



**Orange County
Board of Commissioners**

Agenda

Regular Meeting

Thursday, January 22, 2009

7:30 p.m.

Orange Central Senior Center (Adjoining Triangle SportsPlex)

103 Meadowlands Drive

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 732-8181, extension 2130. If you are disabled and need assistance with reasonable accommodations, contact the ADA Coordinator in the County Manager's Office at 732-8181, extension 2300 or TDD# 644-3045.

1. Additions or Changes to the Agenda

PUBLIC CHARGE

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

2. Public Comments

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

- a. Matters not on the Printed Agenda
- b. Matters on the Printed Agenda

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

3. Proclamations/ Resolutions/ Special Presentations

a. Affordable Housing Performance Report

The Board will consider receiving the Annual Affordable Housing Performance Report from the Orange County Affordable Housing Advisory Board.

b. Voluntary Agricultural District Designation: Minka Farm, LLC

The Board will consider an application from Brian and Kimberly Harry to certify Minka Farm as qualifying farmland within the Cane Creek/Buckhorn Voluntary Agricultural District.

c. Proclamation Acknowledging February as "Human Relations Month"

The Board will consider officially proclaiming the month of February as "Human Relations Month" in Orange County and authorize the Chair to sign the proclamation.

d. Comprehensive Annual Financial Report for FY 2007-08

The Board will consider receiving the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2008.



4. Consent Agenda

a. **Minutes**

The Board will consider correcting and/or approving the minutes from November 17, 24 (5:30 and 7:30 p.m.) and December 1, 11 (6:30 and 7:30 p.m.), 2008 as submitted by the Clerk to the Board.

b. **Appointments – None**

c. **Motor Vehicle Property Tax Release/Refunds**

The Board will consider adoption of a refund resolution related to 53 requests for motor vehicle property tax refunds in accordance with North Carolina General Statutes.

d. **Property Value Changes**

The Board will consider approving value changes made in property values after the 2008 Board of Equalization and Review had adjourned.

e. **Property Tax Release**

The Board will consider adoption of a resolution to release property value related to one (1) request for property tax release in accordance with N.C. General Statute 105-381.

f. **Applications for Property Tax Exemption/Exclusion**

The Board will consider fifteen (15) untimely applications for exemption/exclusion from ad valorem taxation for the 2008 tax year.

g. **Resolution Creating a Special Board of Equalization and Review**

The Board will consider a resolution providing for the appointment of a special board of equalization and review to carry out the statutory responsibilities of ensuring that tax lists and tax records comply with the provisions of the North Carolina Machinery Act and authorize the Chair to sign.

h. **Contract with Property Information Management System Software Vendor**

The Board will consider approving a contract with Barry Strock Consulting Associates, Inc. for consulting services to develop vendor agreements, technology deliverables and legal documents between vendors and Orange County for the Property Information Management System (PIMS) project for managing land records and property taxation and authorize the Chair to sign pending final approval by staff and the County Attorney.

i. **Solid Waste Management Custodial Contract with OE Enterprises, Inc.**

The Board will consider approving a contract with OE Enterprises, Inc. for custodial services at the Solid Waste Operations Center from February 1, 2009 through July 1, 2010; and authorize the Chair to sign.

j. **New Health Department Fees for Personal Health Services**

The Board will consider establishing Health Department fees for certain personal health services to assist in cost recovery.

k. **Change in BOCC Regular Meeting Schedule for 2009**

The Board will consider two changes in the County Commissioners' regular meeting calendar for year 2009.

l. **Cool Counties Program**

The Board will consider joining the Cool Counties program, a consortium of U.S. counties working with the National Association of Counties and the Sierra Club that have pledged to inventory and reduce greenhouse gas emissions by the year 2050. This program is linked and complementary to the existing International Council for Local Environmental Initiatives Cities for Climate Protection program, of which Orange County is already a member.

m. **Audio/Video Equipment and Installation for Solid Waste Operations Center**

The Board will consider authorizing the acquisition and installation of audio/video equipment in the training/meeting room of the new Solid Waste Operations Center at a cost of \$47,978 and authorize the Purchasing Director to issue the necessary paperwork.

