Orange County
Board of Commissioners

Agenda

Regular Meeting
October 16, 2012
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 (919) 245-2130. If you are disabled and need assistance with reasonable accommodations, contact the ADA Coordinator in the County Manager's Office at (919) 245-2300 or TDD# 644-3045.

1. Additions or Changes to the Agenda

PUBLIC CHARGE

The Board of Commissioners pledges to the residents of Orange County its respect. The Board asks its residents to conduct themselves in a respectful, courteous manner, both with the Board and with fellow residents. At any time should any member of the Board or any resident 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 (Limited to One Hour)

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

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

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

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

3. Petitions by Board Members (Three Minute Limit Per Commissioner)

4. Proclamations/ Resolutions/ Special Presentations

a. Resolution of Recognition for Volunteer Fire Departments in Orange County for Reducing Homeowners' Fire Insurance Costs

5. **Consent Agenda**
   - Removal of Any Items from Consent Agenda
   - Approval of Remaining Consent Agenda
   - Discussion and Approval of the Items Removed from the Consent Agenda

   a. Minutes
   b. Motor Vehicle Property Tax Release/Refunds
   c. Property Tax Releases/Refunds
   d. Fiscal Year 2012-13 Budget Amendment #3
   e. Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro City Schools (CHCCS) and Contingent Approval of Budget Amendment #3-A Related to CHCCS Capital Project Ordinances
   f. FY 2012-2013 Purchase of Vehicles through Vehicle Replacement Internal Service Fund
   g. Legal Advertisement for Quarterly Public Hearing – November 19, 2012
   h. Interlocal Agreement between Town of Hillsborough and Orange County for Erosion Control Services
   i. Retiree Health Insurance Eligibility for County Commissioners
   j. Electronic Medical Record/Practice Management System Replacement
   k. Change in BOCC Regular Meeting Schedule for 2012

6. **Public Hearings**

7. **Regular Agenda**

   a. Southern Orange County Government Services Campus Master Plan Adoption
   b. Historic Rogers Road Neighborhood Community Center and Budget Amendment #3-B
   c. Pretrial Services for Chatham and Orange Counties, Inc. Request for Additional Funding for FY2012-13
   d. North Carolina State Clearinghouse Request for Intergovernmental Review of Proposed Private Crossing Closures with the North Carolina Railroad (NCRR)/Norfolk Southern (NS) Railway

8. **Reports**

   a. Environmental Responsibility in Orange County Goals Update with Performance Report
   b. Tax Collector's Monthly Report

9. **County Manager's Report**

10. **County Attorney's Report**

11. **Appointments**

    a. Adult Care Home Community Advisory Committee – Appointment
    b. Affordable Housing Advisory Board – Appointments
    c. Hillsborough Planning Board – Appointment
    d. Orange County Parks and Recreation Council – Appointment
    e. Upper Neuse River Basin Association

12. **Board Comments** (Three Minute Limit Per Commissioner)

13. Information Items

- October 2, 2012 BOCC Meeting Follow-up Actions List
- Buckhorn Mebane Utilities Phase 2 Preliminary Bid Information Memo
- Orange County Emergency Services - UNC Campus Station Report 2012
- Comprehensive Parks and Recreation Master Plan – Update
- Memorandum Regarding Ban the Box for Employment Applications

14. Closed Session

"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 to purchase real property," NCGS § 143-318.11(a)(5).

Approval of Closed Session Minutes

15. 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
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 4-a

SUBJECT: Resolution of Recognition for Volunteer Fire Departments in Orange County for Reducing Homeowners' Fire Insurance Costs

DEPARTMENT: BOCC

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
Resolution

INFORMATION CONTACT:
Commissioner Earl McKee
Donna Baker, Clerk to the Board, 245-2130

PURPOSE: To consider adopting a resolution to recognize the Volunteer Fire Departments in Orange County for their diligent efforts in reducing homeowners' fire insurance costs.

BACKGROUND: Fire insurance for homeowners and businesses is impacted by the capabilities of the local fire department covering the structures, including the distance from the fire station. In recent years, insurance companies have used new mapping technology to determine a more exact distance from a fire station to an insured structure causing a rise in premiums for some homeowners. By aggressively working to reduce fire insurance costs for home and property owners by improving Insurance Services Office (ISO) ratings and/or building new stations to cover structures that were previously beyond six (6) miles from a station, local fire departments have made a huge impact in lowering the fire insurance costs that homeowners in Orange County pay.

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

RECOMMENDATION(S): The Manager recommends the Board approve and authorize the Chair to sign the resolution.

ORANGE COUNTY BOARD OF COMMISSIONERS

RESOLUTION OF RECOGNITION FOR VOLUNTEER FIRE DEPARTMENTS IN ORANGE COUNTY FOR REDUCING HOMEOWNERS' FIRE INSURANCE COSTS

WHEREAS, fire insurance for homeowners and businesses is impacted by the capabilities of the local fire department covering the structures, including the distance from the fire station; and

WHEREAS, in recent years, insurance companies have used new mapping technology to determine a more exact distance from a fire station to an insured structure causing a rise in premiums for some homeowners; and

WHEREAS, insurance premiums for both residential and commercial structures can be impacted by multiple variables, including the ISO (Insurance Services Office) rating of the primary fire department covering a home or business; and

WHEREAS, many fire departments in Orange County have aggressively worked to reduce fire insurance costs for home and property owners by improving ISO ratings and/or building new stations to cover structures that were previously beyond six (6) miles from a station; and

WHEREAS, the ISO inspection, conducted by officials with the North Carolina Department of Insurance, Office of State Fire Marshal, looks for proper documentation and/or demonstration for staffing levels, sufficient firefighting equipment, proper maintenance of equipment, 9-1-1 communications capabilities and availability of water sources; and

WHEREAS, fire departments, through mutual aid agreements, assist each other, including working together to demonstrate water haul capabilities during ISO evaluation; and

WHEREAS, Orange County is covered by 12 fire departments – Efland, Eno, New Hope, Orange Grove, Cedar Grove, Caldwell, and White Cross fire departments cover rural districts; Orange Rural (Hillsborough), Chapel Hill and Carrboro fire departments cover municipal and rural areas; and Mebane and North Chatham fire departments are located outside of Orange County, but cover areas within Orange County;

NOW, THEREFORE, be it resolved that the Orange County Board of Commissioners does hereby acknowledge the support Orange County fire departments have displayed in reducing insurance expenses for property owners in Orange County.

This the 16th day of October 2012.

_____

Bernadette Pelissier, Chair
Orange County Board of Commissioners

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda
Item No. 5-a

SUBJECT: MINUTES

DEPARTMENT: Board of Commissioners **PUBLIC HEARING: (Y/N)** No

ATTACHMENT(S):

Draft Minutes

INFORMATION CONTACT:
Donna Baker, 245-2130

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

August 27, 2012	Quarterly Public Hearing
August 30, 2012	BOCC Work Session
September 11, 2012	BOCC Work Session

BACKGROUND: In accordance with 153A-42 of the General Statutes, the Governing Board has the legal duty to approve all minutes that are entered into the official journal of the Board's proceedings.

FINANCIAL IMPACT: NONE

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

DRAFT

MINUTES
ORANGE COUNTY BOARD OF COMMISSIONERS
ORANGE COUNTY PLANNING BOARD
QUARTERLY PUBLIC HEARING
August 27, 2012
7:00 P.M.

The Orange County Board of Commissioners and the Orange County Planning Board met for a Quarterly Public Hearing on Monday, August 27, 2012 at 7:00 p.m. at the Central Orange Senior Center, Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Bernadette Pelissier, and Commissioners Alice Gordon, Barry Jacobs, Valerie Foushee, Pam Hemminger, Earl McKee, and Steve Yuhasz
COUNTY COMMISSIONERS ABSENT:
COUNTY ATTORNEY PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Frank Clifton, Assistant County Manager Michael Talbert, and Deputy Clerk to the Board David Hunt (All other staff members will be identified appropriately below)
PLANNING BOARD MEMBERS PRESENT: Chair Larry Wright, and Planning Board members Pete Hallenbeck, Andrea Rohrbacher, Maxecine Mitchell, Tony Blake, Rachel Phelps Hawkins, Alan Campbell, and Johnny Randall
PLANNING BOARD MEMBERS ABSENT: H.T. "Buddy" Hartley, Lisa Stuckey, Dawn Brezina

Chair Pelissier called the meeting to order at 7:01PM. She asked for a motion to add a closed session at the end of the meeting.

A motion was made by Commissioner Yuhasz, seconded by Commissioner Hemminger to add closed sessions after the public hearing:

1. **Per N.C.G.S. 143-318.11(a)(3):** To Consult with the Attorney to protect the attorney-client privilege.
2. **Per [N.C.G.S. 143-318.11(a)(5)]** To establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property
3. **Per [N.C.G.S. 143-318.11(a)(4)]:** To discuss matters relating to the location or expansion of business in the area served by this body.
4. **Per [N.C.G.S. 143-318.11(a)(6)] :** To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.

VOTE: UNANIMOUS

OPENING REMARKS FROM THE CHAIR

A. PUBLIC CHARGE

The Chair dispensed with the reading of the public charge.

B. PUBLIC HEARING ITEMS

1. Class A Special Use Permit - To review an application for a Class A Special Use Permit for a proposed 26 lot single-family residential Major Subdivision on a 68.51 acre parcel of property off of Mt. Sinai Road (SR 1718).

Michael Harvey: I will remind the Board that you are dealing with a Class A Special Use Permit, which by definition is a quasi-judicial hearing. If you are speaking either for or against the application – that includes the applicant and the applicant's engineer and staff – you need to be sworn. Mr. Chairman, if you will swear in all interested parties in for this hearing.

Larry Wright: All parties approach the bench, and while they're doing so, I'd like to inform everyone that additional testimony can be accepted in written format to the Planning Department to be submitted prior to the Planning Board meeting. It will be part of the Planning Board deliberations, and this will offer the opportunity for the Board of County Commissioners to have material where they can consider this in their deliberations thereafter.

All interested parties were sworn in at this time.

Michael Harvey: You have a rather lengthy agenda item here this evening, and I'm going to try to go through it as methodically and as quickly as possible and allow the applicant and citizens the opportunity to speak. As the Chair has already articulated, we have a major single-family residential subdivision of 26 lots being proposed on a parcel of property off of Mt. Sinai Road. We have two additional pieces of information concerning this project, which I'd like to call your attention to. The first item is a printout of a PowerPoint presentation so that the Board members can follow along. The second is a salmon-colored piece of paper, which contains correspondence from Orange County's DEAPR department as well as State review documents. We also have an email sent by Mr. David Sykes of Orange County Emergency Services on Thursday, August 16th for your consideration on this item. Unfortunately, this information was received after we had distributed the packets so we were not able to include it.

Attachment 1 is the application packet, and very briefly, I just want to run down what that entails. The application packet begins on page 11 with a detailed narrative statement from the applicant demonstrating compliance from their standpoint with the various provisions of County code and the Comprehensive Plan with respect to this project.

Page 27 provides pictures of existing structures on the property. Page 28 is the Soil Service report for this property. Page 60 is a Surface Water Identification completed by Orange County Erosion Control with respect to the streams that are located on this property. Page 64 is a Water Utility Agreement concerning the proposed community well. Page 81 is the adjacent property owner list. Page 83 contains letters submitted to the applicant from the State Department of Cultural Resources concerning this project. Page 87 is the Agreement of Purchase and Sale of this property. Page 89 is the proposed draft Declaration of Covenants, Conditions, and Restrictions for this property. Page 129 begins a property information data sheet submitted by the applicant's expert in an attempt to demonstrate compliance with various provisions of the Unified Development Ordinance, specifically that this project will maintain or enhance the value of adjacent property. Page 133, you will note there are sample elevations of the houses proposed for this project. On page 144 you have some additional maps showing environmental features.

Attachment 2, which is a vicinity map created by staff is on page 150. Attachment 3 contains staff memorandum from Orange County Solid Waste and Orange County Health Department. Attachment 4 is a fiscal analysis that we produced outlining the anticipated costs to service the proposed neighborhood and what monies the County could expect to receive from this project and if it is developed. Attachment 5 is notes of the neighborhood information meeting, which we are going to discuss in the general abstract. Attachment 6 is the Finding of No Significant Environmental Impact statement completed after County staff determined the project would not have any significant impacts on this and surrounding property. Finally we have the notification certification that we typically provide for these types of projects outlining our compliance with established notification requirements.

As detailed on pages 4 and 5 of your abstract, the applicant is proposing a conventional subdivision on a parcel of property located in the Rural Buffer Zoning District. As we articulate in our abstract, this particular parcel of property is located in the rural portion of the County that is defined on our Growth Management System Map, and it is located within the Rural Buffer Rural Residential area as defined and noted within the Joint Land Use Plan that we have with the Towns of Chapel Hill and Carrboro.

The next slide is a vicinity map with the location of the property as well as a brief overview of surrounding development. As you will note, on the map that we have provided we have a mobile home park to the south, the J&J Mobile Home Park. To the east of this property, we have Triangle Land Conservancy property. This area denoted in green is a conservation easement. You also have to the north a major subdivision with lots ranging from 2-3 acres in area. You have to the southwest of this property the Green Valley subdivision with lots ranging from 40,000 square feet to two acres in size. To the west you have lots essentially one acre in area. Across the road is the Blackwood Forest subdivision with lots approximately two acres in area.

The project as we identified in the abstract, the applicant is proposing lots with a minimum of two acres in area. The overall density for this project is one dwelling unit for every two acres. The proposed roads for this project will be built to DOT standards, and it's the applicant's desire to turn the roads over to NCDOT for maintenance at the appropriate time.

According to the site plan lots 1-22 are going to be served by on-site septic systems. The applicant is proposing that lots 23-26 be served by an off-site septic area. The site plan denotes that there will be a utility easement transferring the affluent just outside of the NCDOT right-of-way to the proposed off-site septic area. There will be individual septic sites for each of these lots and there will not be one giant septic system. The rationale for that is to ensure that all four lots don't expect problems if the septic system fails. There will be a 30-foot land use buffer around the perimeter of this project and there will also be a 75-foot land use buffer along Mt Sinai Road as required by the code. The applicant is proposing at this point in time to service the project with a community well. This is going to be located on a proposed open space lot. There is also proposed to be picnic, recreational center, for use by all of the residents.

This slide denotes the site plan. You will note the land use buffer here, the 30-foot land use buffer around the perimeter of the property. Lots 23-26 will be served by off-site septic, which is in this general area of the project. We have two open space lots here, which is where the community well is proposed to be located. This area down in here where there is an existing stream, as I previously articulated to you, the County completed what we call a surface water identification inspection to not only verify the location of this stream, which is shown buffered on the site plan, but verify that the stream actually will have to be buffered in accordance with Article 6 of our land use standards. The applicant is showing a potential storm water basin in this general area that will have the storm water for the project. The storm water system has been designed for a 6,000 gallon detention basin.

