

APPROVED 6/18/2019

**MINUTES
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
May 21, 2019
7:00 p.m.**

The Orange County Board of Commissioners met in regular session on Tuesday, May 21, 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 7:01 p.m.

1. Additions or Changes to the Agenda

A motion was made by Commissioner Greene, seconded by Commissioner Dorosin to add a closed session at the end of the meeting for the following purposes:

"To consult with an attorney retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board." "N.C.G.S. § 143-318.11(a)(3)

"To discuss matters related to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations," NCGS § 143-318.11(a)(4).)

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee" NCGS § 143-318.11(a) (6).

VOTE: UNANIMOUS

Chair Rich noted the following items at the Commissioners' places:

- White sheet: proposed petition from Commissioner Price
- Revised chart for Item 5-a
- PowerPoint for Item 6-b

PUBLIC CHARGE

Chair Rich acknowledged the public charge.

Arts Moment

Arts Commission Director, Katie Murray, introduced Molly Weybright:

Molly Weybright graduated from the UNC School of Media and Journalism in 2018 with a degree in Reporting and creative writing. Her fiction has been published in UNC's official literary magazine "The Cellar Door" and her journalism has been published on multiple news outlets including the outer banks voice and WRAL. She is currently the intern for The Orange County Arts Commission, where she writes two short feature pieces per month focusing on the arts community of Orange County.

Molly Weybright read an excerpt from the "A Niente".

Commissioner McKee arrived at 7:05 p.m.

2. Public Comments

a. Matters not on the Printed Agenda

Dr. Joshua Humphreys said he lives in Bingham Township, and his community has learned that the County exercised an option to purchase land that cuts through the community. He said this option was part of a larger real estate deal: 13 acres of a 70-acre tract. He said an individual named Eric Knight is going to build a commercial brewery, and would double the use of water in their neighborhood. He said his community, the Oaks, is historically significant, and no one was informed about this. He said no one in their community was notified about the dual development of this land: the County using part for the Mountains to Sea trail, as well as a manufacturing facility, which will also serve as a major event venue. He said this neighborhood is a very quiet, rural one.

Dr. Carl Hoffman said he also lives in the Oaks Community, and has done so for 44 years. He said his property abuts the property in question. He said he and his wife have worked to preserve this area for people to enjoy, and they have no commercial development because they want this to stay in its natural state. He said he wonders why a brewery would be built in their neighborhood, and not in Saxapahaw. He said he is surprised that there is no zoning that prevents this. He said he is suspicious of the deal, and he would like to know the timeline of events, and the intent and motivation of all parties involved.

Commissioner Bedford arrived at 7:15 p.m.

Mark Kleinschmidt, Clerk of Court, said one of his first objectives as the new clerk, was to assess the facilities, and to work with County staff to meet the needs of the courthouse. He said the County improved the HVAC system this past year, which will hopefully reduce the humidity in the building. He thanked the Manager for her CIP, in order to ensure the safety and security of the records in the courthouse. He said improvements within the estate division, where he serves as Probate Judge, and improvements to the security of the public counter are critical. He said he is so pleased and expressed his gratitude for the Board of County Commissioners' (BOCC) assistance, and the work of the staff and their day-to-day responsiveness to their needs. He said he hopes to provide an annual update to the BOCC on the condition of the facility, and invited the BOCC to take a tour.

Delores Bailey, EmPowerment Director, read a letter from Karen Reid, who lives on Rogers Road:

To Whom It May Concern:

As a longtime member (38years) of the Historic Rogers Road Community and participant in the development of the 2016 Rogers Road: Mapping Our Community's Future, I am writing in support of rezoning and plans for the Greene Tract as stated in the 2016 Rogers Road: Mapping Our Community's Future. For many years, the wishes and concerns of members of the Historic Rogers Road Community were not heard or represented in decisions that directly affected our way and quality of life, so this plan was developed out of our desire to be proactive in the inevitable.

We expected that once the contaminated wells were replaced with city water, old septic tanks replaced with city sewer, the stench, vultures, wild dogs, rodents, noise of big trucks and blasting from the landfill becomes no longer an issue, we knew that having an infrastructure in place would attract all kinds of interests in the Greene Tract, as well as in our properties. As we made plans for the future of our community, high on our list of priorities was to permanently preserve and protect the most sensitive areas of the Greene Tract, as well as reserve a portion of the land for developing mixed income housing. As you may already know, this community existed in the 1700's and many families served as slaves to the plantation owners. Even with this dark era of history in mind, the Greene Tract is still near and dear to so many generations of Historic Rogers Road Community Members, both of African and Native American descent. We believe that it is our responsibility to permanently preserve a portion of a place that holds memories of harvesting fruit, nature walks, playing, etc., as well as to take this very unique opportunity to reserve a portion of the land in order to develop mixed use housing to accommodate people who are employed here, but cannot afford to live here. This would provide an excellent opportunity for organizations such as Empowerment, Habitat for Humanity, Community Home Trust, etc. to partner with Carrboro, Chapel Hill and Orange County in providing mixed income housing.

Believe it or not, two times each weekday, seven Chapel Hill-Carrboro City School Buses (bus numbers 95, 79, 151, 37, 247, 28 and 43) successfully drive through our narrow streets, not to mention the occasional activity or field trip bus. We currently have access to city bus services, with the exception of adjusted schedules "to accommodate the University of Chapel Hill's breaks" (summer, winter and spring). Ridership of the residents would greatly increase, if they could depend on the city buses keeping a consistent schedule throughout the year. Although the nearest grocery store is located miles away, members of the Historic Rogers Road Community, as well as members of the one hundred fifty Habitat households surrounding our community manage to find ways to get to and from grocery stores, appointments, and errands.

Concerns of building mixed use housing next to a "landfill" was mentioned at one Chapel Hill Town Meeting, but for many years Historic Rogers Road Community Members and community supporters fought to have the landfill as we knew it closed! Due to years of determination and perseverance, it is now closed and serves as a transfer station. So, the proposed development of mixed income housing would not be built next to an active "landfill," but next to a piece of land that the landfill uses to provide cover dirt and at some point, it too will cease to be used as cover material.

Thank you in advance for your consideration.

Sincerely,
Karen Reid

b. Matters on the Printed Agenda

3. Announcements, Petitions and Comments by Board Members

Commissioner Bedford said she attended the first meeting of the Orange County Behavioral Health Task Force, which was created to develop a transportation plan for those who are involuntarily committed.

Commissioner Dorosin said the County is in the midst of its 2019 Community Health Assessment, where residents are surveyed on health issues, which drives the Health Department's priorities. He said volunteers are needed to help communicate the survey to communities.

Commissioner Dorosin said there is a lot of talk about the flag ordinance, which regulates the size and height of flags. He said this issue is not unique to Orange County, and the City of Statesville just filed a lawsuit against an American flag that is 3200 square feet. He said as Orange County begins to deal with non-compliance issues, it is important to note that other communities are dealing with this issue as well.

Commissioner McKee had no comments.