n. **Orange County Communications Center and Eno River State Park – Memorandum of Agreement**



The Board will consider approving a Memorandum of Agreement outlining responsibilities in regards to communication between the Eno River State Park and the Orange County Communications Center and authorize the Chair to sign subject to final review by staff and the County Attorney.

o. RENCI Lightning Detection Study – Memorandum of Agreement

The Board will consider approving an Agreement to establish a framework of cooperation to allow RENCI (Renaissance Computing Institute) to place lightning detection equipment on an Orange County Emergency Services building and authorize the Chair to sign subject to final review by staff and the County Attorney.

p. Contracts with Tobacco Trust Fund and Golden Leaf Foundation for the Piedmont Value –Added Shared-Use Food & Agricultural Processing Center

The Board will consider approving 1) a \$479,000 contract with the Tobacco Trust Fund Commission and 2) a \$250,000 contract with the Golden Leaf Foundation for the Piedmont Regional Value-Added-Shared-Use Food and Agricultural Processing Center and authorize the Chair to sign subject to County Attorney review.

q. Grant Submittal to the Tobacco Trust Fund for the Farm Enterprise Incubator at the WC Breeze Family Farm Extension & Research Center

The Board will consider authorization for staff to submit a grant proposal to the Tobacco Trust Fund for the Farm Enterprise Incubator at the WC Breeze Family Farm Extension & Research Center.

r. Exercise of Option to Purchase Gateway Building Unit 200 and Unit 300

The Board will consider exercising the Option to Purchase Units 200 and 300 in the Gateway Center as provided in a lease which commenced on February 19, 2008, direct staff and the County Attorney to develop the necessary documents; and authorize the County Attorney, the Financial Services Director and the Chair to execute the documents.

5. Public Hearings

a. Recommendation for Deviations from the Proposed 2008-2009 Secondary Road Construction Program for Orange County

The Board will discuss and receive comment on proposed deviations from the North Carolina Department of Transportation's Proposed 2008-2009 Secondary Roads Construction Program for two roads, Ben Wilson Road and Jimmy Ed Road.

6. Regular Agenda

a. Approval of Community Advisory Group and Site Selection Evaluation Process Update – Orange County Transfer Station

The Board will consider a proposal for the creation of a Hwy 54 Transfer Station Community Advisory Group, to provide an update regarding progress on evaluation of the two transfer station sites and to provide follow-up on other information requested by the BOCC at the December 11, 2008 meeting.

b. Transition of Orange County Farmers' Market at the Public Market House

The Board will consider approving the transition of The Orange County Farmers' Market at the Public Market House to an independent organization as recommended by the Orange County Farmers' Market at the Public Market House Interim Oversight Committee and the Farmers and Vendors of the Market.

c. Capital Project Funding

The Board will consider a plan addressing additional funding needs related to the School and County capital Project Funds by appropriating fund balance of \$3.5 million in FY 2008-09 and \$2.4 million in FY 2009-10

d. Proposal for Issuance of Capital Project Financing

The Board will consider receiving a proposal for issuance of Capital Project financing to address financing needs related to authorized capital projects.

e. Review of Proposed Chatham/Orange Joint Planning Task Force



The Board will consider reviewing potential processes, including proposed charge and composition, to establish one new Chatham/Orange joint Planning Task Force with internal workgroups and, following any revisions, authorize staff to forward the task force proposal to the other jurisdictions for approval and respective appointments.

f. Second Reading: Third Party Presence in the Employee Disciplinary Process

The Board will consider the second reading of an amendment to the Orange County Personnel Ordinance Article IX, section 4d(1) providing for a third party presence at a pre-disciplinary conferences prior to demotion, suspension or termination of an employee.

g. Board of Commissioners Meeting Calendar for Year 2009

The Board will consider changing the start time of Board of commissioners' meetings from 7:30 p.m. to 7:00 p.m. for the remainder of the calendar year 2009 (unless otherwise noted) starting March 1, 2009.