Within the site plan, the applicant is also showing the proposed street system that will have to be installed along the project. They have also identified areas where foliage will be installed in between proposed lots. Interior lot plantings will have to be planted in order to bring the project into compliance with Article 6 of our Unified Development Ordinance. As you will all remember, the UDO does require in between lot planting designed to preserve the aesthetic of the area. The applicant has already the trees that they are going to try and preserve to meet this requirement, and they have also identified the planting of approximately 60-70 trees that will be planted in between various lots in order to ensure compliance with the code.

Our comments, which are contained throughout pages 5-11 of the abstract is that the project's density is consistent with the Comprehensive Plan of the Joint Planning Land Use Plan; i.e., one unit for every two acres of property. As contained within Attachment 3, Orange County Erosion Control has already tentatively approved the proposed storm water plan and grading plan. Final approval will not be received until the formal Erosion Control and Grading Plan is submitted for review.

We also have the memorandum from Orange County Environmental Health within Attachment 3 articulating that they have found suitable soils supporting septic system development in each of the lots of these 1-22 and that the main lot to serve as the central depository for lots 23-26 appears to be sufficiently sized. They also stipulate that the community well that is currently proposed will have to be reviewed and approved by the State.

We held a neighborhood information meeting on this project on August 6th. We had good attendance from local residents and the concerns can be summarized as follows. There was a lot of concern on the community well and whether or not that would have a negative impact on adjacent property. Although not mentioned here, I believe you have a copy of a letter sent to Commissioner Pelissier outlining a local residents' concern over the use and installation of geothermal wells that utilize the pump and dump system. That concern is not necessarily associated to this project, it is a countywide concern. The concerned resident has asked that the County begin a comprehensive review on whether or not there should be limits or outright bans on the use of geothermal wells, specifically focusing on pump and dump and geothermal wells in general. Given the fact that Orange County does not had a true aquifer, that most of our water resources are taken from fractures within the ground, and that by eliminating geothermal wells would help to alleviate some of the identified concerns over ensuring the availability of adequate water supply for personal use and not for the heating or cooling of a residence.

Statements and comments were made over concerns about this development causing taxes for existing residents to rise as property values would improve. There were concerns over off-site related traffic impacts that could be generated by the project, specifically to Alexander Drive, Mt. Sinai, and NC 86. There was a concern over the protection of the existing stream in the southwest corner of the property. It was suggested by some of the residents in attendance that the applicant provide a plan to have a density of one dwelling unit for every five acres as well.

Staff's recommendation is articulated on page 10 of your abstract:

1) Receive the SUP application,
2) Conduct the Public Hearing and accept public, Planning Board, and BOCC sworn testimony on the application,
3) Refer the matter to the Planning Board with a request that a recommendation be returned to the Board of County Commissioners in time for the November 20, 2012 BOCC regular meeting, and
4) Adjourn the public hearing until November 20, 2012 in order to receive the Planning Board's recommendation and any submitted written comments.

Unless there are any specific questions of me at this time, I'd like to turn it over to the applicant and allow them to provide additional detail on this project. There are a few residents signed up to speak.

Larry Wright: Do the Commissioners have any questions of Mr. Harvey? Members of the Planning Board?

Chad Abbott: I'm Chad Abbott, with Summit Consulting. I have been duly sworn. I'm here on behalf of Weekley Homes. Mr. Jeff Akin and his staff are here to answer any questions related to the details of how the subdivision will be built, the geothermal comments, as well as the individual septic comments. I am here to answer any technical questions you may have related to the 26-lot subdivision proposed.

Commissioner Hemminger: Concerning the general well situation, the neighbors of this property have identified concerns over their wells going dry, do you know how deep their wells are and how deep this one is supposed to be?

Chad Abbott: I do not think a survey has been conducted on the adjacent wells.

Diana Walstad: Mine is 250 feet.

Commissioner Hemminger: How deep is this one supposed to be?

Chad Abbott: The exact depth, you would have to run it until it hit the water that would meet the demands of the subdivision. Individual wells would be allowed and would be in compliance with any other standards for a subdivision. That is an option they have.

Commissioner Hemminger: For the four lots that have septic that runs all the way underneath all the other lots, that's a long run, how does that technically work? It's pretty far away.

Chad Abbott: The technical design of that has not been done either way. If it cannot be a gravity feed, there will be a pump to disperse the waste in that area.

Commissioner McKee: In reference to the pump and dump geothermal, could you elaborate a little bit more on the specifics of that type of system versus what the County is using as a geothermal system.

Chad Abbott: I'm not an expert at geothermal. We can get some more information on that and provide it to you.

Commissioner Yuhasz: I'm just wondering, looking at the remote septic system, was any thought given to a design that would provide that same kind of remote system somewhat less remotely from the lots being served? It's probably in here and I've missed it, but who is going to own the property that the septic systems actually are on?

Jeff Akin: My name is Jeff Akin and I'm with Weekley Homes and I have been sworn. Those will basically be extensions of the individual lots. They will be owned by the individuals. It is not really a remote system, it is actually just an extension of their lot that is connected at the end of the easement. They will more than likely be force mains. We have done systems like this before and we have never had any problems with them. It's just trying to access the available soils in a different location. It's part of the lot that is owned by the individual, there is no combination of systems. It's pretty much standard.

Commissioner Yuhasz: I'm familiar with those kinds of systems and I've actually been involved with one that could pump as much as 6,000 feet, so I know it's possible. But I'm also aware that part of what is important for a septic system is that there will be regular inspection of the field by someone to make sure that there is not any obvious signs of failure. I just want to make sure that in this case, that kind of inspection will occur. With this being owned by individuals who are several thousand feet away, there is a concern with it being owned individually that those will not get that kind of inspection.

Jeff Akin: I believe they are required to be inspected periodically. Joe Lyle is our expert in this area.

Joe Lyle: Joe Lyle and I have been sworn. There will be an operation maintenance agreement in place by a certified septic system operator for each of the remote systems. And they will be inspected on a regular basis.

Jeff Akin: And the second item is we intend in the homeowner's documents to add a provision where that is maintained by the HOA just so we don't have an issue with someone who doesn't go down and maintain that area. I think it would be worthwhile to have that included in the maintenance contract. It won't be unsightly and it will be inspected.

Michael Harvey: I think I can add a little more information to that, if you refer to the documentation provided to you with respect to Environmental Health comments, they asked us that we include the off-site wastewater system procedures provision. There are numerous regulatory requirements associated with the development of off-site septic areas including a requirement for annual certification and inspection. There are inspection requirements and certainly you do have the authority, as this is a special use permit, as you've done with a few projects in the past - most recent memory is Carolina Friends School – you required annual inspections to ensure the operation of the system. I would encourage you, if you have that concern to ask the applicant to consider the imposition of such a condition.

Commissioner Gordon: One of the comments made here was a question about the geothermal well. The person who answered said he wasn't an expert. Is there any expert here that could speak to that concern? If there is not and there is additional information, then I would ask the Attorney how one handles that.

John Roberts: If the additional information is not to be presented at this hearing, it could be submitted as a written comment to the Board prior to either the Planning Board's hearing, or prior to the final hearing on this, which is scheduled for November.

Michael Harvey: November 20th is the County Commissioners' reconvening of the public hearing. The October regular meeting is the Planning Board issue.

John Roberts: The reason it has to be written comment is that, traditionally and usually when this Board continues or adjourns these public hearings, it adjourns them solely for the purpose of accepting the Planning Board recommendation and written comments.

Commissioner Gordon: Is it the case then that there is not an expert or someone from the developer that wishes to testify and therefore it would be a written comment?

Michael Harvey: I'll let the applicant speak to that specifically. The subject of geothermal wells only came up as a result of a neighbor concern on the general use of such a system. There is no pump and dump geothermal well proposed for this site, in fact, it doesn't appear anywhere in the narrative of the application that there will be such systems on the project. It is fair to recognize that you've had a citizen that has asked the Board to begin a comprehensive assessment on the installation and use of such systems. The applicant indicated at the neighborhood information meeting that it was not their intent to promote or encourage the installation of geothermal wells with a pump and dump system. I think the issue here is two-fold. You have a concern that transcends this particular project, but the County Commissioners need to give us some direction on it. But you also have a situation where you have an applicant that has not proposed the installation of such systems on the property in the first place. I do not feel qualified to provide any kind of detail of the benefits of the various types of geothermal wells.

Commissioner Gordon: Well, if there could be a definitive statement that there would be no geothermal wells on this property, then there would be a more general question and not specific.

Jeff Akin: We will consider that to see if that's likely a request from a homeowner, but we were not anticipating the use or installation of geothermal well systems. The comment that was made was directed at water usage and the concern was water usage on an individual lot in an area with wells. We're trying to find an answer to that question, and it would probably be best to submit a written response just so we respond accurately to that person's comment.

Commissioner Gordon: Just so it is definitive when we have to make a definitive decision.

Jeff Akin: It should be. I don't think it's a major issue, so a resolution should be reached.

Chair Pelissier: What is our role vis`-a-vis` the draft of the covenants? I have some questions about that.

Michael Harvey: I think it's perfectly appropriate for the County Commissioners to address those comments and concerns to the applicant so that they can begin to take notice of whether they need to modify. These are draft covenants that they are proposing for this project. I think it is perfectly reasonable for you all, if you have concerns or you would like specific answers to specific questions that they can provide that to you.

Chair Pelissier: I do have a couple of comments and questions. One is just an inconsistency with the presentation. The covenants say on page 97 that there will be 14 lots served by off-lot septic area and I understand it's only 13.

Jeff Akin: These are not draft covenants for this project. These are actually just sample covenants from a project that is somewhat similar. We have not gone through the draft covenants process, but we took a neighborhood that was similar as far as having septic and other things. All inconsistencies like that are going to be addressed will be done so to ensure the standards are specific for this site.

Chair Pelissier: The other comments I had were on page 103 where it talks about that you can't have any structure for providing alternative sources of energy unless you have permission from the architectural review committee. I did have concerns about that because with a lot of people wanting solar panels and other things for alternative energy, I just don't like to see restrictions for that.

Jeff Akin: These are general restrictions, we generally want to make sure that those panels are located in the least visible area and still be functional. We want to make sure that they're not reflecting or doing anything to inhibit someone's use of their personal property. We don't generally restrict anything like that. We want to encourage that, but if we don't have them come through the process of architectural review, we may end up with two parties having a discrepancy over the locations. In all of our history we have never had an issue where we were not able to work out a location acceptable for an alternative use. So, we're very open to that. There is an appeal process if someone gets denied. Basically, you couldn't deny them without due process, without a purpose for denying.

Chair Pelissier: Maybe it could be written a little clearer. I also did want to have some discussion about the off-site wastewater treatment and that the homeowner's association would be responsible. I just want to stress that I have some concerns about that, because the people that would be responsible are not the property owners. I don't know if there would be any problems with maintenance because they would be assessing the charges for the repairs to the actual owners of specific properties with off-site. I don't have an answer to it except that it is just a concern of whether that actually works since the people who are responsible are not the homeowners.

Jeff Akin: Everyone deals with their own maintenance in the maintenance for the HOA. The system, the repair field, anything to do with the pumps will remain individually the homeowner's responsibility. So there is going to be no separation. It will simply just be an obligation for the grounds maintenance.

Chair Pelissier: The last question I had was about the water, I was just curious, why were the individual wells not considered? As I understand it, maybe I misread it, that the old property owners will have to pay the company for their well. Normally, when we have individual wells, property owners only have to pay if there is a problem with the pump.

Jeff Akin: I understand that the concern over a community system and difficulty in finding the necessary amount of water. We're leaving options open for the use of individual wells on each property if we cannot get sufficient water yield with the community system in accordance with State law. We've met with a couple of drill companies in that area. Our hope would be to drill deep and provide a large water supply for the community system, and therefore there would be no concern with tapping. We're still investigating that. If that's not the case and it's not the best avenue to go, we'll go back to the individual wells. If we're running into a situation where we'll have to put a lot of wells in and not a lot of power and have the potential of wells running dry, we'd much rather put the expense in. Typically, because of the issue that came up with the last one convinced us that we really should try to go that route first. We're still in the process with it.

Commissioner McKee: In an adjoining county, an issue of mineral rights has come up and I wonder if that has been addressed. I might ask that the Attorney address this concern.

John Roberts: I would be unable to answer that at this time.

Jeff Akin: We have never made any attempt to retain mineral rights on any lots whatsoever. Basically, the laws of the local jurisdiction, state laws, would apply to the individual rights. I would assume that it's their rights to the minerals.

Larry Wright: Any more questions from the County Commissioners? The Planning Board?

Johnny Randall: I just wanted a clarification on the geothermal wells in that there should be perhaps a question about the use and operational characteristics of pump and dump and the closed loop system. I assume a closed loop system does not require any more water than it does to build up pipes. The closed loop does not use groundwater, so that should be encouraged, and the pump and dump should be discouraged.

Commissioner Yuhasz: I don't remember the details, but at the last Board of Health meeting, which was last week, this subject did come up and Tom Konsler, the Environmental Health Director did say that the pump and dump system is not one that's generally used or approved in Orange County and that he would anticipate that any geothermal system that was approved in Orange County would not be a pump and dump variety.

Larry Wright: For the general well, the communal well, how many gallons per unit timed would you estimate that it would take in peak hours? Part b to that question is how would that influence, if any, neighboring wells from adjacent neighbors?

Joe Lyle: Let me address the second part of that question first. My Name is Joe Lyle and I have been sworn. I've had several discussions with Tom Konsler. Tom has issued the following statements to me regarding this well or any proposed wells. I know there was concern from neighbors that maybe a community well could impact their existing wells. The statements made by Mr. Konsler is that the geography of the area does not lend itself to drying or reducing the peak gallons per minute of neighboring wells, to speak to the geography and the fracture in this part of the county. I also asked him about the sampling limits and what his experience has been, and he said that they have done extensive sampling in the County. The contamination as well as yields, and also assured that this has not been the case. He did not see an issue with that. We also spoke with a company that would eventually take over the operation of a community well system, one of the largest bore utility providers here in the state. They have not had any problems with their other community well systems in the County impacting neighboring wells. It's our thought, based on that information, that it should not be an issue, based on the geography here.

Larry Wright: So this is independent of a water table.

Joe Lyle: The way it was put to me, is that there are not individual aquifers that would spread, that these are pockets of water underneath the particular piece of land. Your neighbor next door could have 100 gallons a minute and you could end up with 2 gallons a minute, and they are completely different water sources. That's the way that Tom explained it to me.

Larry Wright: My second question is maybe for somebody else to answer. With the 6,000-gallon retention pond, you have homes coming in here with lawns that have a high runoff coefficient and then you have roads and then you have these deep ditches and they take water rapidly to this 6,000-gallon retention pond. It's my understanding, I could be wrong. If it happens that this retention pond overflows, where does that overflow go?