Commissioner Price referred to the paper at the Commissioners' places, and said she is petitioning the Board to consider this Resolution Calling for Orange County Commissioners **to Endorse HR1384 IMPROVED MEDICARE FOR ALL** at a future meeting.

Commissioner Price said the Veteran's Memorial Day event will start at 7:45 a.m., and will be followed by a motorcycle tour of the County.

Commissioner Price said she attended the Direct Care Service Workers Award event, and offered congratulations to all that were nominated and recognized.

Commissioner Price said she attended the recognition program at the Chapel Hill-Carrboro City Schools (CHCCS), and there was one gentleman who has been employed since 1971.

Commissioner Price said she received a request from former Commissioner Barry Jacobs about coal burning at UNC, and he asked if this could be looked into, along with UNC's previously made commitment to be coal-free by 2020.

Commissioner Price offered condolences to the Lindy Pendergrass family, upon his passing.

Commissioner Marcoplos said the Durham-Chapel Hill-Orange Work Group met, and though the light rail is discontinued, the transit guidebook is still applicable. He said Durham is still moving forward with Patterson Place development, and there was also a report on the 15-501 corridor study.

Commissioner Marcoplos said he attended the Triangle Mobility Action Partnership (TriMap) meeting, and a gentleman from the Department of Transportation (DOT) mentioned that through 2016 storm costs were averaging \$60 million/year; but since 2016, it has been averaging \$225 million/year.

Commissioner Marcoplos said he had lunch with Keith Cook, who came up with a great idea: recognizing volunteers who come off boards/committees with a gift with their name on it.

Commissioner Marcoplos said the Town Council of Chapel Hill will be discussing the Greene Tract at its meeting tomorrow night, and he would like to have an update report at the BOCC June 4th meeting. He is interested in hearing what the meeting entails, as well as learning what the Town wants to share with the County. He said it is important to maintain communication, and is a rare opportunity to provide a large amount of affordable housing.

Commissioner Dorosin asked if Chapel Hill is voting on this issue tomorrow.

Commissioner Marcoplos and Chair Rich said the agenda appears to indicate that a vote will occur.

Commissioner Greene said this past Saturday she attended a day of remembrance ceremony at the Margaret Lane Cemetery, which was a moving event. She said this cemetery began as a slave cemetery, and has very few marked graves. She said this ceremony was funded by the Arts Commission, and supported by various organizations. She said it was lovely.

Commissioner Greene said her final office hours will be held tomorrow evening, from 4:30-6:00 p.m. at the Cedar Grove Community Center.

Commissioner McKee said the entire Board has been discussing economic development for several years, and he and Commissioner Marcoplos have been discussing this issue around three points, which he listed these below:

1) Eno Economic Development District

- a. There seems to be Board consensus that we should redefine (and publicize) our approach to this EDD (Economic Development District). We've had discussions confirming that this EDD has the least potential of the three EDD's for economic development and we could more fruitfully direct our efforts elsewhere.
- b. Given that the staff reported that there was some interest in some small-scale commercial projects there, we should continue to pursue those.
- c. Additionally, we should also remain open to redevelopment in the eastern section of the EDD between Hwy. 70 and I-85 where there are several under-utilized parcels that may have development value.

2) Status of re-zoning to prevent residential development from occurring on prime commercial development parcels in the Buckhorn EDD

- a. Many of us believed this was getting done last year. We need an update, notification of anything the staff needs from the BOCC on this, and a timeline for when this will be finished.

3) Potential for development on the southern edge of the Buckhorn EDD at Hwy. 10

- a. Steve Brantley has often remarked on the desirability of many of the tracts of land on the south side of Hwy. 10 that have drawn interest from potential businesses.
- b. Hwy.10 in that location is the boundary of the Rural Buffer agreed to by Orange County, Chapel Hill, Carrboro, Hillsborough, and OWASA in the Water and Sewer Management, Planning and Boundary Agreement and thus any changes to this agreement would need to be endorsed by those entities.
- c. We believe it is worthwhile to finally discuss whether moving the EDD/Rural Buffer boundary line a modest distance to the south of Hwy. 10 would be beneficial to the County.

Chair Rich said when something happens in Orange County, but it is within Chapel Hill's purview, they used to have a courtesy review. She asked if the County Manager would contact the Town's Manager to ask for a courtesy review prior to the Town voting.

Chair Rich said she attended Peace Officer's day last week, and deputies were there in force and she said thanked everyone for coming out.

Chair Rich asked Greg Wilder to work on proclamations for Lee Pavao and Lindy Pendergrass, who both passed away this week.

4. Proclamations/ Resolutions/ Special Presentations

a. Proclamation Recognizing Professor William (Bill) R. Ferris

The Board considered voting to approve a proclamation recognizing Professor William (Bill) R. Ferris for his contributions to the local and worldwide arts and history community.

Chair Rich presented this item:

BACKGROUND: William (Bill) R. Ferris is the Joel R. Williamson Eminent Professor of History Emeritus at the University of North Carolina at Chapel Hill. Professor Ferris is also a former chairperson of the National Endowment for the Humanities (1997-2001), and has written or

edited ten books and created 15 documentary films. His work has included co-editing the Encyclopedia of Southern Culture (1989), which was nominated for a Pulitzer Prize.

Professor Ferris' books include: Give My Poor Heart Ease: Voices of the Mississippi Blues (2009) which was translated into French as Les Voix du Mississippi (2013); The Storied South: Voices of Writers and Artists, and The South in Color: A Visual Journal (2016). Professor Ferris also curated "I Am a Man": Civil Rights Photographs in the American South – 1960-1970, which opened in the Pavillon Populaire in Montpellier, France in October, 2018.

Professor Ferris' most recent publication, Voices of Mississippi, is a 2018 box set published by Dust to Digital containing three CDs of his recordings of blues, gospel and stories, a DVD of his documentary films, and a book. In 2019, Voices of Mississippi received two Grammy Awards for Best Liner Notes and Best Historical Album.

Professor Ferris' honors include the Charles Frankel Prize in the Humanities, the American Library Association's Dartmouth Medal, the Mississippi Institute of Arts and Letters Award, and the W.C. Handy Blues Award. In 1991, Rolling Stone magazine named him among the Top Ten Professors in the United States. He is a Fellow of the American Folklore Society, and received the B. L. C. Wailes Award, given to a Mississippian who has achieved national recognition in the field of history by the Mississippi Historical Society. In 2017, Ferris received the Mississippi Governor's Arts Award for Lifetime Achievement.

Professor Ferris also co-founded the Center for Southern Folklore in Memphis, Tennessee, serving as its director from 1972 to 1984, and was the founding director of the Center for the Study of Southern Culture at the University of Mississippi.

The William R. Ferris Collection is located in the Southern Folklife Collection of the Wilson Library of the University of North Carolina at Chapel Hill.

