligible contractors on the County's Approved Contractor Registry shall be invited to bid on each job and the lowest, most responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means the following: (a) the contractor is deemed able to complete the work in a timely fashion; (b) the bid is within fifteen percent (15%) in either direction of the County's cost estimate; (c) the contractor has not been suspended or debarred; and (d) there is no real or perceived conflict of interest. For Orange County's Local Urgent Repair Program, in emergency situations, a contractor may be selected from the Vendor List given their placement in the rotational process. In addition, for emergency situations, telephone or email bids or quotes will be accepted. Documentation of such bids or quotes will be maintained in the applicable file. See Item 8 below for more information on how Orange County will handle emergency situations.

4. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites shall be considered separate and apart when awarded and shall be awarded to the lowest responsive and responsible bidder(s) for each job site. No contractor shall have more than three (3) open jobs at any one time. A job shall be considered "open" once a contract is signed.

5. Bid packages shall consist of an invitation to bid, work write-up(s) and bid sheet(s) for each job, including instructions for distribution and receipt of bids. For urgent repair activities, contractors will be given no less than seven (7) days in which to inspect the

property and prepare bid proposals. Each contractor will need access to all parts of the house in order to prepare a bid. A bid opening will be conducted at the Department of Housing and Community Development (DHCD) located at 300 W. Tryon Street, Hillsborough, NC at a specified date and time with all bidders invited to attend. For minor and comprehensive housing rehabilitation activities, contractors will be given no less than ten (10) days in which to inspect the property and prepare bid proposals.

6. Bids must include a cost-per-item breakdown with line item totals equaling the submitted bid price. Any discrepancies must be reconciled prior to a contract being awarded.

7. The County reserves the right to reject any or all bids at any time during the procurement process.

8. In the event of an emergency situation, the County reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking quotes and bids by telephone, email, fax and the like. Should such methods ever become necessary the transaction will be fully documented. In the event telephone bids are used, the County will call the first three (3) responsive contractors on the Approved Contractor Registry who have indicated a desire to be on the Telephone Call List. The County will track who has been called and been responsive and will rotate through the full list before beginning the rotation again.

9. All sealed bids will be opened publicly at the Department of Housing and Community Development located at 300 W. Tryon Street, Hillsborough, NC at a date and time specified in the bid invitation. All bidders are welcome to attend. Within seventy-two (72) hours of the bid opening, after the review of bid breakdowns and construction schedules, the winning bidder(s) will be selected. All bidders and the homeowner will be notified in writing of 1) the selection of the winning bid; 2) the amount of the winning bid; and 3) the specific reasons for the selection if the lowest bidder was not selected.

10. The contractor is responsible for obtaining a building permit for the project before beginning work. The permit must be posted at the house during the entire period of construction. If applicable, the contractor will obtain a permit for lead hazard-related activities. The County Rehabilitation Specialist will closely monitor the construction to make sure that the work is being done according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. Local code enforcement officials will, as applicable, inspect the work for compliance with the NC State Building Code and the local minimum housing code, when applicable. The homeowner will be responsible for working with the contractor to clear their personal property from the work areas as needed, as much as practicable. The contractor will be responsible for all clearing and cleaning activities necessary due to construction activities.

11. Any change to the original scope of work must be in writing in the form of a change order

to be agreed upon and signed by all parties to the original contract and two representatives of the County. The change order must detail any changes to the original contract price.

12. No work may begin prior to a contract being awarded and executed and a written order to proceed provided to the contractor. A pre-construction conference and a "walk through" must also be held prior to the commencement of the project. The pre-construction conference can be held at the DHCD and the walk through must be held at the project site. At this time, the homeowner, contractor and the Rehabilitation Specialist will discuss the details of the work to be completed. Project start and end dates will be finalized, along with any special arrangements such as weekend or evening work hours and the disposition of items to be removed from the home. Within twenty-four (24) hours of the pre-construction conference, the County will issue a "proceed order" formally instructing the contractor to commence work by the agreed upon date.

13. Orange County is an equal opportunity employer, implements non-discriminatory practices in its procurement and disbursement and will make special outreach efforts to include Minority/Women Business Enterprise (M/WBE) businesses within its contractor and subcontractor pool. Contractors will be chosen by the above criteria without regard to race, color, national origin, disability, religion, age, sex/gender, sexual orientation, gender identity and expression, marital status or veteran status.

B. <u>Disbursement Policy</u>

1. All repair work must be inspected by the County's Rehabilitation Specialists, the local Building or Minimum Housing Code Inspector, when applicable and the homeowner prior to any payments to contractors. If all construction work is deemed satisfactory and all other factors and written agreements are in order, payment shall be issued upon presentation of an original cost-per-item invoice from the contractor. The contractor should allow up to (14) business days for processing of the invoice for payment.

2. The contractor is entitled to request two partial payments and a final payment. The first partial payment may be requested when the work is fifty percent (50%) complete. The second partial payment may be requested when the work is ninety percent (90%) complete. When a payment is requested, the Rehabilitation Specialist will inspect the work within three (3) days, determine the percentage of job completion and calculate a payment based on ninety percent (90%) of the total work completed (i.e. resulting in a ten percent (10%) hold back). For urgent repair projects that have contracts that are less than $5,000 there will be no ten percent (10%) hold back.

3. Following the completion of the construction, the contractor and the Rehabilitation Specialist will meet with the homeowner in a post-construction conference. At this time, the contractor will provide to the homeowner the owner's manuals and warranties on

equipment and materials and be available to answer any questions.

4. When the contractor declares the work complete, the Rehabilitation Specialist will thoroughly inspect the work as part of the project closeout. If any of the work is deemed unsatisfactory, it must be corrected prior to the authorization of final payment. If the contractor fails to correct the work to the satisfaction of the County's Rehabilitation Specialist, payment may be withheld until such time as the work is deemed satisfactory. If a dispute occurs, contractors may follow the procedure dealing with complaints, disputes and appeals in the County's Urgent Repair Loan Pool Assistance Policy. Contractors must abide by the final decision as stated in the policy. The homeowner, Rehabilitation Specialist and Housing and Community Development Department Director must sign off on the work. After the receipt of the contractor's final invoice, inspections, certificate of completion and lien releases, the final payment will be processed. All material and workmanship will be guaranteed by the contractor for a period of one (1) year from the date of completion of the work.

5. Orange County assures, through this policy, that adequate funds shall be available to pay the contractor for satisfactory work.

6. All contractors, subcontractors and suppliers must sign a lien waiver prior to the disbursement of funds.

The Orange County Procurement and Disbursement Policy, as revised, is adopted this _____ day of _____ 20____.

ORANGE COUNTY, NC

BY: _____

Chair, Board of County Commissioners

ATTEST: _____

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 8-n

SUBJECT: Approval of Correction to Language in the Resolution Authorizing the Orange County FY 2017-2018 HOME Program Design

DEPARTMENT: Housing and Community Development

ATTACHMENT(S):
Attachment 1: Resolution Authorizing Approval of Correction to Language in June 6, 2017 Resolution 2017-037 Authorizing the Orange County FY 2017-2018 HOME Program Design
Attachment 2: Original FY2017-18 Resolution

INFORMATION CONTACT:
Bonnie Hammersley, County Manager, (919) 245-2300

PURPOSE: To approve a resolution correcting language in Resolution 2017-037 adopted by the Board on June 6, 2017 that authorized the Orange County FY 2017-2018 HOME Program Design.

BACKGROUND: The resolution to approve the project activities for the 2017-2018 HOME program, adopted by the Board on June 6, 2017, included the approval of $69,480 to EmPOWERment, Inc., to acquire a single-family property for lease to households earning 80% or less of area median income. The resolution also included a project activity earmarking $55,839 in funds to the Orange County Department of Housing and Community Development to rehab the unit acquired by EmPOWERment. However, the second sentence describing the rehab project activity contained language that was incompatible with the language of the acquisition activity. Specifically, the language stated that “This program will provide rehabilitation to owner-occupied homeowners throughout Orange County earning less than 80% of the area median income.”