Jeff Akin: I'm not sure if we're at that level yet. We're not at the point that we have designed the stormwater conveyance system, the ditches that you're talking about. It would be our belief and hopes that water would not be quickly conveyed off of individual property homeowners to that pond. Most of that 6,000 gallons would be used for the road construction on a temporary basis as well as some of the roadside ditches. The way that this property drains, it doesn't all drain to that spot. Some of it drains naturally off to the side.

Larry Wright: My concern here is with neighboring properties.

Jeff Akin: I understand. We're simply not at the engineering level right now to be able to comment on how that system would really be designed. There may end up being two storm water ponds.

John Roberts: There was a response to Mr. Wright's first question regarding community wells. I believe your response was based on a conversation you had with Tom Konsler?

Joe Lyle: That's correct.

John Roberts: Heresay testimony is generally not allowed for this type of hearing. I recommend that you respond to the Board in writing to that question.

Joe Lyle: I would be glad to. I have requested that in writing from Mr. Konsler.

Michael Harvey: I just want to make a statement concerning the storm water. If you can refer to page 163-164 of your packet. You do have a memorandum that has been produced by Mr. Terry Hackett, our Storm Water Resources Officer, who indicates that based on the preliminary assessment, a 6,000-gallon depression area seems sufficient. But obviously, a formal storm water plan is going to be required. That is going to be a required and mandated condition for approval of this if we get to that point. If the Planning Board can make an affirmative recommendation, staff will recommend a formal storm water plan. But at least as it has been sized currently, Mr. Hackett does not see an issue with it complying with local or state storm water or nutrient issues.

Commissioner McKee: If I might point out one thing. This abstract on page 164 refers to a 6,000-square foot potential storm water treatment area. That is entirely different than a 6,000-gallon. I'm sitting here thinking that 6,000 gallons is approximately one tractor trailer. This would be smaller than a child's wading pool

Michael Harvey: I apologize for the misuse of the term and for the confusion it has created.

John Roberts: I have a comment with regard to the Chair's question regarding the restrictive covenant document. This document actually predates a General Assembly law in 2009 that made it illegal for these types of covenants to outright ban solar reflectors on homes. They are still allowed to regulate the location. That's just for your information on that question.

Johnny Randall: Shouldn't the retention pond be measured in cubic feet and not square feet?

Larry Wright: It would seem so.

Commissioner Gordon: It just strikes me that there are a number of questions that have been unanswered that are going to be answered by written comments. If they are not answered, then I would strongly urge us, if it is approved, that any development that is here have any conditions so that if something is missing and not definite, that before it is built, that there be a condition that would specify. There have been a number of questions that we have asked that haven't been answered that would be deferred to written comments. I would just urge that at the Planning Board level and at the County Commissioners level that there be conditions that address anything that's important that's not definitively addressed.

Michael Harvey: I'll just remind everyone here the applicant has an obligation to respond to any and all questions in writing that will be presented to the Planning Board and also to the County Commissioners. I would dare say that if staff does not feel those questions have been adequately addressed or answered, we have never been shy to recommend conditions for the applicant to have to adhere to. But the applicant also runs the risk if they don't submit the necessary information and get a negative finding by the County Planning Board, the County Planning staff will ultimately deny the project. So, obviously, it is in their best interest to address those comments, and we will work with them in order to make sure that the comments and questions will be addressed by the Planning Board meeting.

Larry Wright: Any more questions by the Planning Board or Commissioners? Any more presentations from the applicant? At this time, I'd like to entertain any testimony from the public. I have Mary Jo Fife for item 1. Would you please come to the podium, state your name, and that you've been duly sworn.

PUBLIC COMMENT:

Mary Jo Fife: Hi, I'm Mary Jo Fife, and my husband and I own 3 acres of land that back up into this development just exactly east. Myself and one other person have wells on that land. Our projected idea is to build homes on those 3 acres for land for families. The well that we have is directly east of what is proposed to be built. This well that we have, although it serves only one person and has for the last 10 or 12 years, has gone dry and we've had to have it re-drilled again. That is only sufficient for one person right now. We know there's going to be problems. There is a family with two or three kids next door, juxtaposition to this one, and I'm not sure what their position is on their well. If there is an excessive well use on a well that is very close and juxtaposition to this well, I'm looking at the land and I think it's maybe 300 feet or so from that, and I think that it could have an effect upon our well. We do not want it to go dry, just because it's a new housing development. That's our major concern.

After the comments, it was discovered that Ms. Fife had not been sworn in. She was then sworn in and repeated her comments.

John Roberts: Ms. Fife, you need to repeat your comments since you were just sworn in. You need to repeat, if you can, the essence of what you just testified to.

Mary Jo Fife: We have three acres of land. Two acres that bridge back up to this development. There's only one other person in that area that has property and has a well on it. Our well from my best observation, from having attended the first meeting, I think it was August 6th, is in close proximity to the area where the well is going to be put for this development. My concern is, that because our well has gone dry and we had to have it drilled again about ten years ago, plus the fact that the well has only been serving one person for the last 10-12 years, that there may be a problem with the well given if this huge well is put in close juxtaposition to our well.

Diana Walstad: My name is Diana Walstad, and I was the one that wrote the letter about the pump and dump system. I would just like to say, though I wrote it in the letter, in 2002 my well went dry and one of the neighbors next door in a ritzy development had a pump and dump system and it was running continuously, the well was pumping out water into the creek. Meanwhile, my well was almost dry and I couldn't take a shower. These rich people were using the water, pumping it out, for their house. I thought it was outrageous. If you want people to support this, then people like myself need to be protected. I'm all for a re-circulating system, that's fine, but pump and dump is just a terrible waste of groundwater. I live in a lot adjoining lot #25.

Jeff Akin: I'd like to respond to Ms. Walstad. The applicant would be willing at this time to officially agree that we would restrict pump and dump systems on this site. We would be more than happy to restrict that.

Donna Jean Benson: I've lived on a lot that neighbors this proposed development for 33 years. I have been duly sworn. I'm not particularly opposed to this new development. I guess my biggest concern is wells, because my neighbor, at the same time her well went dry, mine was pretty close to getting dry. I've talked to other people in the neighborhood who aren't here tonight but were at the first meeting that had a real strong concern about the same thing. That was the main thing at the last meeting was the water. There is a development, a new clean place that Diane was talking about with a pump and dump and it borders lots 1-10, that area on that side, I think. I think the Planner was describing that they were two and three-acre lots, but there's at least one that's ten and I think there's one that's sixteen, and they have a community well there that's enormous. Then there was one guy that had pond and he's the one that had the pump and dump thing. The pond was like a waterfall that ran into the creek, the woods, etc., and that was during the serious drought when everybody in our neighborhood was going to the Laundromat and using the dishwater to water the plants and stuff like that. I guess my biggest concern is about the wells. I'm also excited because this area has the rural buffer zone. I'm kind of wondering what's the point of a rural buffer if it seems like this whole area is turning into subdivisions. It just seems like it's a little too dense. Another thing, I keep thinking if I was going out into this rural buffer area and buying land and they came in and said, "your land doesn't perk, you can't put septic here," they're probably not going to allow me to build a house there. I'm thinking that one proposal might be for this developer to take lots 23, 24, 25, and 26 that can't take septic and maybe make that open space or maybe even a park for his development. It would cut the density down a little bit and solve the problem of this remote septic system, which might cause problems for the adjacent property owners. Plus, there's a real cute, nice trailer park over there. I know people don't like trailers, but it's a very nice, clean, nice families that live there, and I know they don't want a nasty septic field for four other remote lots in their backyard. That might make it a little easier to swallow. You know, tone it down a little bit, maybe not so dense, maybe a nice park, and get rid of that remote septic field.

Commissioner Jacobs: First, whatever the size of the retention pond is, there's a comment on page 8 from the Fire Marshal. Is there a response to that regarding having a source of water for fighting fires?

Michael Harvey: Not at this time, the applicant is working on a response.

Commissioner Jacobs: So, we could make a comment about it in this public hearing that they have to address that.

Michael Harvey: That's right.

Commissioner Jacobs: There's a comment from, in this document, about having a trail that connects with the Johnson trail on the adjacent Triangle Land Conservancy property. Do we have a response to that?

Michael Harvey: The applicant has not provided a response and we have not heard from TLC as to whether or not they would even allow a trail from this neighborhood to connect to their property.

Commissioner Jacobs: I'd like to see a response before I vote on this.

Joe Lyle: On Friday one of the consultants, Michelle Kimpenski, spoke with Jeff Masten with the Triangle Land Conservancy. There was a question about trail access through this property. This is the statement that was made, if they certainly prefer one point of an access into the Triangle Land Conservancy property, so that they can not only control that point of access but also control the hours of when that access is, and if there was a second point of access, they would listen to that opportunity, but they don't prefer that opportunity.

Commissioner Jacobs: So, it's the situation that the Attorney mentioned before, if you could get that in writing.

Michael Harvey: The TLC property is this property right here (pointed out on the map).

Commissioner Jacobs: I also had a question about the 25-foot access easement. This is between 16 and 18, and that's specifically to allow members of the community to get to the open space areas, is that why it's there?

Michael Harvey: Correct, yes sir.

Commissioner Jacobs: And the homeowner's association is supposed to maintain that, is that correct?

Michael Harvey: The homeowner's association will be maintaining it. That information that was not provided will have to be provided. Unfortunately, the previous engineer with Summit, who was working on this project, is no longer part of the company so there has been some information lost in the transition.

Commissioner Jacobs: Let me go back to a question that Commissioner Pelissier had. I'm very uncomfortable with the homeowner's association agreement that's been provided that doesn't specifically respond to this development. Let me give you two specifics. We've had these issues before with homeowner's association agreements. One is on page 102 at the bottom, Waste. It sounds to me that you can't have a compost bin on your property, based on this scripture. On page 103, #13, Landscaping, it sounds like you have to put in sod. We are, believe it or not, in a period where the climate is changing, and we don't have as much water and there are some grasses that are actually more drought resistant than others. I would hate to see us require people to put in grasses that are not drought resistant. We need to understand that the developer may be phased out of the decision-making process. So, what's in these documents……and we have seen in the legislature that one of the big issues in homeowner's associations is that people can be pretty intolerant of difference. I just don't want to keep bringing that into Orange County neighborhoods at the same time that we're trying to promote certain kinds of energy conservation and natural resource preservation.

Michael Harvey: Commissioner Jacobs, can I just interject and say that Article 6 of our Unified Development Ordinance, the land use buffer, the street and interior lot landscaping, existing regulations require the installation of drought-resistant indigenous foliage and grass. Individual lot owners would be addressing this requirement with the builder in terms of the installation of required foliage. There needs to be some modifications to this document to make it specific as it has been submitted but will remind all here the ordinance does not require the submission of the documents in the first place. I believe the applicant wanted to provide the Board with a feel for the types of local development limitations they typically impose on their projects.

Commissioner Jacobs: I have concerns about the remote septic area, and I didn't think Commissioner Yuhasz actually got an answer to his question. His specific question was did you consider something different than a pump system having to pump affluent over a great distance, that question wasn't answered. The answer that was given was based on the legality of the system and the approval process. That's not the same as saying what Ms. Benson was asking. The question was whether the remote septic area is the optimal alternative for the people who live there and the people who live around there. I didn't think that Commissioner Yuhasz got a direct answer to that question. I will say I know what the concern is with that type system. I think the concern was trying to have it more proximate to the houses which would be responsible for maintaining it.

Jeff Akin: That's the maintenance issue with the HOA. We felt like this was a good land use plan for this particular site. We thought that it was going to be a nice transition area there. That's not going to be an unsightly area, it's going to be a beautiful mowed meadow. All of the system is below ground. It's going to make a nice green buffer and a transition to the adjoining mobile home park. So we thought it was a really good land use. As far as this tract of land and the testimony about the area in that development, we looked at many properties in this area that are unsuitable for development. There's a tremendous amount of that area that does not work. There are tributaries, the New Hope Watershed, and there are a lot of properties that are not developable. This is really one of the few nice developable tracts. It is mostly not treed. We designed the entire project to have minimal impact on that land. Obviously, economics require us to try to put the maximum allowable number of lots in the project, but we try and meet the code another way. We've put these systems in and there are absolutely no problems with them. They function well. Pumps are absolutely nothing new, they're part of the large percentage of septic systems. They function exactly the same. We'd be happy to address any concerns that come up through the process, but we think this is good land planning and we think we've optimized the site to preserve the trees, to stay away from the creeks, and to have a nice looking neighborhood. We'll make adjustments if we need to.

Michael Harvey: We had asked the applicant to provide a sample and they did exactly what we told them to do. There are a few unresolved issues, unfortunately some of which were precipitated by the lateness of which the comments came in from other County departments and other agencies. The Department of Transportation had submitted initial comments. The applicant will provide written responses as they're required to do.

Commissioner Yuhasz: I just have to make one comment, and since I probably won't have the opportunity to address this in the future, there is nothing special about a subdivision and I think it's inappropriate for a subdivision to have to go through the time and the expense of this kind of special use permit process, whether it's 20 lots, 24 lots, or 30 lots. It's still just a subdivision. It's still just a body of land to use for development process. I just wanted to raise my objection to this process.

Commissioner Jacobs: I have two comments that I'd like to direct to staff and the Planning Board. One is on page 7, just the way in which the material was presented. I would think it would be more clear to separate out land use buffers from open space in cases like this because it confuses what is open space. I think you're saying there is specifically designated open space in the subdivision, then there is space set aside that is required based on our buffer standards. Is that correct?

Michael Harvey: Yes sir. It should be remembered that there is technically no independent open space area required for a conventional subdivision, although the applicant is providing some.

Commissioner Jacobs: So, it would just be easier for me, and probably for others. To the point though, and Ms. Benson made it as well, and staff made it on page 5 in the next to the last paragraph. When we adopted the Joint Planning Agreement, and there were many objections from property owners in the rural buffer about the restriction on their property, one of the things we discussed is we would revisit the two-acre minimum. Over time, the two-acre minimum produces exactly what Ms. Benson said, just a two-acre parcel property, unless the land can't perk. Staff mentions that you're going to be working on something that actually looks at creating a true flexible development option for lots in the rural buffer area as to a subdivision in a band around Chapel Hill and Carrboro. I would hope that we see that in the near future as opposed to the distant future. The other thing has to do with what all the neighbors were talking about, which is groundwater. I don't remember the name of the subdivision, it was probably about five years ago, the one on Arthur Minnis Road, where it goes from pavement to dirt. The neighbors were very concerned about the effect of the subdivision on their groundwater, on their wells. One of our responses was to hire a staff person full-time to study groundwater in Orange County. And here we are, I don't see that we've made any progress in providing any report or methodology for reviewing development impacts on well usage, maybe there is no update to provide. Maybe that's the answer. We do have places where we have policies in place if there are impacts from a commercial use or from something we did. I just don't think we have adequately addressed the concerns that people in rural areas have about subdivisions that go in next to them in a time when water is becoming more scarce. Basically, I feel like I sit up here and I listen and I empathize, but I'm not sure we're doing anything to help people. I would hope that we can do something a little more proactive, whatever it may be.