7. Reports

8. Board Comments (Three Minute Time Limit Per Commissioner)

9. County Manager's Report

10. Appointments

a. NCACC Legislative Liaison Appointment

The Board will consider appointing one commissioner to be the North Carolina Association of County Commissioners (NCACC) Legislative Liaison for the 2009-10 legislative biennium.

b. Ten (10) Year Plan to End Homelessness Executive Team – New Appointment

The Board will consider the appointment of a BOCC Representative to the Executive Team of the Orange County Partnership to End Homelessness.

c. Advisory Board on Aging – New Appointment

The Board will consider making a new appointment to the Advisory Board on Aging.

d. Affordable Housing Advisory Board – New Appointment

The Board will consider making a new appointment to the Affordable Housing Advisory Board.

e. Chapel Hill/Orange County Visitors Bureau – New Appointment

The Board will consider making a new appointment to the Chapel Hill/Orange County Visitors Bureau.

f. Commission for the Environment – New Appointments & Reassignments

The Board will consider making new appointments and reassignments to the Commission for the Environment.

g. Historic Preservation Commission – New Appointment

The Board will consider making a new appointment to the Historic Preservation Commission.

h. Hillsborough Area Rail Station Task Force Appointment

The Board will consider making an appointment to the Rail Station Task Force.

i. Human Relations Commission – New Appointments

The Board will consider making new appointments to the Human Relations Commission.

j. Human Services Advisory Commission – New Appointments

The Board will consider making new appointments to the Human Services Advisory Commission.

k. Orange County Board of Adjustment – New Appointment

The Board will consider making one new appointment to the Orange County Board of Adjustment.

l. Orange County Planning Board – New Appointments

The Board will consider making new appointments to the Orange County Planning Board.



11. Information Items

- Efland-Cheeks Overlay District Annual Report
- BOCC Questions re: Outside Agencies Funded in 08-09 with Caveats
- Response to NCACC Request for Possible Economic Stimulus Projects

12. Closed Session

"Pursuant to G.S. § 143-318.11(a)(5) to discuss the County's position and to instruct the County Manager and County Attorney on the negotiating position regarding the terms of a contract or contracts to purchase interest in real property, PIN 9830-44-5608 and PIN 9830-64-3789, owned by Crawford Mountain LLC, to be used for watershed conservation purposes.

"To consult with an Attorney retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board," NCGS § 143-318.11(a)(3).

13. Adjournment

Note: Access the agenda through the County's web site, www.co.orange.nc.us



Orange County water supply reservoir water levels

Available information as of 10:00 AM, Thursday, January 15, 2009

Lake Orange

- Water level is full and spilling. Eno River Capacity Use were lifted effective as of midnight on December 6th. Reinstatement of restrictions in not anticipated until the beginning of the 2009 dry season.
- Water storage capacity is at 100% (475 million gallons)
- Approximately 141 days of water supply remaining (at Capacity Use specified release rate).
- The Hillsborough gage indicates that the latest Eno River flows are at approximately 25 cfs (16 mgd). This flow represents a level that is approximately one-half of the historical median flow level (46 cfs) for this day of the year.
- Orange Alamance has begun operating its water plant five days a week (Monday-Friday) with average withdrawals of 300,000 gallons per day.

West Fork Reservoir

- Water level is full and spilling
- Water storage capacity remaining is 100 %
- Approximately 368 days of water supply remaining (assuming Town's current 30 day average water consumption rate (1.15 mgd).
- The Town of Hillsborough Town Board currently has no water use restrictions on its customers in effect.

OWASA Reservoirs

- Water level at Cane Creek Reservoir is full.
- Water level at University Lake is full.
- Total remaining water storage capacity is approximately 100 %
- Approximately 636 days of water supply remain with no additional rainfall (at the current 30-day average daily demand [5.6 million gallons per day])
- OWASA's year-round water conservation requirements are in effect

National Weather Service/NOAA Regional Precipitation data (through 1/14/2009)
(inches above [+] or below [-] normal)

RDU

Piedmont-Triad



+0.04" since December 1, 2008

+0.58" since December 1, 2008

+0.02" since January 1, 2009

+0.34" since January 1, 2009

Miscellaneous notes

The NC Drought Management Advisory Council drought map, last updated December 9, 2008, indicates that all of Orange County lies within the area of the state characterized as experiencing no drought conditions.