Chair Rich read the proclamation:

**ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION RECOGNIZING
PROFESSOR WILLIAM (BILL) R. FERRIS**

WHEREAS, William (Bill) R. Ferris is the Joel R. Williamson Eminent Professor of History Emeritus at the University of North Carolina at Chapel Hill; and

WHEREAS, Professor Ferris is a former chairman of the National Endowment for the Humanities (1997-2001), and has written or edited ten books and created 15 documentary films; and

WHEREAS, his work has included co-editing the Encyclopedia of Southern Culture (1989), which was nominated for a Pulitzer Prize; and

WHEREAS, Professor Ferris' books include Give My Poor Heart Ease: Voices of the Mississippi Blues (2009) which was translated into French as Les Voix du Mississippi (2013); The Storied South: Voices of Writers and Artists, and The South in Color: A Visual Journal (2016); and

WHEREAS, Professor Ferris' most recent publication, Voices of Mississippi received two Grammy Awards in 2019 for Best Liner Notes and Best Historical Album; and

WHEREAS, Professor Ferris has been recognized with numerous honors, including the Charles Frankel Prize in the Humanities, the American Library Association's Dartmouth Medal, the Mississippi Institute of Arts and Letters Award, the W.C. Handy Blues Award, the B. L. C. Wailes Award, which is given to a Mississippian who has achieved national recognition in the field of history by the Mississippi Historical Society, and the 2017 Mississippi Governor's Arts Award for Lifetime Achievement; and

WHEREAS, the William R. Ferris Collection is located in the Southern Folklife Collection of the Wilson Library of the University of North Carolina at Chapel Hill;

NOW, THEREFORE, we, the Orange County Board of Commissioners, do hereby recognize Professor William (Bill) R. Ferris for his contributions to the local and worldwide arts and history community.

This the 21st day of May 2019.

Dr. Ferris said he has taught southern music all his life, and being here at UNC, living in NC and in the great town of Chapel Hill is an honor due to the great history of music. He said this community is a well spring of music, and he is deeply grateful for this honor.

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

VOTE: UNANIMOUS

b. Proclamation Recognizing Nathaniel Davis, Sr.

The Board considered voting to approve a proclamation recognizing Nathaniel "Nate" Davis, Sr. for his services to Orange County.

Commissioner Price presented this item.

BACKGROUND: Nate Davis has been a civil rights pioneer, record setting athlete and respected leader throughout the Orange County community.

In December 2018, Nate Davis retired from employment with the Chapel Hill Department of Parks and Recreation, having devoted 45 years to the children, teenagers and adults at the Hargraves Community Center.

Nate Davis served on the Orange County Human Relations Commission as a member and Commission Chair. During his tenure, he participated in the drafting of the Orange County Civil Rights Ordinance.

Commissioner Price read the proclamation:

**ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION RECOGNIZING
NATHANIEL DAVIS, SR.**

WHEREAS, Nathaniel "Nate" Davis, Sr., has been a civil rights pioneer, record setting athlete and respected leader throughout the Orange County community; and

WHEREAS, Nate Davis was born and raised in Chapel Hill, North Carolina, and was one of the first African-American students to integrate Chapel Hill Carrboro City Schools in 1962; and

WHEREAS, after graduating, Nate Davis began working at the Hargraves Community Center and eventually earned the position of Supervisor; and

WHEREAS, Nate Davis served on the Orange County Human Relations Commission as member and chair, and during his tenure participated in the drafting of the Orange County Civil Rights Ordinance; and

WHEREAS, Nate Davis served on the Steering Committee of the Orange County Misdemeanor Diversion Program for 16 and 17 year old youth; and

WHEREAS, on December 31, 2018, Nate Davis retired from employment with the Chapel Hill Department of Parks and Recreation, having devoted 45 years to the children, teenagers and adults at the Hargraves Community Center; and

WHEREAS, the Town of Chapel Hill bestowed Nate Davis with the 2011 W. Calvin Horton Service Award during the 9th Annual Salute to Community Heroes gala presented by the Chapel Hill-Carrboro Chamber of Commerce;

NOW, THEREFORE, we, the Orange County Board of Commissioners, do hereby recognize Nathaniel Davis, Sr. for his unwavering service to the people of Orange County, and express heartfelt appreciation and gratitude for his numerous and invaluable contributions to the improvement and well-being of the Orange County community; and the Board wishes Nate Davis a most enjoyable new journey in his life with Peggy, his wife, and his family.

This the 21st day of May 2019.

Mr. Davis thanked all of his family members, the residents of the Town of Chapel Hill and the Board of County Commissioners for this recognition.

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

VOTE: UNANIMOUS

c. Proclamation Recognizing the Chapel Hill High School Women's Fencing Team for Winning the 2019 State Championship

The Board considered voting to approve a Proclamation Recognizing the Chapel Hill High School Women's Fencing Team for winning the 2019 State Championship.

Todd McGee, Community Relations Director presented this item.

BACKGROUND: The Chapel Hill High School Women's Foil Team recently won the North Carolina Fencing League state title under the direction of Coach Doug Guild, who has guided the program to numerous state titles.

The team members introduced themselves: Erin Timmons, Kate Barrett, Jasmine Gee, and Alesandra Gutierrez-Arnold.

Commissioner McKee read the proclamation:

**ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION OF RECOGNITION ON
CHAPEL HILL HIGH SCHOOL'S WOMEN'S FENCING TEAM
WINNING THE 2019 STATE CHAMPIONSHIP**

WHEREAS, the Chapel Hill High School's Women's Fencing Team captured the North Carolina Fencing League's State Fencing Championship; and

WHEREAS, under the guidance of Coach Doug Guild, the Chapel Hill High School's Women's Foil Team has won numerous state titles; and

WHEREAS, through their hard work, dedication, teamwork and commitment, the team and Coach Guild brought honor upon themselves, 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 Chapel Hill High School Fencing Team for their outstanding achievement and their inspiration to youth across North Carolina through their dedication, teamwork and athletic prowess.

This the 21st day of May 2019.

Coach Doug Guild said it was an honor to coach this team, and 4 years ago the NC fencing league split between men and women, and the Chapel Hill girls' team has won 3 out of 4 years.

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

d. Proclamation Recognizing the Carrboro Clams Ultimate Frisbee Team for Winning the 2019 North Carolina High School Boys Division I State Championship

The Board considered voting to approve a Proclamation Recognizing the Carrboro Clams Ultimate Frisbee Team for winning the 2019 North Carolina High School Boys Division I State Championship.

Todd McGee, Community Relations Director, presented this item.

BACKGROUND: The Carrboro Clams Ultimate Frisbee Team won the 2019 North Carolina High School Boys Division I State Championship on May 5, 2019.

Commissioner Marcoplos read the proclamation:

**ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION OF RECOGNITION
ON THE CARRBORO CLAMS
WINNING THE 2019 ULTIMATE FRISBEE STATE CHAMPIONSHIP**

WHEREAS, the Carrboro Clams won the 2019 North Carolina Ultimate Frisbee High School Boys Division I State Championship, besting a field of 12 teams; and

WHEREAS, under the guidance of Coaches Schuyler Kylstra, Marc Rovner and Chathan Driehuys, the team won all four of its matches in the state tournament; and

WHEREAS, through hard work, dedication, teamwork and commitment of the team and coaches, the Clams brought honor upon themselves and Orange County;

NOW, THEREFORE, be it proclaimed that the Orange County Board of Commissioners expresses its sincere appreciation and respect to the Carrboro Clams for their outstanding achievement and their inspiration to youth across North Carolina through their dedication, teamwork and athletic prowess.