Commissioner Gordon: I am not anxious to revisit the rural buffer. I think we've done reasonably well in the rural buffer. There are a lot of other things that I think take priority. Maybe we'll eventually get to reconsidering it, and I think it's worked well and I don't think we should rush to reevaluate it.

Chair Pelissier: There is one item in the covenant that I forgot to express my concern. I'm not sure I support the square foot size of the house of 3,000 square feet. I know it's a boilerplate, but I don't know if that's the intention here. I'd also like to just say something to what Commissioner Jacobs had said about water. I was on the Commission for the Environment some years ago when we did have a geophysicist on the board who had actually done studies in Orange County. And one of the lessons I learned from him was, as one of the presenters said tonight, that there are little pockets and this fractured rock. He said that the most important thing to do and that some counties do it is to zone your land according to the recharge rate for that area. There is a study that tells us about the water recharge rate, and that is something that can give you guidance. That would require looking at zoning according to the water for that area of the county. I don't know if we're ready to go there, but that's what was mentioned. We need to assure citizens that they have water for the development there.

Commissioner McKee: In response to the last comment, I want to make sure that we're very careful that we don't micromanage ourselves into a taking of property.

Chair Pelissier: I'd like to entertain a motion to "refer the matter to the Planning Board with a request that a recommendation be returned in time for the November 20, 2012 BOCC regular meeting, and

Adjourn the public hearing until November 20, 2012 in order to receive the Planning Board's recommendation and any submitted written comments."

A motion was made by Commissioner Hemminger, seconded by Commissioner McKee to

refer the matter to the Planning Board with a request that a recommendation be returned in time for the November 20, 2012 BOCC regular meeting, and adjourn the public hearing until November 20, 2012 in order to receive the Planning Board's recommendation and any submitted written comments.

VOTE: UNANIMOUS

2. Zoning Atlas Amendment – To review an application to rezone approximately 14 acres of a 36 acre parcel of property located at 9925 NC Highway 57 from Agricultural Residential (AR) to NC Highway 57 Speedway Area Rural Economic Development Area (REDA-CZ-1) for the purpose of developing an enclosed mini self-storage facility with accompanying accessory uses including office space, a retail office selling boxes and packing supplies, and a truck rental area.

Michael Harvey made reference to the PowerPoint presentation. This is near the go-cart track on NC 57, which is currently for sale. The Orange County Speedway is also nearby. This proposed use is consistent with the land uses that are anticipated within the adopted NC 57 Speedway Area Small Area Plan that was adopted in 2007 by the County Commissioners. This land use is listed as a permitted use. The applicant is in a position where he needs some guidance from the County Commissioners before moving forward. The abstract identifies the concerns related to this project and the staff needs direction from the Board. There will be approximately 400 individual storage lockers. The applicant is proposing the installation of a land use buffer. There is also some transportation planning concerns. Staff is asking the Board to give necessary feedback on this issue.

STAFF COMMENTS:

- Land use consistent with recent REDA-CZ-1 district amendment
- Approved Small Area Plan envisioned this as an acceptable land use in the area
- Staff is concerned over the lack of well for the site and recommends the applicant revisit this matter
- Erosion Control has expressed concern over proposed storm water plan
- Transportation planning comments will need to be addressed
- Staff will need direction on the proposed land use buffer modifications

Commissioner Yuhasz informed the Board and the public that he did represent Mr. Chandler during the time of the development of the NC 57 Small Area Plan and that representation ended when he became a County Commissioner. He has no interest in this particular project.

Commissioner Foushee made reference to toilet facilities and that the applicant has been made aware of this condition and expressed reservations. She asked what needed to be done so that this does not continue to be a concern.

Michael Harvey said that Orange County Environmental Health will review the proposal, and staff can provide additional information once it becomes available. He understands that it will not be an issue to have toilet facilities just for staff use and not for the public. The resolution of this issue will be provided in writing.

Commissioner McKee said that his only concern is the lack of well water and adequate bathroom facilities.

Chad Abbott, with Summit Consulting, said that the applicant and staff will reevaluate this issue and will ask Planning staff to work with him to secure the necessary written responses.

Commissioner Yuhasz said that part of the property is on the northeast side of Mile Branch and asked if there has been any investigation of a well/septic system in that 12 acres.

Chad Abbott said that the land does not perk, but there are alternative systems.

Commissioner Hemminger said that she has a lot of concern about the storm water. She asked what was being proposed.

Michael Harvey said that the initial review of the site plan with Erosion Control did not turn a favorable response in terms of storm water. The water runoff will be significant.

Chad Abbott said that there has not been time to design the storm water control yet. He made reference to sheet c-5, which has storm water calculations. He said that the runoff is proposed to be caught at Mile Branch and NC 57.

Commissioner Hemminger said that she has concerns about needing a well, not just for bathrooms, but maintaining the aesthetics of the facility, as well as the safety.

Commissioner Gordon requested some additional materials. She made reference to access to the facility and the turn radius. She has concerns about this.

Commissioner Yuhasz made reference to the buffer and the adjoining property. He said that the property to the southwest has the same soil characteristics, presumably. He said that this suggests to him that this property will never be developed as a residential property. He thinks that it is not necessary to provide this kind of buffer against property that is not actually going to need it. He suggested showing some flexibility with regard to the buffer requirements.

Commissioner McKee said that the Board should keep in mind that this is an economic development area. He does not see any issues that cannot be overcome. He agrees with Commissioner Yuhasz about the buffers. This is not a general use area. He said that the soil is not very amenable to perking. This property will probably not be used for any use if not this type of use. His said that this is a proposal for low-impact economic development and it is the type of business that he would like to attract to these areas.

Commissioner Foushee echoed Commissioner McKee's comments.

Andrea Rohrbacher said that storage areas generate a lot of waste and there needs to be some mechanism to dispose of things on-site. Secondly, she echoed Commissioner Hemminger's concerns over the water. She said that units need to be hosed out from time to time. There should be a mechanism for this and she does not think that a pressure washer is viable for this.

Larry Wright said that he would like for the applicant to consider looking at an area for solid waste disposal. He also supports Commissioner McKee's viewpoint.

Chad Abbott made reference to the transportation comments and said that he would like to see how DOT would respond to some of these comments. He said that it would be best to push back the entrance as far away from the intersection of NC 57 as possible because of the potential truck traffic. He will provide written responses to the comments from staff.

He said that this use fits this site because the soil does not perk and not many other uses could be placed here.

Commissioner Hemminger said that she wants this project to succeed, but there are many issues that were not covered in the documentation the Board received (i.e., traffic, storm water runoff, etc.). She just wants it to be the best possible project and have it succeed. She feels like the application is disjointed.

Michael Harvey said that this was supposed to be a negotiable site development process. There are several concerns of staff and there are issues that need to be addressed. He said that the applicant is seeking the Board's guidance on what should come next and he thinks it would be perfectly reasonable for the Board to ask and provide direct guidance on what should occur next and allow the Planning Board to continue this review at the October meeting.

Commissioner Jacobs said that he is glad this proposal is coming forward. He said that the next presentation should have the staff concerns and the responses from the applicant. He is more interested in having buffers along NC 57 than on other parts of the property because these facilities are not very attractive. He suggested having some bullet points come back to the Board.

Chad Abbott said that he is certain that the applicant has addressed the storm water and the traffic/fire and turn radius issues. The big item is the buffer, and he needs guidance on this. He said that the applicant will put in a well if needed. He said that the staff-requested buffer is very expensive.

Commissioner Jacobs said that all of this needs to be put in writing.

Michael Harvey said that the Board has some options - identify areas the applicant needs to address, adjourn the public hearing to a date and time certain asking the applicant to submit written responses to the issues, asking the Planning Board to review the project, and asking the Planning Board to continue the dialogue at the October meeting. He said that there is information that is lacking and everyone is frustrated with that.

Chair Pelissier said that she has heard that the Board really does want a well on this site. Regarding the buffers, she thinks that there should be some flexibility. She said that all of the storage facilities that she has seen around here do not have buffers. She would not want to put restrictions on this project when other similar projects did not have the same restrictions.

Commissioner Hemminger said that she would like to keep this process on track and come back at a September meeting.

Larry Wright asked the Board to provide some options for the buffer for the Planning Board to discuss.

Commissioner Yuhasz said that he would support the small buffer on the perimeter as shown, as well as the clustered buffer.

Chair Pelissier said that the Board is happy with the proposed buffer.

Commissioner Gordon said that she does not agree with the proposed buffers. She said that she would still like to see the Planning Board comments. She would like to see a summary come back on September 18th.

A motion was made by Commissioner Jacobs, seconded by Commissioner Gordon to seek further clarity, get responses back in writing and come back at the September 18th meeting, and to use that meeting to provide further direction to the applicant and Planning Board regarding the Commissioners' preferences on the items that have been identified as areas of concern and that are addressed in writing by the applicant and by appropriate agencies; and to adjourn the public hearing until September 18th to allow staff and the applicant to bring forward the written requests and information as required by this meeting.

Commissioner Yuhasz said that this process and the need to get feedback from the County Commissioners points to the possibility that they may not want to limit conditional use applications to the Quarterly Public Hearings. If there is going to be this kind of month-to-month bringing something back, it might be more appropriate to accept conditional use applications on a more frequent basis.

Commissioner Gordon said that she objects to that suggested change.

VOTE: UNANIMOUS

A motion was made by Commissioner Foushee, seconded by Commissioner McKee to target a November 20th decision point and to have a recommendation by the Planning Board.

VOTE: UNANIMOUS

3. Unified Development Ordinance (UDO) Text Amendment(s): To review government-initiated amendments to the text of four sections of the UDO in order to adequately address the development of solar arrays within the county.

Michael Harvey made reference to page 10 of the agenda packet. Under Section 5.1.2 of the Ordinance, there are references to uses that are permitted and land use development standards. He read Subsection J, "electrical substations, switching and metering stations and associated transmission lines, where incoming voltage does not exceed 100 kilovolts (kv). (See Section 5.9.2)". He said that Section 5.9.2 is the appropriate section where this type of development is located. There are three amendments to address the inconsistency. The proposal is to establish an accessory use process where residential and non-residential land uses can obtain a zoning compliance permit to allow for the development of a solar unit for utility needs. This will be approved by staff based on guidelines. If the guidelines are exceeded, the recommendation is for it to go to a Class B Special Use Permit (Board of Adjustment and Planning Board). If a public utility is proposed, it will be a Class A Special Use Permit process (County Commissioners in a Quarterly Public Hearing). This ordinance provides guidance on permitting processes. He made reference to the yellow sheet, which was a memorandum from the Commission for the Environment with comments regarding the amendments.

Commissioner Jacobs asked for more detail on the Commission for Environment's concerns about the permitting process.

Michael Harvey said that one of the concerns is that solar arrays cannot be located in the front area of a property. Staff is consistent with the current development practice in the County. If there is a desire to modify existing limitations to allow for more flexibility of the arrays, there would have to be a separate amendment.

Commissioner Jacobs said that it seems like the Commission for the Environment is proposing another step.

Michael Harvey said that if the regulation does not work, the Board of Adjustment should not be put in the position to activate the ordinance every time it does not work. The ordinance needs to be amended to make it work. Staff should also not be allowed to waive the provisions of the code as it sees fit. Either the code is amended to address the issue or the standard is kept the way it is.

Commissioner Jacobs said that he would like to see the reasons against accessory uses in a front yard and let the Planning Board decide whether it wants to preclude having a solar array in a front yard.

Commissioner Jacobs asked clarifying questions, which were answered by Michael Harvey.

Commissioner Yuhasz made reference to page 23 and said that he is trying to get a sense of the size of some of the elements. He asked why these would have to be screened if air conditioning systems are not screened. He made reference to item ‘g’ on page 23 and said that he would like to know how “the proposed array will not impact the existing land use” will be defined.

Michael Harvey said that there is required landscaping depending on the type of development and project. There cannot be removal of any required landscaping or condition consistent of the site based on the land use.

Commissioner Yuhasz asked that this be clarified in the document.

Commissioner Yuhasz asked why the area with the solar array is considered impervious surface.

Michael Harvey said that this is based on state classification and the County is bound by this determination.

Commissioner McKee said that his recommendation is that the County not allow solar arrays in front yards.

Commissioner Gordon made reference to item ‘j’ on page 23 and said that if it is unsafe, it should be fixed, but she will leave it up to staff for a recommendation regarding if it is not in use for six months.

Chair Pelissier echoed Commissioner Yuhasz’ comments. She said that she would like to have more flexibility on the front yard option and not have such a stringent viewpoint on the separation of commercial and residential. She asked about the 10 kilowatt versus the 100 kilowatt.

Michael Harvey said that this requirement is based on state and federal tax credits.

Tony Blake from White Cross said that Duke Power in cooperation with the State Public Utilities Commission, accepts 20 kilowatts as the standard for a residential customer. He said that he thinks the 10 kilowatt limit is arbitrary. Regarding the size, technology is changing

rapidly, so smaller panels are able to generate more electricity. He thinks that the ordinance should be looser and able to evolve with the technology.

Pete Hallenbeck said that he has a 7500 watt solar panel array for use at his house. He said that a 10 kilowatt array is approximately a 50-foot long by 12-foot wide footprint. It would stand approximately 9-10 feet tall. The 15 feet came from the fact that you may wish to raise the panels up to maintain the ground underneath. The 10 kilowatt limit comes from the fact that with Piedmont Electric, they will only give net metering if you are 10 kilowatts or less. He suggested that instead of having a kilowatt specification, then it could be the limit from the power company where there will be net metering. With regard to item 'j' on page 23, he would suggest that it could be cleaned up to say that if it is not working for six months, it has to be dealt with, and if it is unsafe, it should be dealt with faster than six months.

Larry Wright said that the front yard restriction does not conform to each situation. He suggested looking at this because there is a lot of property in Orange County that is rural.

A motion was made by Commissioner Jacobs, seconded by Commissioner Hemminger to receive the proposed amendments as detailed in this abstract and attachments; refer the matter to the Planning Board with a request that a recommendation be returned to the BOCC in time for the November 8, 2012 BOCC regular meeting; and adjourn the public hearing until November 8, 2012 in order to receive and accept the Planning Board's recommendation and any submitted written comments; with the additional stipulation that the Board of County Commissioners receive information on the rationale behind restricting accessory uses in the front yard, and that this be part of the discussion when a recommendation comes back from the Planning Board.