Since EmPOWERment provides affordable *rental* housing to renters earning *80% or less* than the area median income, approval is requested to change this second sentence to read “*This program will provide rehabilitation activities for rental properties occupied by tenants earning 80% or less of the County’s area median income*.” During the recent monitoring visit, this change was requested by HUD and should be undertaken before any funds are expended for this activity.

FINANCIAL IMPACT: There is no negative financial impact to the County.

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.

  The creation and preservation of affordable housing options helps to meet a basic need and advances economic self-sufficiency.

- **GOAL: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

  Affordable housing options allow individuals to reduce risks associated with being un-housed.

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.
- **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.

Housing staff will undertake the above as it relates to any work write-ups developed and rehabilitation work conducted, to the extent feasible.

RECOMMENDATION(S): The Manager recommends that the Board approve the attached Resolution to correct the language in Resolution 2017-037, adopted on June 6, 2017 authorizing the Orange County FY 2017-2018 HOME Program Design.

Attachment 1

**RESOLUTION AUTHORIZING
CORRECTION OF LANGUAGE IN RESOLUTION 2017-037 ADOPTED JUNE 6, 2017, WHICH AUTHORIZED THE ORANGE COUNTY FY 2017-2018 HOME PROGRAM DESIGN**

BE IT RESOLVED, by the Orange County Board of Commissioners as a member of the Orange County HOME Consortium approves the correction of language in Resolution 2017-037 adopted June 6, 2017 so that the second Housing Rehabilitation project activity reads as follows in its entirety:

Housing Rehabilitation
Funds will be allocated to the Orange County Department of Housing and Community Development for housing rehabilitation. This program will provide rehabilitation activities for rental properties occupied by tenants earning 80% or less of the area median income.
(*Requested amount: $65,900*) **$55,839**

This the 3rd day of September, 2019

_____
Penny Rich, Chair
Orange County Board of Commissioners

RES-2017-037

Attachment 2

PAF 6-6-2017
5a-2

RESOLUTION AUTHORIZING
THE ORANGE COUNTY FY 2017-2018 HOME PROGRAM DESIGN

BE IT RESOLVED, by the Orange County Board of Commissioners as a member of the Orange County HOME Consortium approves the following activities for the 2017– 2018 HOME Program.

Homeownership Assistance
Funds would be allocated to Orange County Habitat for Humanity to provide deferred payment zero interest second mortgages for ten (10) homes throughout Orange County. Homes will be sold to households earning between 30 percent and 65 percent of the area median income.
(Requested amount: $250,000) $250,000

Acquisition
Funds would be allocated to EmPOWERment, Inc., for the acquisition of a single family property for lease to households earning 80% or less AMI.
(Requested amount: $147,900) $ 82,000

Housing Rehabilitation
Funds would be allocated to Rebuilding Together of the Triangle to provide critical repairs, accessibility modifications, and home performance upgrades to low-income homeowners throughout Orange County earning less than 80% of the area median income.
(Requested amount: $100,000) $ 33,680

Housing Rehabilitation
Funds will be allocated to the Orange County Housing, Human Rights and Community Development Department for housing rehabilitation. This program will provide rehabilitation to owner-occupied homeowners throughout Orange County earning less than 80% of the area median income.
(Requested amount: $65,900) $ 65,900

Program Administration $ 34,827

TOTAL FY 2017-2018 HOME PROGRAM FUNDS

$466,407

BE IT FURTHER RESOLVED, that the County Manager is hereby designated as the authorized representative of the County to act in connection with the submission of this plan and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

This the 6 day of June 2017

Mark Dorosin, Chair
Orange County Board of Commissioners

SEAL

Revised Final Budget for the FY 2017 -2018 HOME PROGRAM DESIGN

RESOLUTION AUTHORIZING THE ORANGE COUNTY FY 2017-2018 HOME PROGRAM DESIGN

BE IT RESOLVED, by the Orange County Board of Commissioners as a member of the Orange County HOME Consortium approves the following activities for the 2017– 2018 HOME Program.

Homeownership Assistance

Funds would be allocated to Orange County Habitat for Humanity to provide deferred payment zero interest second mortgages for ten (10) homes throughout Orange County. Homes will be sold to households earning between 30 percent and 65 percent of the area median income.

(Requested amount: $250,000) **$211,830** ~~$250,000~~

Acquisition

Funds would be allocated to EmPOWERment, Inc., for the acquisition of a single family property for lease to households earning 80% or less AMI.

(Requested amount: $147,900) **$69,480** ~~$ 82,000~~

Housing Rehabilitation

Funds would be allocated to Rebuilding Together of the Triangle to provide critical repairs, accessibility modifications, and home performance upgrades to low-income homeowners throughout Orange County earning less than 80% of the area median income.

(Requested amount: $100,000) ~~$28,969~~ ~~$ 33,680~~ $25,535

Housing Rehabilitation

Funds will be allocated to the Orange County Housing, Human Rights and Community Development Department for housing rehabilitation. This program will provide rehabilitation to owner-occupied homeowners throughout Orange County earning less than 80% of the area median income.

(Requested amount: $65,900) **$55,839** ~~$ 65,900~~

Program Administration **$28,969** ~~$ 34,827~~

TOTAL FY 2017-2018 HOME PROGRAM FUNDS

$394,656 ~~**$466,407**~~

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 3, 2019

Action Agenda Item No. 11-a

SUBJECT: Orange County Climate Council – Appointment

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):
Orange County Membership Roster
Current List of Selected Members
Applicant Interest List
Applications for Persons on the Interest List

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To consider making an appointment to the Orange County Climate Council.

BACKGROUND: The following information is for Board consideration:

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
1	BOCC Appointment	At-Large	First Full Term	09/30/2022

FOR BOCC CONSIDERATION: Position #1 At-Large is a single position on the newly formed Orange County Climate Council.

NOTE - If the an individual on the Applicant Interest List is appointed by the BOCC, the following vacancies remain:

- None

FINANCIAL IMPACT: None

SOCIAL JUSTICE IMPACT: **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: 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.

RECOMMENDATION(S): The Manager recommends that the Board consider making an appointment to the Orange County Climate Council.

Board and Commission Members

And Vacant Positions

Orange County Climate Council

Meeting Times: TBA TBA
Meeting Place: TBA
Contact Person: Brennan Bouma
Contact Phone: 919-245-2626

Positions: 2 Length: 3 years Terms: 2

Description: The Climate Council was jointly formed by Orange County, Carrboro, Chapel Hill, and Hillsborough as a collaborative effort along the municipal governments, the school systems, UNC, and residents to accelerate joint action on climate change issues. The Climate Council works to share successful approaches and identify both joint and individual opportunities to reduce greenhouse gas emissions and protect County residents.

VACANT

1

Sex:
Race:
Township:
Resid/Spec Req: At-Large
Special Repr: At-Large
First Appointed:
Current Appointment:
Expiration: 09/30/2022
Number of Terms:

Mr. Mark Marcoplos

2

Sex: Male
Race: white
Township: Bingham
Resid/Spec Req:
Special Repr: County Commissioner
First Appointed: 08/01/2019
Current Appointment: 08/01/2019
Expiration: 12/31/2019
Number of Terms:

Current list of Member – Orange County Climate Council

Organization	Representative Title	Representative Name
Orange County	Commissioner	Mark Marcoplos
Orange County	Sustainability Coordinator	Brennan Bouma
Orange County	At large position	applications being received
Hillsborough	Commissioner	Jenn Weaver
Hillsborough	Designated staff	??
Hillsborough	At large position	??
Carrboro	Alderperson	Sammy Slade
Carrboro	Environmental Planner	Laura Janway
Carrboro	At large position	??
Chapel Hill	Council person	Hongbin Gu
Chapel Hill	Sustainability Director	John Richardson
Chapel Hill	At large position	Donna Rubinoff
CHCCS	Board member	??
CHCCS	Sustainability Director	Dan Schnitzer
CHCCS	Student	??
OCS	Board member	??
OCS	Director of Environmental Health & Safety	??
OCS	Student	??
UNC	Sustainability Director	??
UNC	Student	??
OWASA	Board member	Raymond DuBose
OWASA	Sustainability Director	Mary Tiger
CH-Carrboro NAACP	Representative	Cathy Cole
CH-Carrboro NAACP	Youth	Kaniyah Purcell
Northern Orange NAACP	Representative	??
Northern Orange NAACP	Youth	??
Orange/Chatham Sierra Club	Representative	Melissa McCullough
NC Cooperative Extension	Orange County Extension Director	Tyrone Fisher
Durham Tech	Executive Dean of Operations for Durham Tech's Orange County Campus	??
Durham Tech	Student	??