This the 21st day of May 2019.

Team members in attendance: Samuel Jarrett, Andrew Hoffman, Akshay Mankad, Gavin Blurr, Josh Singleton; and two others, as well as Coach Schuyler.

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

VOTE: UNANIMOUS

- e. **Resolution Supporting North Carolina's Working People and Their Families**
The Board considered voting to approve a Resolution Supporting North Carolina's Working People and Their Families.

Chair Rich presented this item.

BACKGROUND: Working people are currently struggling in an economy that does not work for them. Public policy choices, not just market forces, dictate whether working people have access to economic opportunities and benefit fairly from the work they perform.

The draft resolution expresses the Board of Commissioners position on several issues to promote the well-being of North Carolina's workers and their families.

Chair Rich read the proclamation:

**ORANGE COUNTY BOARD OF COMMISSIONERS
RESOLUTION SUPPORTING
NORTH CAROLINA'S WORKING PEOPLE AND THEIR FAMILIES**

WHEREAS, North Carolina's everyday working people are currently struggling in an economy that does not work for them and stagnant wages, public service cuts, systemic discrimination and a weakened social safety net are the norm in many communities; and

WHEREAS, public policy choices, not just market forces, dictate whether working people have access to economic opportunities and benefit fairly from the work they perform; and

WHEREAS, Orange County Government provides strong support for its employees including a minimum living wage of \$15 per hour for full time permanent employees and \$14.95 per hour for temporary employees, with plans to be at or above \$15 per hour for all employees by 2020; and

WHEREAS, North Carolinians need access to safe, green, living wage jobs, free from harassment, violence and discrimination; and

WHEREAS, worker organizing, union membership, and collective bargaining remain the most effective tools for working people to exercise their power on the job and in the public sphere.

NOW, THEREFORE, BE IT RESOLVED, that we, the Orange County Board of Commissioners, do hereby urge our legislative delegation to promote the well-being of North Carolina's workers and their families by supporting:

- Legislation which provides paid family leave for workers in NC who want or need to take parental leave, leave to care for sick family members, or to meet other critical family needs;
- Legislation raising the minimum wage for all workers and a \$15/hr minimum wage for all state **AND LOCAL** employees;
- Legislation that expands Medicaid coverage; and
- Legislation that empowers public employees to negotiate wages and other conditions of their employment, such as repealing so called "right to work" laws and extending the right to collective bargaining to public sector employees.

This the 21st day of May 2019.

Commissioner Dorosin made a friendly amendment: all LOCAL Employees to be added to bullet point; and that Orange County takes this progressive position
Chair Rich accepted the friendly amendment.

A motion was made by Commissioner Price, seconded by Commissioner Marcoplos for the Board to approve and authorize the Chair to sign the proclamation, and authorize the Clerk to the Board to send the signed resolution to Orange County's legislative delegation and other 99 counties.

VOTE: UNANIMOUS

5. Public Hearings

a. Orange County Consolidated Plan – Annual Action Plan Update and Proposed Uses of the FY 2019-2020 HOME Funds

The Board received input from the public regarding the proposed Annual Action Plan and update of the FY 2015-2019 Consolidated Plan for Housing and Community Development Programs in Orange County, as well as the proposed uses of FY 2019-2020 HOME funds.

Sherrill Hampton, Housing Director, presented this item:

BACKGROUND: In May 2015, a Consolidated Plan for Housing and Community Development Programs in Orange County was developed and approved by the U.S. Department of Housing and Urban Development (HUD). This document details the housing needs of very low income, low income and moderate-income families and special population groups in addition to outlining the strategies and plans for addressing those needs. FY2019-2020 will be the fifth year of the 5-year Plan. See **Attachment 4 (revised at their places)** for additional background materials.

Each year, local communities are required to re-assess the needs of the community. The public hearing provides an opportunity for the public, public agencies and other interested parties to provide input as it relates to the revised annual update of the Consolidated Plan and proposed Annual Action Plan. In addition, the public is asked to comment on the revised proposed use of FY 2019-2020 Program Year funds. The Orange County HOME Consortium, known as the *Orange County Local Government Affordable Housing Collaborative*, anticipates the following Federal financial resources:

FY 2019 HOME Funds \$350,320.00
 HOME Program Income \$ 13,306.00
 HOME Match \$ 78,818.00
Total \$442,426.00

The above amounts are estimates only and may still be adjusted according to the exact allocation received from HUD.

The HOME Consortium, known as the *Orange County Local Government Affordable Housing Collaborative*, 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 and made recommendations regarding funding for consideration by local elected officials in June 2019 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 FY19-20 CHDO Set-Aside amount of \$52,545. EmPOWERment will also receive \$60,201 of FY18-19 CHDO Set-Aside funds making their total proposed award amount \$145,201.) See **Attachment 2** for a summary description of the aforementioned projects and their geographic locations.

The requested amounts above may still be adjusted based on the exact allocation the HOME Consortium receives from HUD.

The FY 2018-2019 Annual Action Plan will be submitted to HUD on or before June 25, 2019. This Public Hearing is one of two (2) public hearings held as a part of Orange County's engagement of residents concerning local housing and community developments needs and the HOME Program. A proposed revised timeline of the complete process is provided at **Attachment 3**.

In order to inform the general public of this opportunity and encourage participation, notice of the public hearing and locations at which the public can review a draft of the revised proposed Annual Action Plan have been placed in *The Herald-Sun*, *News of Orange* and *La Noticia*, as well as sent to public libraries, local non-profit agencies and placed on Orange County's website.

Sherrill Hampton said there has been a reduction in funds this year.
 Sherrill Hampton said the full break out of numbers can be found in Attachment 4.

She said the same attachment includes a revised sheet, which provides some information on the range of projects that were funded from 2015 through this period. She said the BOCC was generous during this process last year, and Community Home Trust was awarded additional funds for homeownership assistance, and this project has been completed and added to these documents.

Sherrill Hampton said under 2016 monies, the BOCC awarded CASA \$46,529, which was the balance of unobligated Certified Housing Development Organization (CHDO) funds, and this activity is imminent. She said it took longer than normal to do the environmental assessment, but this has now been received and these activities should be starting within the next week or so.

Sherrill Hampton said the BOCC has the recommended projects on page 2 in the abstract, and in keeping with priority needs within the County's 2015-2019 Consolidated Plan. She said this includes rental acquisition, with EmPowerment utilizing \$85,000, which includes last year and this year's CHDO funds. She said Habitat for Humanity will do home ownership again, with 6 units, which is downsized from 8. She said Orange County received funding for its TBRA, which will be used to leverage local voucher funds, as well as a rapid rehousing program.