VOTE: UNANIMOUS

Commissioner Yuhasz suggested that the front yard issue be addressed particularly with regards to the size of the lot.

CLOSED SESSION

A motion was made by Commissioner Hemminger, seconded by Commissioner Yuhasz to go into closed session at 10:03 p.m.:

1. **Per N.C.G.S. 143-318.11(a)(3):** To Consult with the Attorney to protect the attorney-client privilege.
2. **Per [N.C.G.S. 143-318.11(a)(5)]** To establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property
3. **Per [N.C.G.S. 143-318.11(a)(4)]:** To discuss matters relating to the location or expansion of business in the area served by this body.
4. **Per [N.C.G.S. 143-318.11(a)(6)] :** To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.

VOTE: UNANIMOUS

RECONVENE INTO REGULAR SESSION

A motion was made by Commissioner Yuhasz, seconded by Commissioner Hemminger to reconvene into open session at 11:10 p.m.
VOTE: UNANIMOUS

C. <u>ADJOURNMENT OF PUBLIC HEARING</u>

A motion was made by Commissioner Hemminger seconded by Commissioner Yuhasz to adjourn the meeting at 11:14 p.m.
VOTE: UNANIMOUS

Bernadette Pelissier, Chair

Donna S. Baker, CMC
Clerk to the Board

DRAFT

MINUTES
ORANGE COUNTY BOARD OF COMMISSIONERS
WORK SESSION
August 30, 2012
7:00pm

The Orange County Board of Commissioners met for a Work Session on Thursday, August 30, 2012 at 7:00 p.m. at the Southern Human Services Center, in Chapel Hill, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Bernadette Pelissier and Commissioners Valerie Foushee, Alice M. Gordon, Barry Jacobs, Pam Hemminger, Earl McKee, and Steve Yuhasz
COUNTY COMMISSIONERS ABSENT:
COUNTY ATTORNEY PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Frank Clifton, Assistant County Managers Gwen Harvey and Michael Talbert and Clerk to the Board Donna S. Baker (All other staff members will be identified appropriately below)

1. District Court House Tour – Court Programs Overview

Head District Court Judge Buckner made a PowerPoint presentation.

Judge Buckner gave some background information prior to the start of the PowerPoint. He said that there is an 18-20 year history that shows that the rules were often made in Raleigh.

Orange County
District Court House Tour
Court Programs Overview
Hillsborough, NC
January 23, 2012

Current Jail Situation

- The Orange County Jail averages around 150-155 inmates per day
- The jail is filled nearly to capacity
- By housing and transporting federal inmates, the Sheriff's Department brings revenue in through federal reimbursements
- Approximate Average Daily cost per inmate - $48.00
- Total projected cost for upcoming fiscal year - $3,815,127

Sentencing Changes for Misdemeanants

- 90 days or less - Placed in jail; no change here.
  - Funded through local government
- **Between 90 days and 180 days – Law passed in 2011 places these offenders in county jails, reimbursed by the DOC, a local cost.**
- Over 180 days – Placed in Prison
  - Funded by Dept. of Corrections

Pretrial Services

- Provides the judge with release from jail options for offenders -

- Supervision for offenders with pending charges
- Investigates inmates for appropriate recommendation
- Facilitates placements for problems that manage offender risk factors such as mental health or substance abuse treatment
- Pro-active on strike order supervision, preventing jail costs on the "front end" as well as avoiding costs after arrest

Pretrial Services Creates a Social Safety Net:

- Calls attention to poor risk factors & revokes non-compliance promptly with re-arrest
- **TREMENDOUS COST SAVINGS**:
  - 300 inmates released through pretrial at a savings of $70 per day annually **Example:** average 12 days saved per defendant X $70/ day (jail costs) X 300 releases = $252,000 saved
- Cost sharing of overhead ended with state grant 6/30/2011
- **Admissions for services increased 100% from two years ago**
  - $54,000 increase needed to cover program costs over the $70,000 allocation from last year @ 70% cost in 15-B
  - cost sharing of overhead ended with state grant last fiscal year

Drug Treatment Court

- Goal:
  - Rehabilitate drug and alcohol offenders while also saving our justice and judicial system's valuable resources in the long run.
- Method:
  - Hold chemically dependent offenders accountable by requiring them to meet rigorous court ordered treatment plans for a MINIMUM of 12 months.
- Results:
  - Over 2/3 remain in treatment for over six months.
  - **Overall: Effective in rehabilitating offenders while also saving resources.**

Problem:
Drug Treatment Court's State Funding Cut

- In the state budget, Drug Treatment Courts were eliminated leaving district courts searching for funding from local and other sources.
- For FY 2011/12 – Orange County Commissioners approved $67,000 to keep the court operational
- In 2011 DTC served 61 offenders and graduated 13. Currently, we have 38 participants in this court, 3 of which are in long term residential programs.

DTC Cost Savings

An example of cost savings: From July to September 2011, we had 5 graduates with suspended sentences totaling over 7 years in prison, however, they served a combined 12 days jail while in DTC, totaling $763.80 (12 days jail* 63.65). This county and the state did not have to pay for approximately 2543 days of jail/prison, or approximately $161,862.

Community Resource Court

- Goal of Community Resource Court:

- Collaboration between mental health and judicial professionals to provide support for offenders suffering from diagnosed mental health conditions.
- Method:
  - Require these offenders to complete CRC court, as a way to keep them out of trouble, rehabilitate them, provide support, and eventually have their charges dropped.
- Results :
  - Around 50 participants per year/Orange Co. only – (54 in 2010)
  - Graduation rate has averaged 50% over the last 10 years.
  - Local studies show recidivism is slowed after CRC involvement.

What is Community Resource Court?
(CRC)

CRC was created to address the treatment needs of people with mental health issues who became involved with the criminal courts.

- Links offenders with services and supports that help them to better manage their mental illness.
- Also called "Mental Health Court" because it helps people address their mental health needs as well as helping them to be law abiding residents.
- Funding is $189,000 per year which comes from DHHS and covers the salary and expenses of the program manager and care coordinator-covers both Orange and Chatham Counties
- Currently there are no funds that cover court administrator, judges, or attorneys time

- **The total number served since 2000 in Orange County: 780**

Dispute Settlement Center:

- The Dispute Settlement Center is the original and model mediation center in NC, founded in 1978 by concerned citizens with support of Orange County Board of County Commissioners.
- DSC serves 3000 people a year through Mediation, Public Disputes, Training and Youth Programs.

District Court Mediation

- DSC's core program for over 30 years
- FY 12 state budget eliminated the allocation to DSC for court mediation: $60,227
- Mediators worked with an average of 200 cases/year with 85% resolution rate for mediated cases
- Mediation saves court time and effectively moves cases through the system

Commissioner Foushee arrived at 7:13 PM.

Commissioner Yuhasz asked about the Mental Health Court and how it is funded. Judge Buckner said that it is funded by the Department of Health and Human Resources. Commissioner Yuhasz asked if this funding was going to be terminated. Judge Buckner said that it is such a small problem that the State has indicated that it will continue to sustain it.

Commissioner Hemminger asked Judge Buckner what he was looking for in a new jail.

Judge Buckner said that most of the time they are trying to deal with dockets of hundreds of cases, so it is critical to the operation of the court to get people into queue. In the design, there should be the capacity to meet with more people that are incarcerated.

Chair Pelissier asked Judge Buckner to comment on the effort of improving the homelessness population.

Judge Buckner said that they have been trying to keep up with this population and coordinate services when these individuals are in court. This has been successful.

Commissioner Jacobs suggested looking at who the County will be building the prison for and what other resources/programs are there. He asked Judge Buckner what he would like to see the Board of County Commissioners do.

Judge Buckner said that the State mandates are on the prison population. He said that it is worth a look. He said that a lot of other people need to weigh in on this conversation.

Commissioner Jacobs said that if the County was proactive, this would be a good time to bring together stakeholders to look at other alternatives to decrease the prison population.

Chair Pelissier agreed with Commissioner Jacobs.

Sheriff Pendergrass said that daily it is an operation of manipulation to keep the numbers between 135-140 people each day. He said that he tries to keep the jail population at a number that is safe to manage. He said that there are over 600 people on probation in Orange County and at any given time, 5-30 will violate probation and come back to jail without notice. Many unpredictable factors in running a jail and they also never know at any given time how many female inmates they will have, which creates a problem too. He said that there has to be a new jail with a capacity of about 250 inmates. The old jail can be used for misdemeanors, etc. He said that there are 30-40 people that are continuously brought into jail off the streets from Chapel Hill and Carrboro, and they are street people. He said that it is like a revolving door, and there need to be other places for these people besides the jail.

Commissioner McKee said that in the long run it will be imperative to look at a new facility and he liked the idea of looking at alternative means to treat these homeless people.

Frank Clifton said that on September 11th the Council of State will meet about the County's request for a long-term lease on property for a future jail site. He said that additional jail space is needed for female inmates and alternative programs.

Chair Pelissier said that she would hope that the Sheriff and everyone in the criminal justice systems will be involved in the creation of a new jail and the County needs to look at this and alternative programs simultaneously.

2. Draft Comprehensive Assessment of Emergency Medical Services and 911/ Communications Center Operations Study

Michael Talbert said that the County Commissioners will be receiving a final draft Comprehensive Assessment of Emergency Medical Services and 911/ Communications Center Operations Study. The County Commissioners approved this in December of 2011 and it has taken a little over six months to complete. It has been thoroughly vetted through the Emergency Services Work Group. Steve Allan, from Solutions for Government, was present to give an overview of the report.

Steve Allan made a PowerPoint presentation. The call volume in 2011 was 10,719, which was an increase from 10,420 in 2010. The primetime of the day for calls is from 9:00 a.m. to 9:00 p.m.

He explained the turn-out time and the travel time, which total the response time. Regarding the Emergency vs. Non-Emergency Response Times, he explained that Emergency is a response with lights and sirens and Non-Emergency has no lights or sirens. The Average Event Duration Time is the time it takes for the vehicle to respond to an emergency, transport the patient, and be ready to respond again. The increase in this is a combination of the travel distance and the backup in the emergency vehicles.

The issues of concern are: Availability of Ambulances, Response Times, and EMS Facilities.

Availability of Ambulances

During 2011 ambulances were directed to “MOVE” 2,360 times from their identified staging area or location to another point in the County because:

a. The number of ambulances immediately available was down to one (1) and the subject ambulance was directed to move to a location (typically) near the center of the County in anticipation of being able to respond in any direction the call may direct.

or

b. In tracking the status of multiple ambulances, the Communications Center and/or EMS Supervisor(s) noted significant area gaps in coverage and redirected movement of ambulance(s) accordingly.

Steve Allan said that moving ambulances this many times is significant.

Response Time

“The time from the initial alert or announcement by the Communications Center of the reported emergency, to the time that the service vehicle and appropriate personnel arrive on the scene.”

The factors that most commonly impact response time include:

- The time required to access and engage the vehicle
- The speed at which the emergency vehicles is able to travel
- The distance that must be covered to the incident dispatched, and

- Under what conditions

Consequences of increased response times for cardiac arrest/stroke:

0-1 minute; cardiac irritability
0-4 minutes; brain damage not likely
4-6 minutes; brain damage possible
6-10 minutes; brain damage very likely
>10 minutes; irreversible brain damage

Response Time

"…..have recommended that EMS vehicles should respond to deliver BSL (basic life support) skills within 3 to 4 minutes, with ALS (advanced life support) skills available within 6 to 8 minutes. The ALS-within-8-minute concept was developed from research that showed the survival rate of cardiac arrest victims decreases significantly with each passing minute, and that optimal probabilities for survival increase when BLS has been provided within 4 minutes followed by ALS within 8 minutes."

American College of Emergency Physicians
American Heart Association
American Association of Orthopedic Surgeons
National Fire Protection Association

He said that it is a concern that the average response time in 2011 was 10:47.

Response Time

OCEMS Agency Standards per System Plan:

For Emergency Responses;
*…..*a paramedic on scene within 12 minutes 90% of the time

For Non-Emergency Responses;
……a paramedic on scene within 15 minutes 90% of the time

Although not acceptable to the referenced standards setting and professional organizations cited, concern can be offset somewhat by effective and timely response from certified BLS responders; i.e. certified Medical Responders (MR) and Basic Level Emergency Medical Technicians (EMT's).

In Orange County, these responders-per the OEMS System Plan-are comprised of members of the 12 municipal and community Fire Departments.

South Orange Rescue Squad (SORS):

- 57 certified EMT's
- 36 on OEMS Roster w/NCOEMS
- Share duties w/OEMS on Medic 8
- 3-4-3-4-3 alternating schedule
- Includes use of SORS' 2-BLS ambulances

Average Response Times:
All rescue squads: 5:53
Volunteer rescue squads: 7:59
Career rescue squads: 5:02

Response Time

Average vs. Fractile Response Time Performance Criteria

Given what has been learned about the need for an eight-minute response to maximize survivability from cardiac arrest, an average eight-minute response, by definition, means that one-half, or more, of the service's patients are not reached within that critical time.

Many high-performance emergency ambulance services use a different methodology to measure response times to ensure service equality to all patients: fractile distribution; in most instances as suggested by NFPA and others, reported at the 90th percentile.

EMS Base Facilities

….EMS "staging" locations

Orange County EMS, like Law Enforcement, is an ongoing and at times almost continuous service that functions 24 hours a day throughout the entire County. Its services are far from occurring on a "periodic" or "sporadic" basis.

This concern (facilities) must be addressed as a long-term issue. And, it must dovetail with the Ambulance Availability and Response Time issues previously addressed.

Steve Allan said that Orange County does not have any base facilities and the locations lack a lot.