Applicant Interest Listing

by Board Name and by Applicant Name

Orange County Climate Council

Contact Person: Brennan Bouma
Contact Phone: 919-245-2626

Ms Jodi Bakst
Sex: Female
Race: white
Also Serves On:

Date Applied: 08/04/2019
Township: Chapel Hill
Res. Eligibility: C.H. City Limits

Dr. Justin Baumann
Sex: Male
Race: white
Also Serves On:

Date Applied: 06/26/2019
Township: Chapel Hill
Res. Eligibility: Carrboro City Limits

Mr. Paul Cough
Sex: Male
Race: white
Also Serves On:

Date Applied: 06/27/2019
Township: Hillsborough
Res. Eligibility: Hillsborough Town Lim

Kathy Kaufman
Sex: Female
Race: white
Also Serves On:

Date Applied: 06/28/2019
Township: Chapel Hill
Res. Eligibility: Carrboro Transition Are

Ms Charity Kirk
Sex: Female
Race: white
Also Serves On:

Date Applied: 07/05/2019
Township: Chapel Hill
Res. Eligibility: County

Dr. Kristie Mather
Sex: Female
Race: white
Also Serves On:

Date Applied: 08/01/2019
Township: Chapel Hill
Res. Eligibility: C.H. City Limits

Mr. Jonas Monast
Sex: Male
Race: white
Also Serves On:

Date Applied: 07/23/2019
Township: Chapel Hill
Res. Eligibility: County

Applicant Interest Listing

by Board Name and by Applicant Name

Orange County Climate Council

Contact Person: Brennan Bouma
Contact Phone: 919-245-2626

Mr. Jim O'Connor
Sex: Male
Race: white
Date Applied: 07/12/2019
Township: Hillsborough
Res. Eligibility: Hillsborough Town Lim
Also Serves On:

Liane Salgado
Sex: Female
Race: Hispanic
Date Applied: 06/25/2019
Township: Chapel Hill
Res. Eligibility: County
Also Serves On:

Mr Matthew Teal
Sex: Male
Race: white
Date Applied: 06/21/2019
Township: Cheeks
Res. Eligibility: C.H. City Limits
Also Serves On:

Dr Bill Ward
Sex: Male
Race: white
Date Applied: 06/28/2019
Township: Chapel Hill
Res. Eligibility: County
Also Serves On: Commission for the Environment

Jim Warren
Sex: Male
Race: white
Date Applied: 07/31/2019
Township: Bingham
Res. Eligibility: County
Also Serves On:

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms Jodi Bakst
Name Called:
Home Address: 112 Emerywood Place
Chapel Hill NC 27516
Phone (Day): 9196975014
Phone (Evening): 9196975014
Phone (Cell): 9196975014
Email: Jodi@realestateexperts.net
Place of Employment: Real Estate Experts
Job Title: Broker Owner

Year of OC Residence: 1991

Township of Residence: Chapel Hill
Zone of Residence:

Sex: Female
Ethnic Background: white

Community Activities/Organizational Memberships:

I sat on the Chapel Hill Board of Adjustment for 3 years. I stopped because of my full time work and taking continuing education classes. I would like to be on the Orange County Climate Council. Before going I to real estate I worked in the environmental field for 15 years in Washington DC and here. I have my masters in public health in environmental management from UNC and I am currently working on a development in Orange County that will be net zero and as sustainable as possible given current standards and costs. I apologize fir missing the Aug 2 nd deadline and hope I can still serve on this committee. This issue is extremely important to me.

Past Service on Orange County Advisory Boards:

See my previous statement.

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

Please read above

Reasons for wanting to serve on this board:

Please read above

Conflict of Interest:

The development Iâ€™m working on will nit be a conflict. It will be enhanced by my knowledge and direct participation on this council. I want this neighborhood to be a model for Orange County.

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 8/4/2019 9:09:58 AM **Date Printed:** 8/5/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Dr. Justin Baumann
Name Called:
Home Address: 106 W Poplar Ave
Carrboro NC 27510
Phone (Day): 5133071516
Phone (Evening): 5133071516
Phone (Cell): 5133071516
Email: j.baumann3@gmail.com
Place of Employment: The University of North Carolina at Chapel Hill
Job Title: Postdoctoral Scholar
Year of OC Residence: 2013
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: white

Community Activities/Organizational Memberships:

Member: Climate Coalition of Orange County
Member: Raleigh-Durham Chapter of Citizens Climate Lobby (CCL)
Positions within CCL: Media team member, speaker s bureau co-chair, David Price lobby team member.

Other:
SciREN Triangle (STEM outreach program) organizing committee (2014-present).
Various classroom (K-12) outreach programs (30+ school visits)

Recreational soccer (OCASL and Rainbow) and recreational ultimate (Triangle Flying Disc Association) participant.

Past Service on Orange County Advisory Boards:

None.

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

I have a BS and MS degree from Ohio State in Biology and Earth Sciences during which I studied the impacts of climate change on coral reefs.
I also hold a PhD from UNC Chapel Hill during which I investigated coral stress responses to climate and pollution based stressors in the Caribbean.
I am presently a postdoctoral fellow at UNC continuing my previous work on the understanding and mitigating climate stress on coral reefs.

In addition to my formal research and education I am also an avid advocate for climate action and sustainability. I have spoken at educator conferences and in many classrooms about the threats of climate change and how we might actively pursue mitigation strategies and emissions reduction solutions.
As a member of the Climate Coalition of Orange County and Citizens Climate Lobby I lobby our representatives to take climate action. I also write science-based op-ed pieces in the Herald-Sun and N&O pertaining t climate change, emissions, and possible solutions with fellow scientists.

Reasons for wanting to serve on this board:

I believe Orange County is moving in a very positive direction with regards to addressing climate change. As a scientist studying climate change and as an advocate for climate action on all scales, I am very interested in joining this council to hear what other local voices think about this issue, to see and hear what solutions are being proposed, and to help guide future climate related decision making in order to ensure a sustainable future for our county.
I am excited to see Orange County is being proactive and leading on climate action in our region and I would love to be involved in that process.