Sherrill Hampton said staff has provided a revised schedule, which is a little late, but it will provide less confusion to the public via only 2 public hearings. She said the County has yet to receive its letter from HUD, and so the timeframe has shifted, as noted in Attachment 3.

Commissioner Greene referred to attachment 4, and asked if there is a reason that funds went up from 2017-18.

Sherrill Hampton said there was tremendous lobbying that year, and she is not sure if it has new found monies. She said she does not know a specific reason. She said this year the funds were reduced by about \$51,000.

Commissioner Price said when she was in Washington, D.C. at the Economic Development Steering Committee, there was a lot of lobbying and monies were put back into the CDBG programs.

A motion was made by Commissioner McKee, seconded by Commissioner Price to open the public hearing.

VOTE: UNANIMOUS

Public Comments:

Steve Drake said he is one of the Directors of Habitat for Humanity, who is requesting HOME Funds. He said Habitat builds several homes annually in Orange County, and sells them to eligible families at an affordable price. He said one of the reasons this work can be done is due to the Orange County HOME funds. He said Habitat uses these funds as second mortgage assistance, which reduces the overall price of the homes, making them more affordable for the families. He said Habitat is celebrating its 35th anniversary this year, and looks forward to building its 300th home.

Regina Miller said she became a homeowner through Habitat five months ago. She said she is a single mother of two, who moved here after a divorce and lived with family. She said she had stable employment and salary, but her bank would only lend her a small amount. She searched for many homes in her price range, and found one an hour away. She said she was so defeated, but then found out about Habitat, applied for a home and was able to become a homeowner. She said Habitat's programming was incredibly helpful in building some confidence to advocate for funds for Habitat, and for her future neighbors.

Anna Marie Pellett said she is currently employed by UNC Healthcare as a housekeeper. She said she has lived in Chapel Hill for 12 years, and has endured rental price

gouging. She said she found a flyer at her job for senior housing through Habitat at what is now Crescent Magnolia. She said her application was processed and approved in 2017, while the property was still under construction. She said she had such faith in Habitat for Humanity to bring this project to fruition, and her closing date is in September 2019. She said she is here to speak on behalf of her future neighbors, and Habitat has stepped up the game for senior housing for aging in place in Orange County. She said elderly citizens matter, and aging in place is possible when affordable housing is available. She asked if the BOCC would continue to support Habitat in its good and important work. She said she has received education, resources, and dignity from this wonderful organization.

John Lyon said he and his wife will be closing on their home in the fall, as part of the Crescent Magnolia community. He said by working with Orange County Aging Department and support groups he found out about this community. He said if he could find a handicap accessible home, the Department on Aging would bring in services to help him and his wife, who has dementia. He said they attended Habitat owners' classes and sweat equity classes, and are able to have all their needs met through this new community. He thanked the BOCC for its support of Habitat, and asked if it would continue to do so.

Doug Call said Habitat will be completing its 300th home this year, and he invited the BOCC to the dedication of the first eight units at Crescent Magnolia scheduled for the second weekend in July. He said he volunteers at Habitat and is on the Board of Directors and Chairman of the Advocacy Committee. He said a safe and affordable home has untold value and impact.

Corey Root said she is the Coordinator of the Partnership to End Homelessness (PTEH), which is a partnership between entities and service providers. She thanked the BOCC for providing rapid re-housing from the HOME funds last year. She said the PTEH conducts a gap analysis of the homeless service system annually. She said rapid re-housing is a gap that has increased since last year. She said rapid re-housing is short-term financial assistance, support services, and housing identification. She said rapid re-housing is the number one gap, and the PTEH has looked at its budget to look at a fully funded program, which would be \$1,074,150 to serve 90 households. She said there is a list of 99 households who are currently connected with service providers, and 97 would be appropriate for rapid re-housing. She said the system is ready to go, and a robust, best-practice model program is all that is needed.

Delores Bailey, Executive Director of EmPowerment, Inc., thanked the Board of County Commissioners for suggesting funding for acquisitions for their rental program. She said through the support of all local entities, as well as partner organizations, EmPowerment's affordable rental inventory will rise to at least 57 units by the end of the next fiscal cycle.

Commissioner Price referred to the list of community development priorities, and asked if "clearance and revitalization" could be made a higher priority within this generally low priority area.

Commissioner Price said in the homelessness category, she would like to stress the importance of keeping families together whenever possible.

Sherrill Hampton said 2015 Consolidated Plan was completed before she worked for the County, and the Housing Department will be working with the collaborative and making the RFP in the fall, which can look at all of the information that came out of MAP and other data sources.

Commissioner Dorosin said he is the BOCC representative on the HOME committee, and gave kudos to Sherrill Hampton.

Commissioner Dorosin called out EmPowerment as an exemplary service provider, and said the Board set priorities, and one in particular was affordable rental housing. He said Empowerment is the provider that has really been able to provide direction and resources for rental housing. He said this is difficult and expensive, but crucial, work. He said EmPowerment is becoming a Certified Housing Development Organization (CHDO), which is an intensive

process. He said EmPowerment is the only organization to take on this process, and it will bring additional resources to this work.

Commissioner Dorosin said the TBRA program is targeted at rental housing, and the rapid re-housing is a tremendous gap in addressing the issue of homelessness. He said there is so much work yet to do, but he is thrilled to see the County focusing on the most critical needs.

Commissioner Greene said Corey Root is a doing a tremendous job at the homelessness program coordinator, and in these past two months there have been 9 people moved from homelessness to housing.

Sherrill Hampton said the Board has allowed staff and their partners to be innovative, and not many places have local vouchers like Orange County does. She said Orange County has the cooperation and opportunities to enhance this creativity.

Chair Rich echoed the comments already made. She said the local voucher program will be a great story to promote, as Orange County can be a leader in this realm.

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

VOTE: UNANIMOUS

6. Regular Agenda

a. 2020 Census Complete Count Committee

The Board considered establishing a 2020 Census Complete Count Committee consisting of a group of community volunteers and local government elected officials and staff dedicated to increasing awareness and motivating residents to respond to the 2020 Census.

Todd McGee, Community Relations Director, presented this item:

BACKGROUND: The United States Census is conducted every 10 years as directed by the U.S. Constitution. With more than 300 million people in the United States, the U.S. Census Bureau cannot conduct the census alone and encourages communities to create a local Complete Count Committee (CCC).

The population totals from the census determine the number of seats each state receives in the U.S. House of Representatives. States and local governments use the totals to redraw districts for governing boards, including legislatures, school boards, municipal boards and county commissions. More than \$675 billion in federal funding is distributed to states and communities each year based on census data. An accurate count will ensure that Orange County residents receives fair and accurate representation at all levels of government and that the County receives all entitled federal funds that support such initiatives as housing, public health and education.

Attachment 1 includes proposed membership for an Orange County CCC. The proposed members represent a broad spectrum of government and community leaders from business, non-profits, faith-based organizations and other community members.

Two target groups: children to be included in the counts and non- English population.

The CCC will meet monthly beginning in summer 2019 to develop and implement a 2020 Census awareness campaign to encourage residents to respond. The CCC will focus on hard-to-reach communities to ensure an accurate count in the 2020 Census. Everyone counts in Orange County.