EMS Base Facilities

An EMS facility must include at least, the following type of spaces:

- Indoor, temperature controlled vehicle bays with exhaust ventilation and recharging stations
- Secure equipment, materials and medication storage
- Special storage for certain narcotics and refrigerated medical supplies
- Decontamination showers for personnel
- Decontamination/wash areas for equipment
- Space for air drying decontaminated equipment after washing
- Storage accommodations for contaminated clothing, waste, sharps, etc.
- Accommodations for the handling of medical gases (oxygen)
- Laundry facilities
- Food preparation and dining space
- Common/dayroom space
- Multipurpose storage space
- Staff restrooms

- Technology to permit wireless internet capabilities, phone, radio, and pager communications
- Public entrance and space to accommodate meetings with visitors

The actual issue of Fire and EMS "sharing" facilities is more complex:

- The ultimate purpose (mission) of each is different
- Fire Department service areas are specific and limited
- EMS service area is the entire County
- The schedules of each are different
- EMS may run continuously for extended period(s) of time
- Fire will more often respond to "periodic" incidents
- The work habits of each are different
- The facility requirements of each are different
- Fire Departments are visible within their respective communities
- Existing Fire station locations are not strategically located to adequately address the deployment of EMS vehicles
- To push the "sharing" of these facilities would simply continue a practice that has already worn out its welcome

<u>EMS Base Facilities</u>

8:00 Minute RT Coverage

19 Stations	204 FTE's	
VS.		
6 Locations	63 FTE's	
Total Personnel Cost	$10,135,975.82	
Less Existing Budget Personnel Cost	$ (3,703,295.00)	
Less est. Overtime Savings	$ (200,000.00)	[1/2]
Total Net Cost Addt'l Personnel	**$ 6,232,680.82**	

12:00 Minute RT Coverage

9 Stations	97 FTE's	
VS.		
6 Locations	63 FTE's	
Total Personnel Cost	$ 4,818,233.16	
Less Existing Budget Personnel Cost	$ (3,703,295.00)	
Less est. Overtime Savings	$ (200,000.00)	[1/2]
Total Net Cost Addt'l Personnel	**$ 914,938.16**	

<u>Issue: Availability of Ambulances</u>

R-1. Adjust Medic 5 and Medic 8 Coverage Hours

- Move Medic 5 from 6:00am-6:00pm to 9:00am-9:00pm
- Move Medic 8 from 6:00pm-6:00am to 12:00pm-12:00am

R-2. Add ALS Ambulance 9:00am-9:00pm @12 hrs/7 days

R-3a. Utilize available SORS/BSL ambulance for non-emergency transports; the basis being to free up ALS units to reduce travel time to/from medical facilities and be available sooner to respond to emergency status calls.

R-3b. OEMS to staff a BLS ambulance to be available for non-emergency transports; the basis being the same as 3a, however in the event that SORS/BLS ambulance is not available.

R-4. Assess Fire Department capabilities necessary to meet MFR Response Time objectives; via independent assessment of call volume, roster, paid vs. volunteer personnel, vehicles, base location(s), past call locations, included map grids, existing funding, and anticipated performance requirements.

R-5a. Schedule and implement Fire Department MFR initiative with included performance objectives.

R-5b. Staff and equip four (4) EMS/QRV's for assignment 12 hours/7 days; with shift start/end times to be determined by EMS.

R-6. Staff and equip six (6) 12 hour/7 day ALS ambulances at appropriate staging/base facility locations proximate to (1) Zones 1 & 2, (2) Zones 7 & 5, and (3) Zones 6 & 8.

R-7. Hire Paramedic Level Shift Supervisor @ 24/7.

R-8. Prepare a detailed Space Needs Assessment that addresses the essential building and site requirements to accommodate a stand-alone, functional, code compliant EMS base facility that can serve as a prototype for all future facilities.

R-9. Identify a minimum of nine (9) strategic locations, preferably no less than one (1) location within each major Zone for the potential location in each of a future EMS base.

R-10. County to purchase/obtain identified sites (and/or buildings) for development.

R-11. Procure EMS base planning and design services.

R-12. Advertise, bid, and commence construction on designated EMS base facilities.

Steve Allan said that the growth rate for Orange County is the highest of its neighboring counties.

911/Communications Center

Orange County's emergency services network, which includes virtually all of the public safety agencies operating in the County, could not exist; i.e. could not begin to approach the general public's expectations of it, without a sophisticated emergency communications system.

Issues of Concern

Staffing:

During the course of study, the Communications Center:

- Total allocation of 30 full-time positions
- Plus one (1) Operations Manager; 31 total

During that time:

- Nine (9) of those positions were either vacant (5)
- Or in training (4) and therefore unavailable

If you "know":

- The number of positions to be filled
- The hours/year each needs to be in service
- The hours/year a single employee is available

You can:

- Calculate the Position "Relief Factor" used to
- Determine total staff required

Position Coverage	Annual Hours Required/Position	Hours Available/Yr. Per Employee	Relief Factor
24 hrs/7 days	8,760	1,718	5.10
12 hrs/7 days	4,380	1,718	2.50

Staffing

If you want to determine the number of post positions to be filled based on workload:

The number of positions needed to adequately handle the call volume can be calculated based upon a formula matrix which utilizes:

Average call Duration: 102 seconds
Peak Call Rate/Hr. 236/hour

Staffing

In addition, and currently missing from the Communications Center; i.e. one having this level of Telecommunicator staffing and annual call volume:

1. FT Data System Manager
2. FT Quality Assurance Officer
3. FT Training Officer

The need is CRITICAL!

Data

The communication Center's; i.e. the County's; technical capabilities were not up to speed, nor have they been up to speed in the eyes of the agencies it serves.

The information is there!

Its accessibility and the format in which it exists has been a problem.

It's 20 years old!

Issue: Staffing

R13. Hire a full-time dedicated Data System Manager to be located as close as possible, preferably adjacent to the Communications Center, and answerable first to the Communications Center Operations Manager.

R14. Hire a full-time, dedicated Training/Quality Assurance Officer to be located as close as possible, preferably adjacent to the Communications Center, and answerable first to the Communications Center Operations Manager.

R15. Anticipating increasing responsibilities due to the number of personnel forthcoming, hire an additional fulltime Training/Quality Assurance Officer no later than the end of year 3.

R16. Prepare a schedule for the hiring and training of the identified Telecommunicator positions and identify date to begin solicitation of applications.

R17. Hire the 17 new, full-time Telecommunicators.

Issue: Data

R18. Purchase necessary AVL vehicle hardware for each new EMS vehicle purchased to enable compatibility with newly purchased CAD software and existing AVL system hardware.

R19. Following the installation of recently purchased Communications Center software and the training of in-house personnel; organize and provide informational meetings to emergency service system users, particularly Fire Departments and Law Enforcement, with regards to the system's capabilities and the information that will be available to them for their use.

Commissioner McKee said that this may be a bit overwhelming but it can be implemented over time. He said that this is a needed study and he would like to implement what they can as quickly as possible. He said that it is critical to get feedback from the Board of County Commissioners to the work group and then come back with a final report.

Commissioner Hemminger said that she is concerned about some of the facilities and their placement because of lack of cell phone coverage in many areas of the County. She wants to be proactive with this report.

Frank Clifton said that the telecommunications analysis is also going on right now, so there is a potential that this analysis will bring forward some cell towers that could be located.

Commissioner Jacobs thanked Commissioner McKee and Commissioner Foushee for working on the Emergency Services work group. He made reference to the extra 15 seconds to take information when dispatching calls and he asked if ambulances would be added. He asked staff to come back with an implementation plan with the costs of adding ambulances.

Steve Allan said that the key to feedback in those arenas is going to be important as to who you ask and has diverted this Board in the wrong directions for years. He said that the facility he quoted is bare bones. He said that he was impressed with Orange County in that it has asset management and all are involved in the decision making of the purchase of ambulances. He said that he was not prepared or asked to come up with the type of vehicle for Orange County to purchase.

Commissioner Jacobs asked if the work group would be recommending the priority of order for these recommendations.

Commissioner McKee said that it has not been decided yet, but his idea is to get feedback from Board of County Commissioners and incorporate it into study, and for the work group to come back with a general list of recommendations with what could be implemented the most quickly and with the least cost.

Steve Allan said that he is still responsible as the County's consultant to meet with the fire chiefs, etc., and to have a public meeting to provide them with a presentation so the County Commissioners can provide him with suggestions and feedback.

Commissioner Foushee said that it seems it would be easier for the work group to make suggestions in depth after hearing these comments and feedback from stakeholders and the public.

Commissioner Jacobs said that he would like to see a recommendation from staff or have someone put these recommendations in priority order.

Commissioner Gordon made reference to the methodology and said that she wanted to know more about the variability in the response times. She made reference to page 30 at the top and then again on page 112-113 with respect to response times. She asked about the data on the response times from other districts and if it is the fire departments responding, EMS, or both.

Steve Allan said that, regarding the fire departments, how fast they respond is dependent upon how far away they are from the emergency. He said that everything in the data is average total response time for just EMS.

Commissioner Gordon said that she would like to have one more input session from the Board of County Commissioners before the final report comes back to the Board.

Commissioner McKee summarized the process of the Emergency Services work group up to this point. He wants to avoid this becoming a loop of a protracted discussion. He suggested that as the consultant goes forward with other stakeholders that the work group will incorporate feedback into the document and then the work group will review these and come back to the Board of County Commissioners with a consensus of a report of recommendations (generalized). This is a living document. He does not want to put this on a shelf.

Commissioner Gordon summarized the process. If the public or County Commissioners have a question, they can go to one of the meetings or email Michael Harvey with questions. When that is wrapped up, it will go to the work group, which will answer the questions and prioritize the recommendations. This will then get folded into the consultant's report. At a later time, it will come to the County Commissioners to approve, and then come through the budget process after that.

The Board agreed with the process by consensus.

Michael Talbert agreed that this is a living document and will be changed annually. It will be brought forward every year with the CIP. He reminded the Board that improvements have been made in EMS funding every year through additional ambulances, new EMTs, and

new telecommunicators. Staff is looking for priorities from the Board as to what would be most important for the County Commissioners to do first. He will take these priorities back to the work group.

Commissioner Yuhasz said that the performance of the fire departments as first responders is a necessity.

Steve Allan said that the fire department study and the space study are to be quick and he was not charged with analyzing the fire departments. He would like to meet with the fire departments and talk about medical first responding.

Commissioner Jacobs said that there is nothing in the report about the Emergency Services work group and Steve Allan said that it will come in the narrative.

Commissioner Jacobs said that part of the document should have an email for the public to send comments or questions to. He said that he also appreciates the fractile measures. He said that Orange County does need better resources, but he is appreciative of the Emergency Services staff that does so much with so little.

Frank Clifton said that, as they have added staff, some of the significant issues with these workers include the high stress, the high technical training required, and that these workers are in high demand across local government, all of which can contribute to the high rate of turnover in Emergency Services. Orange County will need to be competitive in all areas of the hiring process, especially the pay.

Chair Pelissier said that the Board would like the work group to come back with priorities and recommendations at the end of the process.

Commissioner McKee said that when comments are received, Michael Talbert should put it into a memo and distribute to the County Commissioners.

Frank Clifton suggested videotaping the next presentation by Mr. Allan to the public and placing it on the website.

3. Report on Paperless Agendas

Chief Information Officer Todd Jones said that agendas are now being produced using a paperless process. There is interest in using iPads during the meetings. There are a lot of hardware and software options. There are also small format laptops available as well. He said that he would be happy to train anyone on using various devices for this process.

Commissioner Hemminger said that the training was great and helpful. She liked the iPad better and she annotated tonight and it worked well. She said that the maps are much clearer on the iPad.

Chair Pelissier said that she did not use paper at all tonight and used the iPad and it worked well.

Frank Clifton said that there are some limitations with the iPad because the County uses all Microsoft products.

John Roberts said that there are some things that should not be done with internet access at a public meeting.

A motion was made by Commissioner Jacobs, seconded by Commissioner McKee to adjourn the meeting at 10:21 PM.
VOTE: UNANIMOUS

Bernadette Pelissier, Chair

Donna S. Baker, CMC

1

DRAFT

MINUTES
ORANGE COUNTY BOARD OF COMMISSIONERS
WORK SESSION
September 11, 2012
7:00pm

The Orange County Board of Commissioners for a Work Session on Tuesday September 11, 2012 at 7:00 p.m. at the Link Government Services Center in Hillsborough, NC.

COUNTY COMMISSIONERS PRESENT: Commissioners Valerie Foushee, Alice M. Gordon, Barry Jacobs, Pam Hemminger, and Steve Yuhasz
COUNTY COMMISSIONERS ABSENT: Chair Pelissier and Commissioner McKee
COUNTY ATTORNEY PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Frank Clifton, Assistant County Managers Clarence Grier and Michael Talbert and Clerk to the Board Donna S. Baker (All other staff members will be identified appropriately below)

Commissioner Hemminger (Vice-Chair) is chairing the meeting tonight because Chair Pelissier, Commissioner McKee, and Frank Clifton are traveling back from Bloomington.

1. Review of the Draft Orange County Strategic Information Technology Plan
Shannon Tufts, from the School of Government, made a PowerPoint presentation.

Technology is the vehicle from which accurate, reliable, and timely information is produced for: strategizing, identifying objectives, improving productivity, and facilitating service delivery
Technology is …

Citizen Relationship Management Services
•45+ Online Services
•ARIES Mobile App
•Parks Locator App
•Addressing Services
•Tax System Implementation
•PIN/TMBL/Parcel Lookup Tool
•Subscription Services
•Streaming Video
•Wifi Hotpots

County Operational Services
•Security Enhancements
•Training Room
•Mobile Email Support
•Telephony
•Increased Device Deployment
•Service Request Improvements

Priority Ranking	Description
Level One	A Level One project should be started within the next year in order to meet critical business support requirements.
Level Two	A Level Two project should be started within the next two years in order to further citizen and employee impact needs.
Level Three	A Level Three project should be assessed and started within the next three years to ensure innovation and technological advancement are occurring within Orange County.

Internal County Operational Recommendations

County:	Number of Staff in Department:	IT Operating Budget (Personnel)	IT Operating Budget (Non-Personnel)	Total IT Operating Budget	IT Capital Budget
Cabarrus	21 FTEs	$1.678 million	$1.875 million	$3.56 million	None noted
Catawba	27 FTEs	$1.586 million	$1.948 million	$3.534 million	$1.1 million (licensing and upgrades)
Durham	33 FTEs	$2.6 million	$1.07 million	$4.39 million	$1.7 million (lifecycle replacement for all IT equipment)
Pitt	32 FTEs	$2.342 million (MIS) + $299,013 (GIS)=$2.64 million	$895,402 (MIS) +$219,103 (GIS)=$1.115 million	$3.3285 million (MIS) + $538,103 (GIS)=$3.867 million	Fluctuates between ~$100K-$500K annually b/c Pitt Co uses a loan strategy for all large capital expenditures (larger outlay every 3 years)
Orange	14.7 FTEs	$1.193 million	$920,260	$2.113 million	$500,000 (lifecycle replacements, etc

Internal Operations: Priority Level One Technology Investments (should be accomplished within the next

year):

-Increase IT Staffing Levels

-IT Governance Council

-Communications Process Improvement

-Training for County Staff

-Shared Accountability and Authority

Staffing Needs

1. Network Engineer

2. GIS Addressing Administrator

3. SharePoint Administrator (newly identified)

4. Applications Systems Analysts

Internal Operations:
Priority Level One (cont) Technology Investments
-Computer and Network Replacements
-Connectivity and Network Expansion
-Fire and EMS Systems
-SAN Expansion
-Virtual Server Shelves and Physical Servers
-MS Office/ Upgrade/ELA

Priority Level Two Technology Investments (should be started within the next two years)
-Required Use of Technology
-Business Relationship Managers
-ITIL
-SLAs
-Project Justification Methodology
-Performance Metrics

Internal Operations: Priority Level Three (should be started within the next three years)
-Location of GIS
-Virtual Desktop Infrastructure
-Standardized Applications and Data

Citizen Engagement Investment Recommendations

Citizen Engagement: Priority Level One

- Website Improvements
- Comprehensive Licensing, Planning, and Inspections Software
- Paperless Agendas and Tablets
- Recording of All Meetings
- Social Media Engagement

Citizen Engagement:
Priority Level Two

- Increase field-based applications
- Public Comments via Technology
- Increase Access to High-Speed Internet/Cellular
- Mobile Applications
- Real-time GIS Access

At the end of the day…
Orange County should view IT investments as creators of strategic value, not simply costs to be controlled

Shannon Tufts said that Information Technology staff is the most critical component and if it comes down to money, this is where funding needs to go.