Conflict of Interest:

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 6/26/2019 1:40:40 PM **Date Printed:** 6/27/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Paul Cough
Name Called:
Home Address: 206 Collins Ave
Hillsborough NC 27278
Phone (Day): 571-730-8508
Phone (Evening): 571-730-8508
Phone (Cell): 571-730-8508
Email: paulcough@gmail.com
Place of Employment: self-employed
Job Title: Environmental advisor - pro bono and consulting
Year of OC Residence: 2015
Township of Residence: Hillsborough
Zone of Residence:
Sex: Male
Ethnic Background: white

Community Activities/Organizational Memberships:

â€¢Water and Sewer Advisory Committee, Town of Hillsborough
â€¢Coastal Habitats Subcommittee of the NC Natural and Working Lands Group
â€¢Senior Leadership Council, Albemarle-Pamlico National Estuary Program
â€¢Informal Advisory Group on Coastal Habitats, The Pew Charitable Trusts

Past Service on Orange County Advisory Boards:

none

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

Selected experience involving climate change and energy:
-Deepwater Horizon Oil Spill: Rotational SES manager of the Water Desk in US EPAâ€™s Emergency Operations Center (2010)
-Senior Energy Policy Advisor, EPA Region 8 (Rocky Mountains and Plains), Denver, CO (2003-2004)
-Director, EPA Office of International Environmental Policy (1995-2007)
-Established and directed EPAâ€™s Climate Ready Estuaries Program (2008-2015)
-Energy analyst for long-term energy assessment and planning projects in Pakistan, Sudan and elsewhere (1981-1990)

Education: B.A., Economics and M.S., Urban and Policy Sciences (energy concentration), Stony Brook University (1981)

Reasons for wanting to serve on this board:

The climate change/clean energy transition is one of our biggest challenges for the next century and beyond. Local action is crucial. I d like to help make a difference and the Climate Council seems like a good fit with my skills.

Conflict of Interest:

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 6/27/2019 2:42:43 PM **Date Printed:** 6/28/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Kathy Kaufman
Name Called:
Home Address: 1305 Lucy Lane
Chapel Hill NC 27516
Phone (Day): 919-225-3967
Phone (Evening): 919-933-5257
Phone (Cell): 919-225-3967
Email: kknarotsky@yahoo.com

Place of Employment: US EPA, retired
Job Title: Environmental Policy Analyst

Year of OC Residence: 1995

Township of Residence: Chapel Hill
Zone of Residence: Carrboro Transition Area

Sex: Female
Ethnic Background: white

Community Activities/Organizational Memberships:

Carrboro Environmental Advisory Board, member NC Clean Path 2025 Orange County co-chair Stakeholder advisory process participant, NC Governor s Energy Plan (ending August 2019) Progressive Democrats of Orange County, Issues Committee chair Orange County Justice United, strategy team member Kehillah Synagogue, Social Action Committee chair

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

I have expertise in renewable energy policy and economics as well as experience working at the local level. I worked as an air quality policy analyst for 29 years at the US EPA, including work on the economics and jobs impacts of climate policy. I helped write Carrboro s Community Climate Plan in 2014-15, and I also helped with the Solarize program in Orange County.

Reasons for wanting to serve on this board:

Climate change is an existential crisis affecting all of us and all of civilization. We need to do our part at the local level to implement solutions that reduce (and ulitmately eliminate) our use of fossil fuel, both in electricity use and transportation. I want to serve on the cliamte council because I want to use my knowledge and abilities to help with this incredibly important task.

Conflict of Interest:

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 6/28/2019 **Date Printed:** 6/28/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms Charity Kirk
Name Called:
Home Address: 1329 Beechwood Ln
Chapel Hill NC 27516
Phone (Day): 7074819137
Phone (Evening): 7074819137
Phone (Cell): 7074819137
Email: charity.kirk@gmail.com
Place of Employment: self-employed
Job Title: Web Developer / Designer
Year of OC Residence: 2012
Township of Residence: Chapel Hill
Zone of Residence: County
Sex: Female
Ethnic Background: white

Community Activities/Organizational Memberships:

I am not currently an active volunteer participant in any environmentally related community organization, but I am applying to this position because I am ready to become more locally involved.

I am a member of the Triangle Land Conservancy, the NC Botanical Gardens, the Xerces Society, the Sierra Club and The Nature Conservancy among others.

I am involved in local arts, particularly dance.

Past Service on Orange County Advisory Boards:

none

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

When I lived in Sebastopol California, I was a founding member and active organizer of a local bicycle and pedestrian advocacy organization (BikeWalk Sebastopol). Our organization helped move forward a number of local bike and pedestrian projects. I have experience working with local government as well as a long-term interest in looking at how government can support more environmentally friendly transportation methods.

Additionally, when in California, I organized and ran a LEED green building certification project for a 12-unit live-work development project. This project provides me a good understanding of the construction industry and how buildings can be more efficient. I also was an owner and manager of a bicycle shop giving me an understanding of the needs of small retail businesses.

I recently completed a Masters in Industrial Design at NCSU. This degree provides me with an

understanding of and respect for the needs of local industry.

I have a diverse understanding of the ways in which humans impact the environment and a drive to learn what others are doing as well as present, discuss and push for new ways of doing things.

Reasons for wanting to serve on this board:

I want to become more locally involved and feel I could make a positive contribution on this board based on my past experiences and strong interest in this area.

Conflict of Interest:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

When I lived in Sebastopol California, I worked for an architect for a number of years gaining an understanding of the construction industry and local planning requirements and also organizing and running a LEED green building certification project.

While completing my Masters in Industrial Design at NCSU I took a number of classes in Landscape Architecture (one specifically that looked at local planning requirements) as well as a course titled Biodiversity Conservation in Urban Regions.

With these courses and prior experience I know how planning policy impacts our environment and the way we live. I am interested in helping guide this process to become more considerate of the environment and of a diverse range of human needs and experiences.

Reasons for wanting to serve on this board:

I would like to be a new pragmatic environmentalist voice on the committee. I am interested in helping craft planning policy that pushes for a more sustainable vision of the future.

Conflict of Interest:

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 7/5/2019 5:21:52 PM **Date Printed:** 7/8/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Dr. Kristie Mather
Name Called:
Home Address: 709 Emory Dr.
Chapel Hill NC 27517
Phone (Day): 919-225-1818
Phone (Evening): 919-225-1818
Phone (Cell): 919-225-1818
Email: mather.kristie@gmail.com
Place of Employment: Synoptic Products
Job Title: Office Manager
Year of OC Residence: 2014
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Female
Ethnic Background: white

Community Activities/Organizational Memberships:

CHCCS Glenwood Elementary Mandarin Advisory Council, co-chair
CHCCS Equity Advisory Committee, Academic Achievement sub-committee
MomsRising NC Toxics campaign manager
NEXT Chapel Hill/Carrboro
Sierra Club
ERUUF Earth Justice Action Team

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

Since a 9th grade biology class where we covered global warming, I ve been concerned that climate change is the crisis the world is facing. I pursued a career path in evolutionary genetics and have a solid education and rigorous training in a particularly math and data-heavy field of biology, along with deep thinking, research and written communication. Throughout, I maintained a strong interest in environmental and especially climate change issues. I gravitated towards educating myself about what I could do in my personal life. I figured I d leave the structural change to those who were in government and my influence would be through my own actions, personal interactions and my vote. Being a bit geeky, I kept reading and educating myself about the structural change. I became increasingly concerned that change wasn t happening fast enough or to a sufficient degree, but felt I couldn t actually do anything at a higher level, because I wasn t trained in politics or environmental science. Since moving to Chapel Hill about five years ago, I started paying attention to local politics and have revised my opinion. I think that even without formal training in environmental science, there s a role I can play in change that is bigger than personal choices. Additionally, I ve done a little writing on toxins for the Duke Superfund Center and been active in actions at my UU congregation to make environmental concerns,

especially climate change, a bigger focus.

Reasons for wanting to serve on this board:

I want to do more to slow climate change and start adaptation plans than is possible at a personal level. We haven t done enough, and I think we ve got to have more folks working on climate change. The Climate Council seems a place where action can happen at a local level and I think I can be a valuable contributor. Local development and growth is a major piece - positive or negative - of how we can lessen climate change while understanding that some change is now inevitable and adaptation has to be part of the game. I can bring a combination of passion and analytical thinking to the council.