FINANCIAL IMPACT: The CCC will create marketing materials such as posters, flyers, utility bill inserts, etc., which will be shared with community partners. Funding totaling \$1,500 is included in the Manager's 2019-20 Recommended Budget in the Community Relations Department.

Commissioner Price said the proposed list is a starting point, and it is the hope that each person will be able to reach out to others and have a domino effect. She said most of this count is to be done online but they will be working with resources for Internet access.

Commissioner Greene suggested including Katie Murray, asking her to reach out to schools or community centers and families and kids through arts and crafts projects about the census.

Commissioner Dorosin said this is a great idea, and this list is the core community but stressed the need to add to the core group more non-native language residents. He suggested asking department heads to use their seat for the non-English speaking community.

Commissioner Price said there is a representative from El Centro.

Todd McGee said there are different departments with expertise in these special communities (the Health Department, in particular), and staff will reach out to them for ideas and input.

Commissioner Dorosin said he wants these people to actually be on the committee. He said there is a suspicion of the government in general and, if a department as a native non-English speaker, their involvement could do a lot to build trust. He said Orange County is a highly educated community, and those people will fill out the census. He said the County needs to focus on reaching the unreached, which will be even more critical this year, as people are fearful.

Commissioner Price said some of this is a matter of protocol, and each jurisdiction can appoint whom it deems best. She said she hopes that each of these people on the list would help the group to grow the list effectively.

Commissioner Dorosin said to tell all on the list that it is a high priority to have non-English representation.

Todd McGee said staff will utilize resources in the other governments, and ask them to reach out to anyone who may have inroads with hard to reach communities.

Commissioner Dorosin said childcare service association should be added to the core list.

Bonnie Hammersley said the County representatives from the various departments are on there because they have list serves of faith-based communities, children, childcare, etc. She said she is hearing that the Board would like to have someone else on the list from their departments that have contacts in the minority communities.

Commissioner Marcoplos said he appreciated Commissioner Dorosin's comments and the Family Success Alliance would be a great start, and it may be a good idea to have a youth or two on this core committee.

Commissioner Greene said the refugee community says "TBD," and asked if clarification could be provided.

Todd McGee said he has reached out, but has not heard back. He said this is an important gap, and he will continue to pursue this.

Commissioner Price said the City of Chicago is putting forth millions of dollars into this effort, but Orange County is only putting in \$1500. She said she is hopeful that the other municipalities will contribute.

Todd McGee said staff is thinking about a utility bill insert about the census.

Commissioner Bedford asked if the committee will keep the Board updated on the need for more funding as its meetings get underway.

Chair Rich asked if Justice United should be included. She said one of the fastest growing populations is the Asian American community, and suggested reaching out to Chapel Hill Town Council member Hongbin Gu. She also said to reach out to the schools about teaching a unit on the census.

A motion was made by Commissioner Dorosin, seconded by Commissioner Marcoplos to approve the establishment of an Orange County Complete Count Committee—specifically reaching out and recruiting non-native speaking residents to be on this core committee as designees and two youth members and Katie Murray, and to be chaired by Vice Chair Renee Price as recommended by Chair Penny Rich.

VOTE: UNANIMOUS

b. Comments on the Draft FY20 Work Plan for Orange County Transit Services and Approval of Participation in a Commuter Rail Feasibility Study

The Board provided comments on the Draft FY20 Work Plan for Orange County Transit Services and to consider participating in a feasibility study for commuter rail in the Triangle region at a cost of \$75,000. All projects in the Draft Work Plan are funded using Dedicated Transit Revenues, and sufficient funding would be available to participate in the commuter rail feasibility study using those funds.

Travis Myren made the following presentation:

BACKGROUND: Each year, the Staff Working Group for Orange County reviews projects included in the *Orange County Transit Plan* and recommends a specific, annual work plan to implement those projects. Like the Capital Investment Plan, the Transit Plan serves as the long range framework for transit investments while the annual work plan identifies the specific projects and amounts that will be budgeted for those projects in the coming fiscal year.

The Staff Working Group includes representatives of the County, the Durham-Chapel Hill-Carrboro Metropolitan Transportation Organization (DCHC MPO), and GoTriangle as prescribed by the *2012 Interlocal Implementation Agreement for the Orange County Bus and Rail Investment Plan*. The recommended FY20 Work Plan was released for a 21-day public comment period on May 9, 2019 by the DCHC MPO. The public comment period will end on May 30, 2019.

Upon completion of the public comment period and subsequent Work Plan adjustments, the Staff Working Group will make a recommendation to the GoTriangle Board of Trustees which administers the Transit Tax District Funds and adopts the Work Plan as part of the GoTriangle Annual Budget.

The draft FY20 Draft Work Plan is the first to be recommended following the discontinuation of the Durham-Orange Light Rail Project. No funding is recommended in the FY20 Draft Work Plan for this project. The Draft Work Plan contains several highlights that are intended to revise the long term strategy for public transportation in Orange County and result in a revised *Orange County Transit Plan*. Specific highlights include:

1. Funding to Develop a New Orange County Transit Plan

The Work Plan recommends an initial investment of \$500,000 to facilitate the process of creating a new Transit Plan. Using this framework, the County would provide funding to a third party consultant to assist with the transportation planning elements of the plan and to coordinate

a public information process according to direction provided by Orange County. The contracting process may flow through the DCHC MPO to provide regional context while a local oversight group will guide and define local priorities. If this initial investment is approved, a more detailed scope will be developed in cooperation with the County's regional and local transit stakeholders, and a more detailed cost estimate will be established.

2. Future Funding Flexibility

The FY20 Draft Work Plan does not spend all of the available estimated revenue. The Draft Plan currently projects a surplus of \$3.8 million for FY20. These funds will rollover to future years and would be invested in the new transit priorities identified through the new Transit Plan.

3. Mobility on Demand

The recommendations for Orange County Public Transit include the initial investments to advance a "mobility on demand" model to better and more efficiently serve the less densely populated portions of the County. This model will also be leveraged to serve the commuting population through the use of van pools and other smaller, more flexible modes of transportation.

Proposed Participation in the Triangle Commuter Rail Feasibility Study

The Transit Plans adopted by Wake County and Durham County included initial investments in a Commuter Rail Transit (CRT) project. Commuter Rail Transit uses existing railroad tracks to provide passenger rail service focused on peak commuting times. The initial scope of this project is envisioned to run thirty-seven (37) miles from Garner to downtown Raleigh, N.C. State University, Cary, Morrisville and the Research Triangle Park continuing to Durham. The longer term vision for this system would extend commuter rail service through Orange County to Alamance County.

After the Draft Work Plan was developed, the GoTriangle Board of Trustees discussed including Orange County in the initial feasibility study to extend commuter rail in the Triangle region.

