



**Orange County
Board of Commissioners**

Agenda

Regular Meeting

Tuesday, June 16, 2009

7:00 p.m.

Southern Human Services Center

2501 Homestead Road

Chapel Hill, NC 27514

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. Proposed UNC Hospital in Hillsborough Economic Development District

The Board will consider receiving from William L. Roper, Dean of the UNC School of Medicine, Vice Chancellor for Medical Affairs, and Chief Executive Officer of the UNC Health Care System, on the proposed UNC Hospital to the potentially located in Hillsborough.

b. Orange County Partnership To End Homelessness Community Report

The Board will receive a presentation on the first Annual Community Report of the Orange County Partnership to End Homelessness.

4. Consent Agenda

a. Minutes

The Board will consider correcting and/or adopting the following minutes as submitted by the Clerk to the Board {May 5, 2009.

b. Appointments – None



c. Motor Vehicle Property Tax Release/Refunds

The Board will consider adoption of a refund resolution related to 30 requests for motor vehicle property tax releases or refunds.

d. Property Tax Refunds

The Board will consider adoption of a refund resolution related to two (2) requests for property tax refunds.

e. Property Tax Releases

The Board will consider adoption of a resolution to release property values related to seven (7) requests for property tax release.

f. Property Value Changes

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

g. Applications for Property Tax Exemption/Exclusion

The Board will consider seven (7) untimely exemptions for exemption/exclusion from ad valorem taxation for the 2008 tax year.

h. Classification and Pay Plan Amendment – Add Value Engineer Classification

The Board will consider amending the Orange County Classification and Pay Plan to reflect the addition of the Value Engineer classification, with a proposed pay grade of 26.

i. Resolution of Approval – Underwood Conservation Easement Donation

The Board will consider a resolution to approve the acceptance by Orange County of a conservation easement donation to protect a portion of the Underwood property and authorize the Chair and the Clerk to the Board to sign the conservation easement, subject to final review by the County Attorney and staff, with a closing and recordation of the document expected to occur on or about August 31, 2009.

j. Lease Arrangements for 6823 Millhouse Road

The Board will consider authorizing staff to solicit proposals for lease of the house at 6923 Millhouse Road (part of the future Millhouse Road Park) for interim residential purposes. The lease will be brought back for Board approval after the summer break.

k. License Agreement for Agricultural Use (Future Northeast District Park)

The Board will consider authorizing the County to enter into a licensing agreement for the use of the future Northeast District Park property for agricultural activities, subject to final review by staff and the County Attorney and authorize the Chair to sign on behalf of the Board.

l. Bid Award for Fairview Community Park

The Board will consider awarding a bid and approving a contract for construction of Fairview Community Park to McQueen Construction, Bahama, N.C in an amount not to exceed \$588,500 for the construction of Fairview Community Park, contingent upon County Attorney review and authorize the Chair to sign on behalf of the Board.; approving payment in lieu of \$175,023 from the Cheeks/Hillsborough District for additional Park alternates; and authorize PARTF funds, if received, to be used for remaining bid alternates; and authorize the Manager or Interim Manager to sign change orders to the extent of the Project Budget.

m. Agreement Renewal with Community Respite Care Providers and the Department on Aging

The Board will consider authorizing to renew agreements between community respite care service providers and the Department on Aging; and authorize the Manager to sign the agreements.

n. Renew Agreement Between Triangle Transit and Orange County to Operate the Public Route #420 (Chapel Hill to Hillsborough)

The Board will consider renewing an agreement with Triangle Transit and Orange County allowing Orange Public Transportation to operate public route #420 during the non-peak hours and Triangle Transit to provide financial support for the services.

o. Hillsborough Park-Ride Lot Rental Agreement at North Hills Shopping Center

The Board will consider approving a Hillsborough park/ride lot agreement between Orange County and the Cates Family Limited Partnership to rent 25 spaces at the North Hills Shopping Center in order to accommodate daily commuters riding the Triangle Transit Public #420 route.

p. Agreement for Orange County Library Public Art Project



The Board will consider authorizing the County Manager to sign the Orange County Library Public Art agreement with the artist team of Michael Waller and Leah Foushee.

q. Bid Award: Six (6) Thirty Cubic Yard Recycling Roll Off Containers

The Board will consider awarding a bid to Bakers Waste Equipment from Morganton, North Carolina for the purchase of six (6) cubic yard Rectangular Recycling Roll Off Containers for the Recycling Division of the Department of Solid Waste Management; and authorize the purchasing director to execute the necessary paperwork.