Conflict of Interest:

Commission for the Environment

Background, education and experience relevant to this board:

As long as I can remember I ve been developing a consciousness that the current American culture with an inclination towards disposability and convenience above all else is inconsistent with a planet that is a comfortable place for humans and many other living creatures. I pursued a career path in evolutionary genetics and have a solid education and rigorous training in a particularly math and data-heavy field of biology, along with deep thinking, research and written communication. Throughout, I maintained a strong interest in environmental issues. I gravitated towards educating myself about what I could do in my personal life. I figured I d leave the structural change to those who were in government and my influence would be through my own actions, personal interactions and my vote. Being a bit geeky, I kept reading and educating myself about the structural change. I became increasingly concerned about the many areas in which humans are still acting more destructively than constructively, but felt I couldn t actually do anything at a higher level, because I wasn t trained in politics or environmental science. Since moving to Chapel Hill about 5 years ago, I started paying attention to local politics and have revised my opinion. I think that even without formal training in environmental science, there s a role I can play in change that is bigger than personal actions.

Reasons for wanting to serve on this board:

I m concerned about the choices that our communities are making that are at odds with sustainability and environmental health. My personal choices aren t going to be enough and I want to ensure that our community makes structural choices that are sustainable and protect the sort of environment that is healthy for humans and other living creatures. I think I can be a valuable contributor. I can bring a combination of passion and analytical thinking to the committee.

Conflict of Interest:

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 8/1/2019 11:51:08 PM **Date Printed:** 8/2/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Jonas Monast
Name Called:
Home Address: 146 Yonder Trail
Durham NC 27705
Phone (Day): 919-943-8526
Phone (Evening): 919-943-8526
Phone (Cell): 919-943-8526
Email: jmonast@email.unc.edu
Place of Employment: UNC School of Law
Job Title: Assistant Professor and Director of the Center of
Year of OC Residence: 2006
Township of Residence: Eno
Zone of Residence:
Sex: Male
Ethnic Background: white

Community Activities/Organizational Memberships:

My wife and I are members of the Eno River Association and the Haw River Association. We are also long-time volunteers with Big Brother/Big Sisters of the Triangle.

Past Service on Orange County Advisory Boards:

I do not currently serve on an Orange County Advisory Board.

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

I have worked on federal and state climate and energy policy since 2007, directing the climate policy program at Duke University s Nicholas Institute for Environmental Policy Solutions and now directing UNC School of Law s energy and environmental law center. I have also participated in the NC Department of Environmental Quality s efforts to develop a clean energy plan for the state. This experience would allow to help the climate council consider how local actions can support efforts at the state and federal levels, as well as strategies to use local action to spur broader action.

Reasons for wanting to serve on this board:

I am excited that Orange County has created the Climate Council and would like to help my community become a leader in responding to the global challenge.

Conflict of Interest:

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 7/23/2019 11:19:45 AM **Date Printed:** 7/30/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr. Jim O'Connor
Name Called:	
Home Address:	112 Cheshire Dr. Hillsborough nc 27278
Phone (Day):	5087365336
Phone (Evening):	5087365336
Phone (Cell):	5087365336
Email:	jimoconnor3e@gmail.com
Place of Employment:	3E Enterprises Group
Job Title:	Project Development Dir.
Year of OC Residence:	2017
Township of Residence:	Hillsborough
Zone of Residence:	
Sex:	Male
Ethnic Background:	white

Community Activities/Organizational Memberships:

NC Sustainable Energy Association, Sierra Club, TLC, ENO River Organization, grant approved for Weaver Street Market EV charging station, REI Coop, was Energy Committee chair at my past town and we installed a 1.7mW solar farm which will save the town over $2.7mil and an energy performance contract which saved the town over $2mil in building upgrades. I was a citizen scientist with my kids monitoring/maintaining the health of the Blackstone river via the Audubon society. I ve been looking forward to involving myself back into my new community and I hope you give me a chance to help you meet the great goals of the Orange County Climate Council. Thanks for your consideration.

Past Service on Orange County Advisory Boards:

None at this time, I m learning about the political structure and opportunities in Hillsborough and Orange County since mid 2017.

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

I m a trained engineer and raised my children as environmentalists and hopefully taught them how live, using the triple bottom line (3P s) method. I earned a NABCEP certification in solar PV installation in 2010, have written over 6 successful grants for solar, wind, small hydro projects and EV charging stations in MA and in NC. We used two of the grants to create a learning opportunity for 6-12 grade with them video taping the Solar PV installation and presenting to the student body. I ve been self-employed the majority of my life and understand how to help create; a goal, a project team to achieve that goal and the infrastructure to maintain the solution installed. My decade long work with my past municipality taught me about the intricacies of working in this space and how to present new ideas to early adopters and the general citizenry.

Reasons for wanting to serve on this board:

I believe it s up to all of us to educate the majority about how important it is to attack climate change now, however they think it was created. I still can t believe I marched on Washington to hopefully help our politicians believe in science! I believe my unique experiences and passion can help the Council reach its goals to create climate change action, identify both joint and individual opportunities to reduce GHG emissions while improving air quality for all.

Conflict of Interest:

It depends, I don t know exactly what renewable energy projects I will be working on and if they will be in Orange County (none to date). I don t know exactly what the Council s work will include but I know I will be able to provide valuable contributions to the council. My previous role as Energy Committee Chair various members recused themselves as needed and it allowed us to attract the highest quality consultants which afforded us to quickly reach multiple milestones.

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 7/12/2019 3:11:42 PM **Date Printed:** 7/30/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Liane Salgado
Name Called:
Home Address: 2514 Damascus Church Rd
Chapel Hill NC 27516
Phone (Day): 919 923 5289
Phone (Evening): 919 923 5289
Phone (Cell): 919 923 5289
Email: gamberster@gmail.com
Place of Employment: Various. I have a permaculture design business an
Job Title: Technical consultant
Year of OC Residence: 1995
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Female
Ethnic Background: Hispanic

Community Activities/Organizational Memberships:

I was part of Transition Carrboro/Chapel Hill. I work with NC Warn, the Orange County Climate Change Coalition, the Carrboro EAB. I am interested in climate change, energy descent, cycling, permaculture, mediation, and local agriculture.

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

I have been working on environmental issues since my teens. Have lived here most of my life. Have degrees in Biology from UNC and U of Michigan. Am a permaculture designer and served on the steering committee for Transition Carrboro/Chapel Hill. I have taken classes in Mediation and Facilitation, and have taught social permaculture and permaculture. I am creating a 2 acre forest garden on my own land.

Reasons for wanting to serve on this board:

I m hoping to work to create some meaningful movement towards reducing greenhouse gases, and otherwise helping my neighbors prepare for energy descent, climate and economic instability.

Conflict of Interest:

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 6/25/2019 10:40:32 AM **Date Printed:** 6/25/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr Matthew Teal
Name Called:
Home Address: 619 Village Lake Drive
Mebane NC 27302
Phone (Day): 919-445-8361
Phone (Evening): 336-303-8325
Phone (Cell): 336-303-8325
Email: mwteal@gmail.com
Place of Employment: UNC Chapel Hill
Job Title: Policy Analyst
Year of OC Residence: 2018
Township of Residence: Cheeks
Zone of Residence:
Sex: Male
Ethnic Background: white

Community Activities/Organizational Memberships:

No Orange County activities yet. I am a member of the American Society for Public Administration and have written a monthly column on big data in local governments for their online publication, PA Times, since January 2019. You can see my columns online at: https://patimes.org/?s=matthew+teal&x=0&y=0.

Past Service on Orange County Advisory Boards:

N/A

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

My previous experience as a US Government national security analyst has made me aware of the overwhelming threat that climate change presents to US national security. My graduate degree in Public Administration (MPA) from the UNC School of Government has helped me strengthen my research, writing, and presentation skills to more effectively communicate with senior elected officials and career managers, particular in the local government setting. (The UNC MPA program is very focused on local government management.) Finally, my current role as the UNC Chapel Hill Policy Analyst has given me an opportunity to work across silos and engage with key stakeholders in multiple organizations within UNC and outside UNC to improve and manage the policy creation, updating, and retirement process for UNC Chapel Hill.