GoTriangle has requested \$75,000 in dedicated transit revenues to expand the scope of the feasibility study to include Orange County. As a feasibility study, the study elements are intended to provide policy makers with information to assess whether the project should proceed and, if so, at what size and scope. These elements would include establishing the purpose and need for the project, modelling ridership, analyzing capacity, developing initial capital and operating and maintenance cost estimates, developing a stakeholder and public outreach plan, assessing project delivery methods, and evaluating existing conditions. The study would evaluate a total of six (6) commuter rail scenarios. Three of these scenarios would include service extensions into Orange, Johnston and Alamance counties. If any of these counties elect to participate, each County would be asked to contribute to the cost of the study. The study is expected to be completed during the 2019 calendar year.

FINANCIAL IMPACT: The Draft FY20 Work Plan recommends a total of \$5.8 million in public transportation investments to be funded with Dedicated Transit Revenues. The Board is being asked to provide comments on these recommendations and to recommend the addition of \$75,000 in Dedicated Transit Revenues to participate in a Commuter Rail Feasibility Study. Sufficient dedicated transit revenues are available to fund this addition.

Travis Myren made the following PowerPoint presentation:

Draft FY20 Work Plan for Transit Services in Orange County: Comment and Amendment
Board of Orange County Commissioners
May 21, 2019

Purpose

- Provide Comments on the FY20 Draft Work Plan for Transit Services as Outlined in the Orange County Transit Plan
- Consider Participation in a Feasibility Study for Commuter Rail in the Triangle Region
- All Elements of the FY20 Draft Work Plan are Funded with Dedicated Transit Revenue

Relationship to the 2017 OC Transit Plan

- 2017 Orange County Transit Plan
 - Broad Projects, Cost Estimates, Goals and Objectives
 - Adopted by the Board of Orange County Commissioners
- Annual Work Plan
 - Specific Projects, Budget Estimates
 - Recommended by the Staff Working Group
 - Approved by the GoTriangle Board of Trustees in Budget
- Local Budget and Project Implementation
 - Executed Projects, Actual Expenditures
 - Recommended by the County/Town Managers - Revenue Recognized in FY Budget
 - Approved by the Town Council/Board of Orange County Commissioners

Dedicated Transit Revenues

- Dedicated Transit Revenues Fund Work Plan-table

Proposed Expenditure Summary

- Expenditures Fund Services, Administration, Capital – table

Draft Work Plan Highlights

- 1st Work Plan since the Discontinuation of Durham-Orange Light Rail Project
- Development of New *Orange County Transit Plan*
 - Third Party Consultant
 - Transportation Planning Elements
 - Public Input Process
 - Contract through DCHC Metropolitan Planning Organization
 - Maintain Regional Perspective
 - Establish Local Steering Committee for Local Priorities
 - Scope of Services Developed with Transit Stakeholders
 - More Detailed Cost Estimate
- Future Funding Flexibility
 - Draft Plan Allocates \$5.8 million of Projected \$9.6 million Revenue
 - Funds Carry Forward to Next Fiscal Year
 - Chapel Hill Bus Rapid Transit – 50% of Non-Federal Share (Add \$8 million)
 - Accomplished through Plan Amendment
- Mobility on Demand
 - OCPT Initiative Following Short Range Transit Planning
 - More Flexible and Efficient Service to Less Dense Areas
 - Focus on Commuter Options

- Request to Fund Feasibility Study for Commuter Rail
 - Orange County Contribution of \$75,000
 - Should Project Proceed?
 - Size and Scope
 - Public Input
 - Ridership, Capacity, Initial Costs, Project Delivery

Funded Projects

- Services Project List – see page 15 of packet (chart)
- Administration Project List – see page 15 of packet (chart)
- Capital Project List – see page 15 of packet (chart)

Commissioner Greene asked what the Hillsborough Transfer Center was.

Theo Letman said this will be a transfer point for all three transit services to meet up. Currently the stop they use was recently purchased and buses are not allowed and thus Go T is researching other options.

Decision Items

- Provide Comments on Draft FY20 Work Plan
Staff to Formally Communicate Comments
- Add \$75,000 to Draft FY20 Work Plan to Participate in Commuter Rail Feasibility Study

Commissioner Price referred to table 2 on page 7, and asked if there is a reason why Durham and Orange would be paying the same amount for the administration positions.

Travis Myren said though Durham County is larger, both counties tend to have the same amount of transactions.

Commissioner Dorosin referred to the \$500,000 for the study, and asked if this is comparable to what was paid last time, and if it will go out to bid.

Travis Myren said in 2010 GoTriangle had this in its budget, but this year it would go through a competitive RFP process. He said \$500,000 is an estimate.

Commissioner Dorosin asked if the idea is that the consultant would be hired in the fall and have a year to complete the work.

Travis Myren said a year to 18 months is the estimated timeframe, and the Board would be provided updates and information sessions.

Commissioner Dorosin asked if, in the interim, the existing transit plan would continue, just without the light rail.

Travis Myren said yes. He said some existing projects have been expedited, and the plan can always be amended should new opportunities arise in the meantime.

Commissioner Dorosin asked if the roughly \$3.87 million will be banked, or used, in the meantime.

Travis Myren said any of those options could be done, or the funds could wait for the new proposed investment in the new plan.

Commissioner Dorosin referred to the bus rapid transit (BRT), and said there are deadlines coming up this fall. He asked if this local commitment needs to be in place by November.

Travis Myren said the non-federal share will need to be demonstrated sometime in August, but since this can be over multiple years in the plan, staff thought a better vehicle would be to use a Memorandum of Understanding (MOU) with Chapel Hill to lay out how the money would flow, and for which years.

Commissioner Dorosin referred to the commuter rail idea, and said it would be helpful to understand what this vision might be.

Travis Myren said multiple trains would run at peak times.

Commissioner Dorosin asked if the Orange County stop would be in Hillsborough.

Commissioner Marcoplos said the study would find out this information.

Commissioner Dorosin said he understands commuter rail to get people to and from work at the beginning and end of the day.

Commissioner Marcoplos said a schedule designed to serve the short route, which would share tracks with the trains running from Raleigh to Charlotte.

Chair Rich said sometimes freight trains can delay passenger trains, and asked if the study would take those questions into account.

Commissioner Marcoplos said he hoped so.

Commissioner Dorosin asked if it would be same train running from Raleigh to Charlotte, just with additional stops.

Commissioner Marcoplos said the train would be on the same track but would be a different train. He said there is an \$850,000 study, and Orange County is asked to put in \$75,000 as is Alamance and Johnston counties. He said Wake and Durham as well as the NC railroad have also been asked to put in money. He said the NC Railroad caused some problems with the light rail, but has voiced strong commitment to this project. He said the study will provide much needed information.

Commissioner Dorosin asked if the study will be done by an outside consultant or GoTriangle.

Commissioner Marcoplos said an outside consultant.

Commissioner Marcoplos said there is a notion going around that this is the transit plan that they have been waiting for, and this is not that, but rather is just business as usual. He said the actual transit plan will evolve out of this process. He said there is another notion that Orange County will be subsumed by a regional transit plan. He said it would be crazy for Orange County to break away from its regional partners, and the County can also continue to do local transit work.