r. Lease Renewal – Bradshaw Quarry Solid Waste Convenience Center

The Board will consider the renewal of the lease for the Solid Waste Convenience Center located on Bradshaw Quarry Road.

s. Revision of the County’s Water Conservation Ordinance to Incorporate the BOCC Approved Revisions to the Portion of the Ordinance Applicable to the OWASA Service Area

The Board will consider adopting a revised County Water Conservation Ordinance that incorporates the Orange Water and Sewer Authority (OWASA) revised Water Conservation Ordinance standards and provisions applicable to the OWASA customers within the unincorporated area of Orange County (the revised standards and provisions were specifically approved by the Board of May 5, 2009 regular meeting) .

t. Demolition of Former Animal Shelter Building in Chapel Hill

The Board will consider authorizing staff to execute a contract in an amount not to exceed \$43, 950 for demolition of the former Animal Shelter building located off Municipal Drive in Chapel Hill.

u. Asbestos Abatement at Former Animal Shelter Building

The Board will consider approving a contract with EHG (Environmental Holdings Group, LLC) of Morrisville, N.C for abatement of asbestos containing materials at the former Animal Shelter located off of Municipal Drive in Chapel Hill.

v. Encroachment Agreement for Sidewalk Construction Associated with Justice Facility Project

The Board will consider approving a Three Party Right of Way Encroachment Agreement among the North Carolina Department of Transportation, Orange County and the Town of Hillsborough that allows the construction and maintenance of a sidewalk along Churton Street to serve the Justice Facility.

w. Animal Services Facility Telephone Utility Right of Way Agreement

The Board will consider approving a Right of Way Agreement for the installation and maintenance of telephone utilities built to service the Orange County Animal Services Facility and future Orange County assets.

x. Legal Advertisement for Quarterly Public Hearing - August 24, 2009

The Board will consider the legal advertisement for items to be presented at the joint Board of County Commissioners/Planning Board Quarterly Public Hearing (QPH) scheduled for August 24, 2009.

y. Authorization to Pursue Federal Stimulus Grant Opportunities

The Board will consider authorizing staff to pursue any federal stimulus grant opportunities during the summer break in consultation with the Chair (or with the Vice Chair in the even the Chair is not available); authorize the Chair (or with the Vice Chair in the even the Chair is not available) to sign any documents requiring elected official’s signature related to pursuing federal stimulus grant opportunities; authorize the Interim Manager to sign any document related to pursuing federal stimulus grant opportunities not requiring an elected official’s signature; and direct staff to provide a summary of any federal stimulus grant opportunities pursued as outlined above at the Board’s August 18, 2009 regular meeting.

z. Resolution Endorsing Comprehensive Transportation Planning Study for Orange County

The Board will consider endorsing a comprehensive transportation planning study for Orange County and the participation of staff and the Orange Unified Transportation Board (OUTBOARD) in assisting the N.C. Department of Transportation (NCDOT) Planning Branch in the comprehensive transportation planning process.

aa. Commission for Women – Domestic Violence Shelter Work Group Charge

The Board will consider establishing a charge to the Commission for Women – Domestic Violence Shelter Work Group as follow up to the May 5, 2009 BOCC discussion.



bb. Amendment to Parking Deck Lease

The Board will consider approving an amendment to the Parking Deck Lease modifying the boundary line between the office building and parking deck to reflect as-built conditions and authorize the Chair to sign.

cc. Consolidated Housing 2008 Plan Update Amendment

The Board will consider adopting a resolution approving an amendment to the 2008 Consolidated Housing Plan Annual Update.

dd. Impact Fee Reimbursement – Habitat for Humanity

The Board will consider approving the impact fee reimbursement request from Habitat for Humanity of Orange County, NC, Inc. for \$15,000 for five new homes.

ee. Orange County Community Development (CDBG) Program - ARRA

The Board will consider confirming the submission of an application for Small Cities Community Development Block Grant Program funds to the N.C. Department of Commerce from the American Recovery and Reinvestment Act of 2009 (ARRA) in the amount of \$500,000 and ratify the Chair's signature on the application.

ff. Public Private Partnerships - West Ten Soccer Center

The Board will consider partnerships with members of the business community in the development and operations of the West Ten Soccer Center and authorize the Chair to sign associated contracts or agreements pending review by the County Attorney.

gg. Resolution Supporting an Alternative Method of Recognizing Veterans Status for Merchant Marine Seamen from World War II

The Board will consider approving a Resolution Supporting An Alternative Method of Recognizing Veterans Status for Merchant Marine Seamen from World War II and authorize the Chair to sign.

hh. Contract to Prepare an Indirect Cost Plan

The Board will consider a contract with Maximus for preparation of a Cost Allocation Plan and authorize the Chair to sign.

ii. Change in BOCC Regular Meeting Schedule for 2009

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

jj. Fiscal Year 2008-09 Budget Amendment #9

The Board will consider approving budget, grant, and capital project ordinance amendments for fiscal year 2008-09.

kk. Resolution Endorsing American Recovery and Reinvestment Act (ARRA) Grant Agreements with the North Carolina Department of Transportation

5. Public Hearings

a. Orange County Community Development (CDBG) Program

The Board will consider comments from the public regarding the FY 2009 Small Cities Community Development block Grant Program.