Reasons for wanting to serve on this board:

I believe climate change is the greatest threat to the American national security. I want to use my research, writing, and presentation skills, my formal local government training, and my experience working across organizational silos to engage with key stakeholders to help Orange County think strategically about the best way to mitigate the impact of climate change in Orange County and also serve as a model for other counties across the state and the nation.

Conflict of Interest:

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 6/21/2019 3:57:27 PM **Date Printed:** 6/24/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Dr Bill Ward
Name Called:
Home Address: 107 Forest Ridge Drive
Chapel Hill NC 27514
Phone (Day): 9199602587
Phone (Evening): 9199602587
Phone (Cell): 9194481613
Email: sandbward@mindspring.com
Place of Employment: Retired
Job Title: Orange County Volunteer
Year of OC Residence: 1998
Township of Residence: Chapel Hill
Zone of Residence: County
Sex: Male
Ethnic Background: white

Community Activities/Organizational Memberships:

I volunteer to help the county with its sustainability activities as well as serve on the OC Commission for the Environment. I serve on the Orange-Chatham Sierra Club executive committee and work to combat climate change with the following organizations: NC Warn, the Climate Reality Project, the Audubon Society, and the Orange County Climate Action Coalition.

Past Service on Orange County Advisory Boards:

Commission for the Environment

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

My education is in physics and biology and my career was in aerospace system engineering and as a data scientist for the EPA. I have studied the causes of climate change, particularly the work of James Hansen, and proposed remedies from many sources for the last two decades.

Reasons for wanting to serve on this board:

Through my efforts to prepare the Orange County GHG inventory I have learned the sources of GHG emissions in our county. With this information I have focused my studies on those methods that can best curtail GHG emissions from these sources. I have also learned the critical importance of racial and economic equity in policies and programs that reduce GHG

Conflict of Interest:

Supplemental Questions:

Boards/Commissions appointments:

Commission for the Environment

Application Date: 10/11/2017

Background, education and experience relevant to this board:

I have an undergraduate degree in physics and as an undergraduate helped the University of Iowa physics department investigate how the atmosphere altered star light. In the late 1970s I helped a physicist at Iowa State University study the characteristic

Reasons for wanting to serve on this board:

I believe that our natural environment is a precious resource that must be preserved. I am especially interested in promoting the adoption of renewable energy technologies in Orange County to minimize the threat posed by global climate change. I believe

Conflict of Interest:

Other Comments:

This application was current on: 6/28/2019 **Date Printed:** 6/28/2019

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Jim Warren
Name Called:
Home Address: 6129 Morning Glory Lane
Efland NC 27243
Phone (Day): 9195632636
Phone (Evening): 919-563-2636
Phone (Cell): 919-563-2636
Email: jim@ncwarn.org
Place of Employment: NC WARN, Inc
Job Title: Executive Director
Year of OC Residence: 1984
Township of Residence: Bingham
Zone of Residence:
Sex: Male
Ethnic Background: white

Community Activities/Organizational Memberships:
Multiple nonprofit memberships, affiliations including NAACP, Haw River Assembly, etc

Past Service on Orange County Advisory Boards:
none

Boards/Commissions applied for:

Orange County Climate Council

Background, education and experience relevant to this board:

Head of an environmental justice nonprofit for 26 years, with primary focus on climate for the last 16 years.

Reasons for wanting to serve on this board:

To help Orange County serve as a model for other govts in taking action to help slow climate change.

Conflict of Interest:

Supplemental Questions:

Boards/Commissions appointments:

Other Comments:

This application was current on: 7/31/2019 12:00:16 PM **Date Printed:** 8/1/2019

DRAFT

INFORMATION ITEM

Date Prepared: 07/15/19
Date Revised: 08/27/19

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
6/18/19	Review and consider request from the public regarding gun shots and noise near Robin's Wood and Stoneybrook, including a new ordinance	10/1/2019	John Roberts	Item proposed for Board discussion at September 10, 2019 work session
6/18/19	Review and consider request from the public that County pursue action relative to area proposed for Carrboro Highway 86 annexation and development of the property	10/1/2019	Chair/Vice Chair/Manager	To be reviewed and considered
6/18/19	Review and consider request from the public that the County and Human Relations Commission (HRC) establish a process for evaluating and considering potential speakers	11/1/2019	Annette Moore	Staff has shared with HRC Chair and proposed for HRC's September 9, 2019 agenda
6/18/19	Review and consider request by Commissioner Marcoplos that the Board explore the possibility of providing childcare for attendees at County meetings	12/1/2019	Nancy Coston	Staff currently gathering information
6/18/19	Review and consider request by Commissioner Marcoplos that staff provide a report to the Board on the implications and costs with implementing fare-free bus service	12/1/2019	Theo Letman	Report to be provided to the Board
6/18/19	Review and consider request by Commissioner Marcoplos, seconded by Commissioners McKee and Price, that the Board review the budget amendment process during a fall work session, including the schedule for budget submittals from the schools, public hearing framework, etc.	12/1/2019	Bonnie Hammersley Donna Baker	Item proposed for Board discussion at September 10, 2019 work session
6/18/19	Review and consider request by Commissioner Dorosin that the Board discuss school funding in the fall, potentially also as part of School Collaboration meetings	12/1/2019	Bonnie Hammersley, Travis Myren, & Gary Donaldson	Item proposed for Board discussion at November 14, 2019 work session
6/18/19	Review and consider request by Commissioner Rich that the Board pursue a proclamation recognizing Dr. Charles van der Horst at the September 3, 2019 meeting	11/1/2019	Chair/Vice Chair/Clerk	**Overcome by Events** Family has proposed alternative to be shared at later date

INFORMATION ITEM

Tax Collector's Report - Numerical Analysis

Property Tax Collection - Tax Effective Date of Report:						
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	4,033,222.84	$ 146,829,825.01	$ 152,142,471.00	$ 148,109,248.16	2.65%
Real and Personal Prior Year Taxes	$ 3,378,823.17	217,015.79	$ 3,098,772.76	$ 1,100,000.00	$ 882,984.21	19.73%
Total	$ 155,521,294.17	4,250,238.63	$ 149,928,597.77	$ 153,242,471.00	$ 148,992,232.37	**2.77%**
Registered Motor Vehicle Taxes		1,304,565.01	$ 2,692.20	$ 10,770,627.00	$ 9,466,061.99	12.11%
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	8,613,663.82	$ 135,741,343.95	$ 146,099,548.00	$ 137,485,884.18	5.90%
Real and Personal Prior Year Taxes	$ 3,097,551.91	253,447.70	$ 3,094,555.14	$ 1,100,000.00	$ 846,552.30	23.04%
Total	$ 149,197,099.91	8,867,111.52	$ 138,835,899.09	$ 147,199,548.00	$ 138,332,436.48	**6.02%**
Registered Motor Vehicle Taxes		$1,145,061.80	$2,206.20	$ 10,221,001.00	$ 9,075,939.20	**11.20%**

2019 Current Year Overall Collection Percentage - Real & Personal	2.67%
2019 Current Year Overall Collection Percentage - with Registered Motor Vehicles	3.51%
2018 Current Year Overall Collection Percentage - Real & Personal	5.97%
2018 Current Year Overall Collection Percentage - with Registered Motor Vehicles	6.71%

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: July 31, 2019

	July	August	September	October	November	December	January	February	March	April	May	June	YTD
Wage garnishments	80												
Bank attachments	32												
Certifications	-												
Rent attachments	-												
Housing/Escheats/Monies	25												
Levies	-												
Foreclosures initiated	-												
NC Debt Setoff collections	$ 2,873.28												

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.