Commissioner Yuhasz said that Shannon Tufts pointed out that they need more training.

Shannon Tufts said that the way she would think about training is that there is some excellent online training at low cost, such as Microsoft software and it is not an Information Technology issue, but an HR issue. She said that people probably only use 15% of the capacity of what the technology can do.

Commissioner Jacobs asked about the connection point between the Board of County Commissioners' goals and the governance committee (pages 19-20) and how to get from the goals to the governance.

Shannon Tufts made reference to Appendix B, Project Prioritization and Management, and said that every project should align with the goals. The issue is to justify the projects through the goals with a rubric.

Commissioner Jacobs said that he went to two County department websites and there is no email address for the public to actually send an email to the department. He said that this seems like a basic thing to do.

Chief Information Officer Todd Jones said that they have confederated authoring and each individual department has a webmaster. IT has provided a lot of mechanisms for being able to do this. Some departments have not done this even though it is an easy thing to do.

Commissioner Jacobs said that he has not seen the internal social networking policy for employees. He said that he has seen court cases that are coming up where employees have "liked" something on a Facebook page and were subsequently fired.

Todd Jones said that it is on the Orange County intranet under "Policies." He said the Orange County social media policy is more geared toward how to set up a departmental social media account.

Commissioner Yuhasz asked about the departments that do not have email addresses on their websites and how this can be facilitated.

Financial Services Director Clarence Grier said that he would provide direction. He said that he is reviewing the staff needs for Information Technology and the proposed eight employees from the IT Strategic Plan would cost about $650,000. He will bring this forth in the budget process. He is also looking at larger screens for desktops.

Commissioner Hemminger asked clarifying questions about fiber optics, which were answered by Todd Jones.

Commissioner Gordon said that two County Commissioners are not here and she would like for them to have this PowerPoint.

Shannon Tufts said that she would email it to the Clerk to forward to the other Commissioners.

Commissioner Hemminger said that she is so impressed with how much the Information Technology department has done with limited resources.

Commissioner Gordon made reference to the communication strategy and asked about the relationships between the new Public Information Officer and the IT staff.

Shannon Tufts said that from a Chief Information Officer standpoint, there is some interconnectivity in that Information Technology provides the tools and the PIO would own the content, branding, and structure.

Commissioner Gordon said that there are some basic communication tools that you need and there are a lot of human factors that need to work together. She asked about the ideal way for this to work.

Shannon Tufts said that IT is providing a support service for the PIO to deliver the communication strategy that has been defined. The tool delivery is the domain of IT.

2. Employee Benefits Updates and Preliminary Recommendations Regarding Calendar Year 2013 Health Insurance Modifications

Clarence Grier said that there is a revised abstract for this issue. He said that staff looked at the possibility of being self-insurance. At this time there is not enough data, so the proposal is to renew with United Health Care.

Human Resources Director Nicole Clark made a PowerPoint presentation.

- **Employee Benefits Update and Preliminary Recommendations for the 2013 Health Insurance Renewal**
- **September 11, 2012**

Background

- Orange County provides employees with a comprehensive benefits package
  - Health, dental, vision, life; flexible benefit compensation; employee assistance program; paid leave; contributions to the Local Government Employees' Retirement System and other supplemental retirement plans
- Effective January 1, 2012 UnitedHealthcare became the County's provider of health insurance

        - Point of Service and HSA
    - Benefits information provided at previous meetings and work sessions during the month of June
        - FY 2012-13 budget includes funding for a 23% increase ($171,069)
        - No significant changes to other benefits

Retiree Health Insurance

- Employees hired on or after July 1, 2012 must have 20 years of continuous service to receive retiree health insurance overage
- Survey of 22 other jurisdictions as of July 1, 2012
    - 9 require continuous service
        - The break must be a year or less (1)
        - The last 10 years must be continuous (1)
    - 8 require total combined service
        - If the break in service is more than 3 years, the count starts over (1)
    - 3 require participation in a health savings account
    - 2 provide no retiree health insurance

Employee Feedback

- Prescriptions:
    - Brand names for certain acid reflux medications were not covered
    - Limited supplies for migraine and asthma medication
    - Members had to change prescriptions to get a lower co-pay
    - All generic prescriptions were not included in Tier I
    - Tier I co-pays increased from $0 to $8
- Services
    - Office visit co-pays did not include diagnostic tests
    - Preventive versus non-preventive services were unclear
    - Elimination of the obesity rider

Employee Survey

- 400 Employees responded
    - 73% POS plan participants
        - 96.6% of POS participants are very familiar or somewhat familiar
    - 23% HDP plan participants
        - 94.2% of HDP participants are very familiar or somewhat familiar
- 76% participated in the health assessment
- 95% would like to have $0 generic co-pays
- 29% would like to reduce prescription costs
- 22.8% would like plan improvements, if premiums remained the same or decreased
- 34.3% would require employees to improve or maintain good health through smoking cessation and setting weight loss goals

Next Steps

- September 19th: Discuss renewal recommendation with the ERC
- October 2nd: BOCC considers and approves the 2013 Employee Benefits Package
- October 9th: HR Staff begins education process for employees and retirees

- October 29th – November 2nd : Open Enrollment, Mark III and HR Staff conduct numerous open enrollment meetings
- November 2nd : Open enrollment closes

Commissioner Jacobs said that he asked for the detail of the survey because he knew that employees were very displeased with UHC as compared to Cigna. He wants to know if employees would be willing to have fewer benefits if you could switch to a provider they would rather have. He said that the survey should have had this question. In the follow-up, he thinks that this is a key indicator.

Nicole Clark said that the survey is a starting point and she hopes to have focus groups. The details of the survey will be posted on the website. This is only a starting point for discussion.

Commissioner Jacobs said that, having heard from employees, he would like them to know that they are not alone and that the County Commissioners responded in some way to direct staff to do this survey.

Commissioner Foushee said that she has a concern about retiree health insurance. The Board changed the eligibility of employees but Board of County Commissioners retiree health insurance is not addressed. She thinks that if the County requires employees to have 20 years of continuous service, then the County Commissioners should also have something comparable (they are currently eligible now after eight years) to this for equity's sake. This will be brought back to the Board.

Mark Browder then made his PowerPoint presentation. He made reference to slide 2 and said that the payout versus the premium pay was a loss of $2.7 million for the NCACC for insuring Orange County. After plan design changes were made, the plan has been running more smoothly than it did with the NCACC. It is running two points better than breaking even.

Slide 5 has the 2013 renewal estimate. He looked at both fully insured and self-funded and self-funding does not make economic sense at this point.

Slide 6 has the 2013 renewal from United Healthcare. There are now plan design changes. The net effect is a 7% increase in rates, which is competitive.

Mark Browder made reference to the question of whether employees would be willing to pay more for richer benefits. He said that some employees would be willing to pay more.

Slide 10 has the difference in Option 1 and 2, with the difference being the addition of the obesity surgery benefit. There is a substantial jump in cost to add that benefit.

Renewal Observations:

- The UHC Renewal is very competitive, based on the County's claims.
- Looking to transition to another carrier will have a nominal financial impact.
- Self-funding doesn't provide the County with any savings.
- As noted, there are benefits additions that are being recommended.
- Adding the obesity coverage would increase rates by nearly 4%, while only a few would utilize the benefit.

Commissioner Jacobs asked if the County solicited bids and Mark Browder said no because this renewal was extremely competitive. He said that if they had stayed with Cigna,

they would have seen the same prescription increases. He said that the County has not heard from employees who were positively impacted but only those that were negatively impacted. He said that going to Cigna would have caused a prescription tier interruption. If there is another move, there would be more disruption in the tiers for the employees.

Commissioner Jacobs said that he read the employee feedback on page 4 of 14 of the survey and said that this is different than what Mark Browder is saying. He said that there is more involved than just cost. He would like to see if there are other alternatives in January. He said that it seems like service is an issue, regardless of tier disruption. He said that United Healthcare is notorious for bad service. He would like to have a plan to be broader in the examination.

Commissioner Jacobs said that he attended a session at NACo about healthcare and it seems that Orange County is not aggressive enough in promoting wellness, which would drive down claims and costs.

Commissioner Jacobs clarified that the renewal increase is less than budgeted. He asked if this could be applied to employee benefits. He would like to have this come back as an option.

Mark Browder said that one of the ways to apply money is to have money available to fund wellness programs.

Nicole Clark said that wellness is one of the areas they hope to use with the focus groups and get feedback from the employees.

Commissioner Hemminger asked about the cost of a typical bariatric surgery and Mark Browder said that without complications it is $30,000+, but with complications, it can run up to $300,000. It is a serious surgery.

Mark Browder said that healthcare reform does not give the flexibility as they have had before. He said that he needs a decision from the Board of County Commissioners no later than early October to keep the County compliant with the law.

Nicole Clark said that one change is for the flexible spending accounts. The cap will be decreased from $5,000 to $2,500 next year. Dependent care is still $5,000.

Commissioner Hemminger asked if the survey was given to retirees also.

Nicole Clark said that the survey was for active employees only and there were no comments from retirees. There was feedback from retirees in the beginning with the new program last year.

Commissioner Yuhasz asked if there was anything the County Commissioners could do to make sure the employees get better service from United Healthcare.

Diane Shepherd said that the employees can let Human Resources know if there are problems with the UHC service.

Nicole Clark said that staff will be meeting with the account managers on a regular basis with regard to service delivery.

Commissioner Jacobs asked if UHC could communicate this directly to employees it would be better. He would like for UHC to be willing to come and do a Q&A with the employees.

Commissioner Gordon asked what the retirees have said.

Diane Shepherd said that she is in constant communication with the retirees and she also meets with them individually during open enrollments. There are periodic mailings to retirees. There is also a listserv for retirees.

Commissioner Jacobs said that during budget time this is out of sequence for healthcare since it is on a calendar basis and not a fiscal year basis. He asked if there was any way to get a plan for a year and a half to make it better coordinated with the other financials of the County.

Clarence Grier said that this has been discussed, but the timing has been the issue.

Mark Browder said that there could be a short plan year from January 1st – June 30th and then the cycle would be started at that point. There cannot be an 18-month plan, but only a short cycle and then a new one starting July 1st.

Commissioner Hemminger said that she would like to consider allowing a gap in the continuous service for retiree health insurance for people that have to take an extended amount of time off. Some employees have come back and she would like to consider this.

Nicole Clark said that she would look into this.

The next step is to bring this back with recommendations at the October 2nd meeting.

Commissioner Foushee said that she would like to have more discussion on eligibility of the Board of County Commissioners for retiree health insurance.

Commissioner Jacobs asked to get draft minutes on this item as soon as possible so that staff can follow up on these issues before October 2nd.

3. Report on Paperless Agendas

Greg Wilder made reference to revisions to agendas after the agendas have gone out and said that staff has taken the position that when they publish the agenda, the agenda is put out to all County Commissioners and to the public. Any changes, whether there are additions or deletions or changes to materials, it is a decision for the Board to make at the meeting and therefore, it is not under staff's authority to change agenda materials. It is now up to the Board to change the agenda. This is why there will be no updates to the agenda on the website until after the meeting occurs.

Commissioner Yuhasz said that sometimes it is only changing agenda materials, and if there are multiple revisions, it is difficult to manage, particularly when the documents are in pdf format.

Todd Jones said that there may be an interim solution, but there are challenges. Staff can look into this if the Board desires.

Commissioner Gordon suggested figuring out how not to add to an agenda, unless it is an emergency.

Donna Baker said that sometimes there are revisions to abstracts that are already out there and sometimes the revisions are a result of questions from the County Commissioners.

Commissioner Jacobs suggested that a modification could be "subject to Commissioner approval," and there could be a vote at the beginning of a meeting on whether or not to accept a modified agenda item.

Todd Jones said that there are some aspects of this process that are way more efficient then the way things used to be done.

Commissioner Gordon said that sometimes email exchanges also need to be included in the record.

Commissioner Jacobs agreed and said that email transparency is something the County Commissioners have not discussed, but it should be discussed.

A motion was made by Commissioner Foushee, seconded by Commissioner Jacobs to adjourn the meeting at 9:20 PM.
VOTE: UNANIMOUS

Bernadette Pelissier, Chair

Donna S. Baker, CMC
Clerk to the Board

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 5-b

SUBJECT: Motor Vehicle Property Tax Release/Refunds

DEPARTMENT: Tax Administration

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
Resolution
Release/Refund Data Spreadsheet
Reason for Adjustment Summary

INFORMATION CONTACT:
Dwane Brinson, Tax Administrator,
919-245-2109

PURPOSE: To consider adoption of a release/refund resolution related to 24 requests for motor vehicle property tax releases or refunds.

BACKGROUND: North Carolina General Statute (NCGS) 105-381(a)(1) allows a taxpayer to assert a valid defense to the enforcement of the collection of a tax assessed upon his/her property under three sets of circumstances:

(a) "a tax imposed through clerical error", for example when there is an actual error in mathematical calculation;
(b) "an illegal tax", such as when the vehicle should have been billed in another county, an incorrect name was used, or an incorrect rate code (the wrong combination of applicable county, municipal, fire district, etc. tax rates) was used;
(c) "a tax levied for an illegal purpose", which would involve charging a tax which was later deemed to be impermissible under state law.

NCGS 105-381(b), "Action of Governing Body" provides that "Upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the taxing unit shall within 90 days after receipt of such a request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct liability or notify the taxpayer in writing that no release or refund will be made".

For classified motor vehicles, NCGS 105-330.2(b) allows for a full or partial refund when a tax has been paid and a pending appeal for valuation reduction due to excessive mileage, vehicle damage, etc. is decided in the owner's favor.

FINANCIAL IMPACT: Approval of these release/refund requests will result in a net reduction of $2,520.99 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2012-2013 is $19,244.35.

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

- Accept the report reflecting the 24 motor vehicle property tax release/refunds requested in accordance with the NCGS; and
- Approve of the attached refund resolution.