6-1. Regular Agenda (SITTING AS THE ORANGE COUNTY HOUSING AUTHORITY)

a. Orange County Housing Authority Bylaws Revision and Board Member Resignations

The Board will consider approving the proposed revision of the Bylaws of the Orange county Housing Authority; and resign as the Board of Commissioners of the Orange County Housing Authority.

6-2. Regular Agenda

a. Approval of Fiscal Year 2009-10 Budget Ordinance, Capital Project Ordinances, and Grant Project Ordinances



b. FY 2009-10 Personnel Ordinance Changes

c. Solid Waste Transfer Station Site Search Process – Millhouse Road Suggestion

The Board will consider the preliminary evaluation of a Town of Chapel Hill owned property on Millhouse road as the possible location for the new County solid waste transfer station.

d. Heritage Center Work Group Charge and Composition

The Board will consider establishing the charge and formalizing composition of the Heritage Center Work Group as follow up to the May 5, 2009 Board meeting.

e. Capital Project Ordinance Amendments

The Board will consider approving amendments to capital project ordinances for projects which exceed the current project ordinance appropriations and to make other corrections to the capital project ordinances as described.

7. Reports

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

9. County Manager's Report

10. Appointments

a. Chatham/Orange Joint Planning Task Force – New Appointments

The Board will consider making appointments to the Chatham/Orange Joint Planning Task Force.

b. Orange County Housing Authority – New Appointments

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

c. Orange County Planning Board – New Appointment

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

11. Information Items

- Orange County Landfill Capacity
- H1N1 Novel Influenza Virus Response
- Farmland Preservation Plan Update
- ABC Report
- Update: Orange County Public Library and Chapel Hill Public Library Collaboration Meetings
- Status of HS Bus Route in Chapel Hill

12. Closed Session

13. Adjournment

A summary of the Board's actions from this meeting will be available on the County's website the day after the meeting.

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 2:00 PM, Thursday, June 11, 2009

Lake Orange

- Water level is full and spilling
- 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 current Eno River flows are at approximately 101 cfs (65.3 mgd). This flow represents a level that is approximately 500% of the historical median flow level (19 cfs) for this day of the year.
- At this time of year, seasonal rains have ended and there is very little base flow to the Eno. How late in the year Capacity Use restrictions and manual releases from the reservoirs are initiated is based on the hit or miss nature of the thunderstorms which break up the 7-day low flow (below 10 cfs daily average) period that triggers the maximum withdrawal and minimum stream flow requirements. The flow in the Eno has been well above the 10 cfs level for the last week as a consequence of these thunderstorms. Absent another fairly significant rainfall event, instream flows are expected to exceed 10 cfs for another week with releases from Lake Orange projected to begin within two weeks afterwards.
- Orange Alamance continues the operation of its water plant five days a week (Monday-Friday) with average withdrawals of 300,000 gallons per day.

West Fork Reservoir (as last reported 5/26/2009)

- Water level is full and spilling
- Water storage capacity remaining is 100 %
- Approximately 378 days of water supply remaining (assuming Town's current 30 day average water consumption rate (1.07 mgd).

OWASA Reservoirs (as last reported 6/11/2009)

- Water level at Cane Creek Reservoir is full.
- Water level at University Lake is full.
- Total remaining water storage capacity is approximately 100% (3.56 billion gallons)
- Approximately 453 days of water supply remain with no additional rainfall (at the current 30-day average daily demand [7.86 million gallons per day])
- OWASA's year-round water conservation requirements are in effect

National Weather Service/NOAA Regional Precipitation data (through 6/10/2009) (inches above [+] or below [-] normal)

RDU

+0.63" since June 1, 2009

-0.65" since January 1, 2009

Piedmont-Triad

+2.42" since June 1, 2009

-0.09" since January 1, 2009

Miscellaneous notes

The NC Drought Management Advisory Council drought map, last updated June 9, 2009, indicates that all of Orange (and all surrounding counties) County lies within the area of the state characterized as experiencing no abnormally dry weather or drought conditions.