Delegation of Authority per NCGS 105-381
To Finance Officer

INFORMATION ITEM - RELEASES AND REFUNDS UNDER $100
September 3, 2019

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	TAX	FEE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	TAX CLASSIFICATION	ACTION	Approved by CFO	Additional Explanation
Alvarez, Araceli Portillo	1069682	2017	7,070	-	(5.53)		(5.53)	Assessed in error (illegal tax)	Personal	Approve	7/5/2019	Gap bill - No gap in registration; renewal date changed by North Carolina Department of Motor Vehicles
Bailey, Aaron	43859683	2018	26,450	21,008	(86.01)		(86.01)	Value adjustment (appraisal appeal)	RMV-VTS	Approve	8/6/2019	
Bridges, Keven	48370796	2018	5,000	5,000	(36.85)	(30.00)	(66.85)	*Situs error (illegal tax)	RMV-VTS	Approve	6/7/2019	
Bridges, Keven	48370796	2018	5,000	500	(40.93)		(40.93)	Antique plate (appraisal appeal)	RMV-VTS	Approve	6/7/2019	
Coe, Donald	49013962	2018	1,010	500	(4.89)		(4.89)	Antique plate (property classification)	RMV-VTS	Approve	8/6/2019	
Council, Barbara	47233648	2018	10,590	2,594	(75.74)		(75.74)	Value adjustment (appraisal appeal)	RMV-VTS	Approve	7/17/2019	
Covington, Kevin Leon	1068782	2017	9,110	-	(49.26)		(49.26)	Assessed in error (illegal tax)	Personal	Approve	7/5/2019	Gap bill - Vehicle located in Alamance County per North Carolina Department of Motor Vehicles
Dunnagan, James	1017394	2013	1,000	-	(9.38)		(9.38)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	Double billed, also on account 1050842
Dunnagan, James	1017394	2014	900	-	(8.62)		(8.62)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	Double billed, also on account 1050842
Dunnagan, James	1017394	2015	810	-	(7.76)		(7.76)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	Double billed, also on account 1050842
Dunnagan, James	1017394	2016	729	-	(6.98)		(6.98)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	Double billed, also on account 1050842
Dunnagan, James	1017394	2017	1,000	-	(9.25)		(9.25)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	Double billed, also on account 1050842
Dunnagan, James	1017394	2018	1,000	-	(9.47)		(9.47)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	Double billed, also on account 1050842
Elmore, Jeffrey Clinton	1059402	2018	1,560	-	(15.77)		(15.77)	Assessed in error (illegal tax)	Personal	Approve	6/7/2019	Gap bill: vehicle was billed as registered motor vehicle for same time period.
Evans, Kimberly	46741471	2018	8,270	8,270	(59.15)	(30.00)	(89.15)	*Situs error (illegal tax)	RMV-VTS	Approve	7/17/2019	
Evans, Travis Antoinne	48571744	2018	3,380	3,380	(54.17)		(54.17)	*Situs error (illegal tax)	RMV-VTS	Approve	7/5/2019	
Falls, Janet S Trustee	1066207	2018	2,000		(31.61)		(31.61)	Assessed in error (illegal tax)	Personal	Approve	6/21/2019	Real property sold June 2017, no longer rental property, value removed
Fogg, John M	1066192	2018	3,500	-	(55.30)		(55.30)	Assessed in error (illegal tax)	Personal	Approve	6/21/2019	Real property sold August 2017, no longer rental property, value removed
Grace Independent Baptist Church	1067474	2018	3,650	-	(11.18)		(11.18)	Assessed in error (illegal tax)	Personal	Approve	7/17/2019	Gap Bill - exempt vehicle G.S.105-278.3 - religious purpose
Hauser, Bonicca	47267963	2018	42,235	38,011	(38.79)		(38.79)	Value adjustment (appraisal appeal)	RMV-VTS	Approve	7/17/2019	
Huntsman, Linnie	48932193	2019	19,100	19,100	(34.61)		(34.61)	*Situs error (illegal tax)	RMV-VTS	Approve	8/6/2019	
Johnson, Judith Williams	1069726	2018	14,890	-	(11.53)		(11.53)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	No gap in vehicle registration exists. Registration renewed and the license
Karr, April	30375375	2018	6,950	5,838	(16.34)		(16.34)	High mileage (appraisal appeal)	RMV-VTS	Approve	8/6/2019	
Keisler, Adam Timothy	47991862	2018	6,510	650	(55.20)		(55.20)	Value adjustment (appraisal appeal)	RMV-VTS	Approve	6/7/2019	
Lemon, Stanley	1077211	2018	4,420	1,167	(83.11)		(83.11)	Purchase price (appraisal appeal)	Personal	Approve	7/5/2019	
Linder, John	42059693	2018	22,620	18,125	(59.34)		(59.34)	Value adjustment (appraisal appeal)	RMV-VTS	Approve	6/7/2019	
Lo Bianco, Sheila	18397815	2018	9,930	6,930	(49.40)		(49.40)	Damage (appraisal appeal)	RMV-VTS	Approve	8/6/2019	
Locklear, James	324249	2015	950	-	(9.13)		(9.13)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	Billed in error mobile home removed, not on property
Locklear, James	324249	2016	950	-	(9.13)		(9.13)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	Billed in error mobile home removed, not on property
Locklear, James	324249	2017	950	-	(8.83)		(8.83)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	Billed in error mobile home removed, not on property
Locklear, James	324249	2018	950	-	(8.95)		(8.95)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	Billed in error mobile home removed, not on property
Lynch, Vickie	48679609	2018	11,480	11,480	(7.63)		(7.63)	*Situs error (illegal tax)	RMV-VTS	Approve	7/17/2019	
Lynch, Vickie	48679609	2018	11,480	8,036	(54.42)		(54.42)	High mileage (appraisal appeal)	RMV-VTS	Approve	7/17/2019	
McFarland Septic LLC	32802670	2016	7,560	7,560	(54.28)	(30.00)	(84.28)	*Situs error (illegal tax)	RMV-VTS	Approve	7/5/2019	
McFarland Septic LLC	40141589	2017	6,280	6,280	(47.11)	(30.00)	(77.11)	*Situs error (illegal tax)	RMV-VTS	Approve	7/5/2019	
McFarland, Waylon Eldridge Jr	26688393	2014	2,500	2,500	(17.95)	(30.00)	(47.95)	*Situs error (illegal tax)	RMV-VTS	Approve	7/17/2019	
Mills, Nathaniel	1066217	2018	500	-	(8.23)		(8.23)	Assessed in error (illegal tax)	Personal	Approve	6/21/2019	Real property sold January 2017, no longer rental property, value removed
Petty, Tyler Kevin	48800910	2019	8,430	6,322	(20.22)		(20.22)	Condition (appraisal appeal)	RMV-VTS	Approve	7/17/2019	
Royster, Mark	47540117	2018	259	259	(1.29)		(1.29)	*Situs error (illegal tax)	RMV-VTS	Approve	6/7/2019	
Royster, Mark	47540107	2018	4,780	4,780	(53.78)		(53.78)	*Situs error (illegal tax)	RMV-VTS	Approve	6/7/2019	
Schmidt, Marguerite	16107896	2018	7,580	6,367	(19.17)		(19.17)	High mileage (appraisal appeal)	RMV-VTS	Approve	6/7/2019	
Smith, Stephen	48409320	2018	2,310	-	(68.60)		(68.60)	Military exemption (illegal tax)	RMV-VTS	Approve	6/7/2019	
Stutts, James	41146701	2018	52,041	43,925	(76.45)		(76.45)	Value adjustment (appraisal appeal)	RMV-VTS	Approve	6/7/2019	
Symes, Scott	1066151	2018	1,500	-	(23.71)		(23.71)	Assessed in error (illegal tax)	Personal	Approve	8/6/2019	No longer rental property, sold March 2017
Thomas, Donald	48112057	2018	3,000	500	(23.55)		(23.55)	Antique plate (appraisal appeal)	RMV-VTS	Approve	6/7/2019	
Tschiderer, Linda	32135033	2018	21,178	19,998	(10.99)		(10.99)	Value adjustment (appraisal appeal)	RMV-VTS	Approve	6/7/2019	
Vickery, Jean	1067369	2017	500	-	(5.23)		(5.23)	Assessed in error (illegal tax)	Personal	Approve	6/21/2019	Gap bill: vehicle donated in September 2017, no a gap in registration
Weiler, Stehpen	48650173	2018	2,400	1,200	(10.92)		(10.92)	High mileage (appraisal appeal)	RMV-VTS	Approve	6/21/2019	
Wilson, Charles	3176258	2018	8,860	-	(34.77)		(34.77)	Assessed in error (illegal tax)	Personal	Approve	7/17/2019	Gap bill - no gap in registration; valid change in license plate
Wilson, Thaddeus	1076188	2018	2,800	-	(93.77)		(93.77)	Assessed in error (illegal tax)	Personal	Approve	7/17/2019	Gap bill - vehicle registered in Texas during gap period
Woods, Wesley	48460287	2018	3,380	3,380	(25.01)	(30.00)	(55.01)	*Situs error (illegal tax)	RMV-VTS	Approve	8/6/2019	
Wray, Steven	1066159	2018	1,000	-	(15.80)		(15.80)	Assessed in error (illegal tax)	Personal	Approve	6/21/2019	Real property sold April 2017, no longer rental property, value removed
							(1,815.09)	**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.