Commissioner McKee referred to the 50% non-federal share for BRT in Chapel Hill, and asked if some of the unused overage of \$3.8 million could be applied to this \$8 million request.

Travis Myren said yes, and any resources that are available in this plan, or any future plans, can be used to help pay for BRT.

Commissioner McKee clarified that this needs to be done by August.

Travis Myren said yes.

Chair Rich said she does not know how this can happen when the Board does not meet in August.

Commissioner McKee said exactly. He said BRT has received less priority in recent years because of the focus on light rail, and this is an opportunity to start pushing BRT towards the front. He wants the public to be aware of what is happening, as the taxes still exist and the revenue is sitting in waiting.

Commissioner McKee said the \$500,000 for the for the transit planning goes to the third party consultant, and asked if it is known to whom this person would be responsible.

Travis Myren said there would be a project manager with the Metropolitan Planning Organization (MPO), and a local steering or policy committee. He said it will likely be like a Nelson firm; broad based firm.

Commissioner McKee said he wants to make sure that the consultants involved with creating plan B were not heavily involved with plan A.

Commissioner Bedford said since this commuter rail will be diesel, she would like to add an environmental caveat, as relates to climate change.

Commissioner Bedford said as the Orange County transit plan is created through the DCHO MPO, is it possible to ensure that it connects with Alamance and Chatham.

Travis Myren said part of Chatham is in the DCHO MPO, but when traffic and commuting patterns are examined, Alamance County is certainly relevant and gets picked up. He said Theo Letman, Orange County Transit Director, is working with the City of Mebane to see if there are services that can be provided within the City, or getting to the City, which makes sense from a ridership perspective.

Commissioner Bedford asked if it could be part of the RFP.

Travis Myren said yes.

Commissioner Bedford referred to the interlocal implementation agreement for Orange County bus and rail investment plan, and said tonight's conversation just refers to the annual plan. She said she is glad that Chapel Hill transit is involved, and having all transit operators at the table is important.

Commissioner Bedford said the sales tax can only be used for newer expanded service, per the General Assembly, and asked if there is a way to interpret this language to use these dedicated transit taxes towards being more environmentally proactive in transit.

Commissioner Bedford said the BOCC is trying to balance the needs of their current residents, such as the handicapped and elderly, and the future land use planning for the residents. She said she hopes the consultant will focus on this balancing act as well.

Commissioner Marcoplos said Chapel Hill and Carrboro have always been represented in all discussions at the DCHO MPO.

Commissioner Bedford said these towns are not listed as part of the working groups, unless bus is on it.

Travis Myren said they are not a party to the interlocal implementation agreement.

PUBLIC COMMENT:

David Laudicina said Hillsborough has always been part of the plan for the future. He said he lived outside Philadelphia for many years, and used commuter rail. He said there are so many options of what is possible, and there is a rail line that goes right up to UNC, through Carrboro and all the way up to the NC railroad. He said the potential is huge, and we cannot continue to rely solely on I-40.

Commissioner Greene asked if assumptions about would be made for ridership. She said she if she worked at UNC and lived in Burlington, she would not take a train from Burlington to Hillsborough unless she knew there was a reliable and frequent bus to get her from Hillsborough to UNC.

Travis Myren said typically connection points would be analyzed. He said he will make sure this is included.

Commissioner McKee said Commissioner Greene's comment was a good one, and getting alternate modes of transportation will be critical as the area is only growing.

A motion was made by Commissioner Marcoplos, seconded by Commissioner McKee for the Board provide comments on the Draft FY20 Work Plan for transit services in Orange County and consider adding \$75,000 in dedicated transit revenues to participate in a feasibility study for commuter rail in the Triangle region.

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 Dorosin, seconded by Commissioner Greene to approve the items on the consent agenda.

VOTE: UNANIMOUS

a. Minutes

The Board approved the minutes from April 16, 23 and May 2, 2019 as submitted by the Clerk to the Board.

b. Property Tax Releases/Refunds

The Board adopted a resolution, which is incorporated by reference, to release the property tax value for five taxpayers with a total of eight bills that will result in a reduction of revenue in accordance with North Carolina General Statute 105-381.

c. Authorize the Manager to Sign and Execute an Agreement with VISIONS, Inc.

The Board authorized the Manager to sign an agreement with VISIONS, Inc. for Diversity, Equity and Inclusion Training and Consulting Services based on the Manager's recommendations regarding a three-year/three-phase training and consulting process administered by VISIONS, Inc. and encompassing all employees.

d. Award of Emergency Services Stand-Alone Efland Station Professional Services Agreement

The Board approved the County entering into a Professional Services Agreement with Stewart-Cooper-Newell Architecture of Gastonia, NC for the design and construction administration of the Emergency Services Stand-Alone Efland Station capital project upon final review of the County Attorney; and authorize the County Manager to execute the Agreement and to execute any subsequent design amendments for contingent and unforeseen design requirements up to the approved budget amount on behalf of the Board.

e. Fiscal Year 2018-19 Budget Amendment #9

The Board approved budget ordinance amendments for fiscal year 2018-19 for Animal Services and Department of Social Services.

f. Approval of Budget Amendment #9-A for Piedmont Food Processing Center Freezer Installation

The Board approved Budget Amendment #9-A for the Piedmont Food Processing Center Freezer Installation.

g. Application for North Carolina Education Lottery Proceeds for Orange County Schools (OCS) and Contingent Approval of Budget Amendment #9-B Related to OCS Capital Project Ordinances

The Board approved, and authorized the Chair to sign, 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 #9-B (amended School Capital Project Ordinances), contingent on the NCDPI's approval of the application.

9. County Manager's Report

Bonnie Hammersley said the first budget work session is this Thursday, May 23rd, with the second being next Thursday, May 30th.

10. County Attorney's Report

John Roberts said the Board has asked for more information on the bills from the Orange Water and Sewer Authority (OWASA), and he sent out some information last week. He said these bills will be discussed in committee this Thursday. He said committee hearings are often helpful to get extra information.

11. *Appointments
NONE

- 12. Information Items**
- May 2, 2019 BOCC Meeting Follow-up Actions List
 - FY 2018-19 Third Quarter Financial Report

13. Closed Session – ADDED: CHAIR RICH

A motion was made by Commissioner McKee, seconded by Commissioner Dorosin to go into closed session at 9:45 p.m. for the purposes below:

"To consult with an attorney retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board." "N.C.G.S. § 143-318.11(a)(3)

"To discuss matters related to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations," NCGS § 143-318.11(a)(4.)

"To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee" NCGS § 143-318.11(a) (6).

VOTE: UNANIMOUS

RECONVENE INTO REGULAR SESSION

A motion was made by Commissioner McKee seconded by Commissioner Dorosin to reconvene into regular session at 10:10pm.

VOTE: UNANIMOUS

14. Adjournment

A motion was made by Commissioner McKee seconded by Commissioner Dorosin to adjourn the meeting at 10:10pm.

VOTE: UNANIMOUS

Penny Rich, Chair

Donna Baker
Clerk to the Board