May 23, 2019 thru August 14, 2019

PLANNING & INSPECTIONS DEPARTMENT
Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov

ORANGE COUNTY
NORTH CAROLINA

131 W. Margaret Lane
Suite 201
P. O. Box 8181
Hillsborough, NC 27278

MEMORANDUM

TO:	Board of County Commissioners
FROM:	Nishith Trivedi, Orange County Transportation Planner
CC:	Craig Benedict, Orange County Planning Director Tom Altieri, Comprehensive Planning Supervisor
DATE:	September 3, 2019
SUBJECT:	NCDOT Corridor Updates – NC-54 West, S. Churton Street and Orange Grove Road Extension

This memo is to provide an update to the Board of County Commissioners (BOCC) on some North Carolina Department of Transportation (NCDOT) corridors: NC-54 West, S. Churton Street and Orange Grove Road Extension.

NC-54 West

On February 5, 2019, the BOCC approved a project within the NC 54 West corridor from the Orange County/Alamance County line to Old Fayetteville Road as one of County's transportation priorities for Strategic Prioritization of Transportation (SPOT) 6.0. This is a regional corridor involving multiple jurisdictions including:

- North Carolina Department of Transportation (NCDOT);
- Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO);
- Triangle Area Rural Planning Organization (TARPO);
- Burlington-Graham Metropolitan Planning Organization (BG MPO);
- Alamance County; and
- Orange County.

The 20 mile corridor is a primary east-west route connecting Graham and Carrboro. Orange County contains 10 miles of the corridor, of which 1.8 miles is in Carrboro's Extra Territorial Jurisdiction. It extends around southern Carrboro and Chapel Hill and goes onto NC-54 East, allowing commuters to continue to Durham, Cary, and Raleigh. This regional corridor has gone through an extensive publicly-involved corridor study in 2018 with every local jurisdiction and MPO/RPO participating through its unique public processes.

Due to the conclusions of the NC-54 West Corridor Study and the project's quantitative-based success through the last prioritization process SPOT 5.0, NCDOT Division submitted project H-140374-A, widen NC-54 West from Orange Grove Road to Old Fayetteville Road, NCDOT was prepared to invest $83,000,000 in southern Orange County if the MPO and RPO had put local input points on the project. NCDOT Division did put its points on the project, but without local points from MPO and RPO; it didn't scores well enough to get funded.

NCDOT has started a Feasibility Study to get a more detailed cost estimate for the potential improvements along the entire corridor (SPOT ID H-141391 and H-140374-A) from Graham to Carrboro in preparation for SPOT 6.0. With success in the SPOT process, transportation network in southern Orange County could receive benefits through a state funded project in the State Transportation Improvement Program (STIP) FY 2023-2032.

Key highlights of NC-54 West corridor in Orange County are:

- March 2013, – TARPO CTP – NC-54 West from Orange Grove Road to Bethel Hickory Grove Church Road, is identified as "needs improvement".
  - West of Orange Grove Road to the Orange County line is identified as "existing".
- August 2017, – DCHC MPO Comprehensive Transportation Plan (CTP) – NC-54 West from Bethel Hickory Grove Church Road to Old Fayetteville Road, is identified as "Needs Improvement".
- November 2018, – VHB consulting completed the NC-54 West Corridor Study with every jurisdiction having participated in the consultant's and DCHC MPO's public process. All comments were addressed at the MPO's November 14 public hearing following a 30 day public review period.
- February 2019, – Carrboro, through the DCHC MPO, has requested VHB to review and confirm Phase 1 study's conclusions through a phase 2 study to analyze future trends and transit alternatives as mentioned in phase 1, widening impact on local roads, and other improvements not on NC-54 (e.g. widening other roads or adding new roads as alternative improvements).
  - VHB will present the results of the Phase 2 analysis to local jurisdictions, including the Orange County BOCC, fall 2019 and the MPO Board at the end of 2019, for the MPO's consideration. A summary of Phase 2 of the NC-54 West Corridor Study was presented to DCHC MPO Technical Committee in August and the MPO Board will receive an update in September.
- April 2019, – TARPO requested a possible CTP amendment from NCDOT - convert the "existing" to "needs improvement" based on the recommendations from the NC-54 West study.
- May 2019, – DCHC MPO adopted the Regional Freight Plan identifying the entire NC-54 corridor as a Strategic Freight Corridor.
- July 2019, – NCDOT started a Feasibility Study for a detailed cost estimate and NCDOT Division submission in SPOT 6.0.
- November 2019, – Anticipated DCHC MPO Board public hearing and adoption of NC-54 West Corridor Study. Upon completion, Orange County CTP will be considered for possible amendment.

S. Churton Street and Orange Grove Road

Two of Hillsborough's FY 2018-2027 committed STIP projects are currently being implemented. The following is an update on the projects:

- U-5845 - Widen South Churton Street in Hillsborough
  - I-40 to the Eno River
  - Right-of-way 2022, Construction 2024 - $52.2 Million
- U-5848 - Extend Orange Grove Road
  - South Churton Street to US-70 Business with sidewalk and bike lanes
  - Right-of-way 2021, construction 2023 - $5.8 Million

NCDOT has begun final design and engineering as well as environmental analysis through its consultant – Kimley-Horn – towards implementing these projects.

- January 8, 2019, – NCDOT hosted a public meeting on both projects.
  - 4 design alternatives were proposed for Orange Grove Road extension.
  - Proposed cross sections for both projects were also presented.
- March 11, 2019, – Hillsborough Board of Commissioners recommended the No Build Alternative for Orange Grove Road extension.
- July 30, 2019, – NCDOT local officials meeting, four alternatives were recommended for South Churton Street widening, extending the project to US-70A intersection.
  - 1st – no bridge replacement, improve intersection.
  - 2nd – bridge replacement and intersection improvements, no bike/ped.
  - 3rd – bridge replacement and intersection improvements, with bike/ped.
  - 4th – bridge replacement and intersection improvements, with multi-use path.
  - All four recommend a multi-use path on the east and a sidewalk on the west.
    - The multi-use path and sidewalk are subject to NCDOT's current cost share policy.
- August 2019, – Hillsborough Board of Commissioners decided the Town does want improvements at the US-70A intersection but does not want the railroad bridge replaced.
  - Due to traffic volume and adequate bridge condition, DOT does not require the bridge over railroad tracks to be replaced.
  - As a separate matter, the railroad bridge will be under review as multiple tracks are considered in the corridor.
  - Should the Town want the railroad bridge replaced, DOT will require the Town to pay for it.

Transportation Planning staff will continue to keep the BOCC apprised of these corridors. Feel free to contact staff with any questions.