NORTH CAROLINA RES-2012-089

ORANGE COUNTY

REFUND/RELEASE RESOLUTION (Approval)

Whereas, North Carolina General Statutes 105-381 and/or 330.2(b) allows for the refund and/or release of taxes when the Board of County Commissioners determines that a taxpayer applying for the release/refund has a valid defense to the tax imposed; and

Whereas, the properties listed in each of the attached "Request for Property Tax Refund/Release" has been taxed and the tax has not been collected: and

Whereas, as to each of the properties listed in the Request for Property Tax Refund/Release, the taxpayer has timely applied in writing for a refund or release of the tax imposed and has presented a valid defense to the tax imposed as indicated on the Request for Property Tax Refund/Release.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the recommended property tax refund(s) and release(s) are approved.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners _____

_____

Noes: _____

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a regular meeting of said Board held on _____, said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this _____day of _____, 2012.

_____
Clerk to the Board of Commissioners

Clerical error 105-381(a)(1)a.(Incorrect rate)
Illegal tax 105-381(a)(1)b.
Appraisal appeal 105-330.2(b)

BOCC REGISTERED MOTOR VEHICLE REPORT OCTOBER 16, 2012

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Christo, Gregory	974424	2012	14,290		(90.58)	Incorrect rate code (Clerical error)
Copeland, Stephen	1008676	2012	12,210	0	(109.72)	Changed county to Martin (Illegal tax)
Cortes, Daniel	998144	2012	1,360	0	(13.20)	Changed county to Surry (Illegal tax)
Durham, Lewis	663754	2012	6,614	5,411	(19.68)	High mileage - (Appraisal appeal)
Greene, Elizabeth	656080	2012	9,540		(100.31)	Incorrect rate code (Clerical error)
Haskins, Teresa	656331	2012	5,090	4,340	(12.26)	High mileage - (Appraisal appeal)
Kavit, Kelly	657088	2012	5,620	500	(78.87)	Holds an antique auto plate - (Appraisal appeal)
Kehren, Jessica	665608	2012	14,480	0	(253.05)	Military leave and earning statement home of record MN (Illegal Tax)
Malizia, Emil	666310	2012	4,650	3,625	(15.79)	High mileage - (Appraisal appeal)
Marshall, Bradley	972794	2012	4,800	500	(38.65)	Holds an antique auto plate - (Appraisal appeal)
Maxwell, Anna Leigh	666449	2012	3,990	1,995	(32.63)	Repair estimate- (Appraisal appeal)
McFarland, David	973012	2012	17,550	500	(191.80)	Antique auto questionnaire received (Appraisal appeal)
Mega Service, Inc.	1003448	2012	24,550	0	(372.85)	Changed county to Mecklenburg (Illegal tax)
Mestre, Sheila	666685	2012	9,360	7,301	(33.68)	High mileage - (Appraisal appeal)
Phinney, Robert	1009069	2012	2,570	0	(28.18)	Changed county to Chatham (Illegal tax)
Plavumkal, Suneej	667491	2012	5,120	4,720	(6.16)	High mileage - (Appraisal appeal)
Redfoot, Bradley	1008773	2012	17,990	17,440	(8.98)	High mileage - (Appraisal appeal)
Reilich, Steven	667780	2012	2,760	0	(75.15)	Changed county to Buncombe (Illegal tax)
Roberson, Russell	667921	2012	10,940	9,633	(20.13)	Damage Condition - (Appraisal appeal)
Smith, Anna	1009027	2012	19,460	0	(348.33)	Changed county to Durham (Illegal tax)
Vanwinkle, Rachelle	970179	2012	18,160	12,712	(83.91)	High mileage - (Appraisal appeal)
Villagomez, Elias	1008024	2012	29,340	19,364	(153.68)	High mileage - (Appraisal appeal)
Weaver, Edwin John Jr.	669687	2012	13,990	11,752	(34.48)	High mileage - (Appraisal appeal)
Wenzel, Donald Joseph	1004613	2012	23,950	0	(398.92)	Changed county to Durham (Illegal tax)
				Total	(2,520.99)	

Military Leave and Earning Statement: Is a copy of a serviceman's payroll stub covering a particular pay period. This does list his home of record, which is his permanent state of residence where he would pay any state income taxes.

Vehicle Titles

Salvaged and Salvage Rebuilt: Any repairs that exceed 75% of the vehicle's market value using NADA, Kelly Blue Book and various other publications.
When the insurance company has totaled the vehicle, and the customer has received the claim check, four things can happen:

- Insurance company can keep the vehicle.
- Customer can keep the vehicle. The customer is instructed to contact the local DMV inspector to have an initial inspection done, for vehicles 2001 to 2006 (these dates change yearly, example in 2007 the models will be 2002-2007).
- Affidavit of Rebuilder- The inspector lists each part that needs to be repaired.
- Final inspection- if all work is cleared and approved by the inspector then the rebuilt status is then removed (salvaged status remains).

Note: Finance companies will not finance a salvaged vehicle.

Total Loss: Repairs were more than the market value of the vehicle and the insurance company is unwilling to pay for the repairs.

Total Loss/Rebuilt: Whatever the repairs were to make the vehicle road worthy after a Total Loss status has been given. Vehicle must be 5 years old or older. Vehicle status then remains as salvaged or rebuilt.

Certificate of Reconstruction: When work has been done on (vehicles 2001-2006 in year 2006) this is issued when the inspector didn't see the original damaged and the vehicle has been repaired.

Certificate of Destruction: NC DMV will not register this type of vehicle. It is not fit for North Carolina roads.

Custom Built: When the customer has built this vehicle himself or herself. Ex. parts taken from various vehicles to build one vehicle. Three titles are required from the DMV in this case. 1) Frame 2) Transmission 3) Engine.
Then an indemnity bond must be issued. An indemnity bond must also be issued when the vehicle does not have a title at all.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 5-c

SUBJECT: Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
Resolution
Spreadsheet
October 6, 2009 Board Meeting Abstract

INFORMATION CONTACT:
Dwane Brinson, Tax Administrator,
(919) 245-2109

PURPOSE: To consider adoption of a release/refund resolution related to thirty-six (36) requests for property tax release and/or refund.

BACKGROUND: The Tax Administration Office is presenting thirty-six (36) requests for release or refund of property taxes. Of the thirty-six (36) requests, fourteen (14) are requests for release of properties located along the Orange County/Alamance County line. A recent North Carolina Geodetic Survey places these properties in Alamance County, but this portion of the survey will not be the official county line until 2013, per acceptance by the North Carolina General Assembly. The Board of County Commissioners adopted a stated policy on October 6, 2009 to resolve the matter until the official line is adopted. It reads as such: Orange County will comply with NCGS 105-380 and will respond to any and all such requests for release or refund as required by state law and in particular NCGS 105-381.

The remaining twenty-two (22) releases/refunds are based on requests from taxpayers for release or refund of property taxes. North Carolina General Statute 105-381(b), "Action of Governing Body" provides that "upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the Taxing Unit shall within 90 days after receipt of such a request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct liability or notify the taxpayer in writing that no release or refund will be made". North Carolina law allows the Board to approve property tax refunds for the current and four previous fiscal years.

FINANCIAL IMPACT: The approval of this change will result in a net reduction in revenue of $22,417.23 to the County, municipalities, and special districts. However, the fourteen (14) planned releases due to the upcoming county line change will have no impact because these were not included in the annual budget projections. The amount for these fourteen (14) is $16,172.78. The remaining amount is $6,244.45, and the Tax Assessor recognized that refunds could impact the budget and accounted for these in the annual budget projections.

RECOMMENDATION(S): The Manager recommends the Board approve the attached resolution approving these property tax release and refund requests in accordance with North Carolina General Statute 105-381.

NORTH CAROLINA RES-2012-090

ORANGE COUNTY

REFUND/RELEASE RESOLUTION (Approval)

Whereas, North Carolina General Statutes 105-381 and/or 330.2(b) allows for the refund and/or release of taxes when the Board of County Commissioners determines that a taxpayer applying for the release/refund has a valid defense to the tax imposed; and

Whereas, the properties listed in each of the attached "Request for Property Tax Refund/Release" has been taxed and the tax has not been collected: and

Whereas, as to each of the properties listed in the Request for Property Tax Refund/Release, the taxpayer has timely applied in writing for a refund or release of the tax imposed and has presented a valid defense to the tax imposed as indicated on the Request for Property Tax Refund/Release.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the recommended property tax refund(s) and release(s) are approved.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners _____

_____

Noes: _____

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a regular meeting of said Board held on _____, said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this _____day of _____, 2012.

_____
Clerk to the Board of Commissioners

Releases/refund both clerical errors illegal tax - GS 105-381

BOCC REPORT- REAL/ PERSONAL
OCTOBER 16, 2012

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Adamio, Joy L.	315501	2012	149,300	0	(1,280.99)	Located in Alamance County (Illegal tax)
Adamio, Joy L.	315501	2012	149,300	0	(1,280.99)	Located in Alamance County (Illegal tax)
Alonzo, Toni J.	311882	2012	14,854	0	(127.45)	Located in Alamance County (Illegal tax)
Arrendondo, Jose	1002197	2012-2009	3,623	0	(46.23)	Double billed (Illegal tax)
Arrendondo, Jose	1002197	2012-2010	3,451	0	(41.34)	Double billed (Illegal tax)
Arrendondo, Jose	1002197	2012-2011	3,287	0	(35.68)	Double billed (Illegal tax)
Boldin, James	185253	2012	79,777	60,577	(235.17)	Assessed in Error, DWMH should have been taxed as a Leasehold (Clerical error)
Burnette, Carla D.	309447	2012	184,700	0	(1,584.73)	Located in Alamance County (Illegal tax)
Cabuang, Wilmar Cano	316357	2012	181,500	0	(1,557.27)	Located in Alamance County (Illegal tax)
Calderon, Debbie	312475	2012	14,854	0	(127.45)	Located in Alamance County (Illegal tax)
Dodson, George Trustee	216089	2012	229,784	13,608	(1,962.88)	Billed at full value, should be at present use value (Illegal tax)
Dodson, James Reginald	242012	2011	109,200	106,100	(28.04)	PTC appeal settled with taxpayer (Illegal tax)
Dodson, James Reginald	242012	2012	109,200	106,100	(28.04)	PTC appeal settled with taxpayer (Illegal tax)
DS Waters of America, Inc. DBA Crystal Springs	240440	2012	12,115	9,758	(36.32)	Overassessed (Clerical error)
E.Q. Acquisitions 2003	980023	2011	33,427	608	(296.88)	Double billed (Illegal tax)
Evans, Anthony D.	320055	2012	163,300	0	(1,401.11)	Located in Alamance County (Illegal tax)
Friend, Charles	987682	2012	112,338	67,100	(604.90)	Assessed in Error; DWMH destroyed by fire in 2011 (Clerical error)
G.E .Capital Corp.	317919	2012	897,653	885,199	(191.85)	Overassessed (Clerical error)
G.E. Capital Information Tech.	317533	2012	572,978	561,128	(182.53)	Overassessed (Clerical error)
Jensen, Timothy	302909	2012	931	431	(61.64)	Watercraft located in Alamance County (Illegal tax)
Jolly, Michael	995181	2012-2011	57,200	0	(571.95)	Located in Brunswick County (Illegal tax)
Jolly, Michael	995181	2012	54,300	0	(545.99)	Located in Brunswick County (Illegal tax)
Madison Partners, LLC.	193251	2012	1,869	0	(28.79)	Property sold 12/2011 (Illegal tax)
McCullen, Ashley D.	315628	2012	185,400	0	(1,590.73)	Located in Alamance County (Illegal tax)
N.M.G.H. Financial Services	1002567	2012	59,307	0	(508.85)	Double billed (Illegal tax)
N.M.G.H. Financial Services	968860	2012	164,902	151,709	(113.20)	Overassessed (Clerical error)
Nangle, Kevin	313205	2012	194,400	0	(1,714.95)	Located in Alamance County (Illegal tax)
Petrillo, Tina M.	309507	2012	135,600	0	(1,163.45)	Located in Alamance County (Illegal tax)
Remington, Tana	309508	2012	141,100	0	(1,210.64)	Located in Alamance County (Illegal tax)
Richards, Shawna L.	316466	2012	15,953	0	(136.88)	Located in Alamance County (Illegal tax)
Sunset Cottages, Inc.	312589	2012	165,100	0	(1,416.56)	Located in Alamance County (Illegal tax)
Talley, Lorena L.	5105	2012	88,722	44,361	(581.11)	Tax relief dropped due to clerical error (Clerical error)
Terry, Virginia	995056	2012	7,840	0	(78.02)	Double billed (Illegal tax)
The Shaw Group, Inc.	979973	2012	3,898	0	(44.27)	Property not in county 01/01/12 (Clerical error)
Thomas, Lionel Jr.	313805	2012	184,100	0	(1,579.58)	Located in Alamance County (Illegal tax)
Vincent Building Incorporated	129484	2012	2,924	2,916	(20.77)	Incorrect situs & overassessed (Clerical Error)
				Total	(22,417.23)	

COPY

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 6, 2009

Action Agenda Item No. 4-g

SUBJECT: Policy Statement on Residents' Statements of Defense and Requests for Release or Refund of Taxes

DEPARTMENT: County Attorney **PUBLIC HEARING: (Y/N)** No

ATTACHMENT(S):
None

INFORMATION CONTACT:
John Roberts, 245-2318

PURPOSE: To provide a statement on the Board of County Commissioners' position on responding to property owner inquiries regarding tax releases of properties located along the Orange County/Alamance County line.

BACKGROUND: Currently, there is an amount of uncertainty regarding the exact location of the Orange County/Alamance County line. Orange County recognizes a certain line for taxation, election, education, and other purposes. A recent North Carolina Geodetic Survey places the county line in another location. This geodetic survey is not the official county line until accepted as such by the North Carolina General Assembly. At this time Orange County and Alamance County, through their respective Boards of Commissioners, are seeking to determine what line should be agreed upon for submission to the General Assembly.

Orange County has received requests for release or refund of all or a portion of taxes levied against property within Orange County's currently recognized boundary line but outside the boundary line designated by the geodetic survey. The Board of County Commissioners wishes to state a policy position to resolve these matters as such: Orange County will comply with N.C.G.S. § 105-380 and will respond to any and all such requests for release or refund as required by state law and in particular N.C.G.S. § 105-381.

FINANCIAL IMPACT: None

RECOMMENDATION(S): The Interim Manager recommends the following:

1) The Board adopt a policy to respond to all statements of defense and requests for release or refund of taxes presented to the Orange County Board of Commissioners pursuant to N.C.G.S. §§ 105-380 and 105-381 which require a response by the Board within 90 days;
2) Upon receipt of such a statement by the Chair of the Board or by the County Manager, a copy of the statement be forwarded to each Commissioner, and to the County Attorney for analysis and recommendation;
3) The recommendation of the County Attorney be presented to the Board of County Commissioners in sufficient time to allow the Board to act on the recommendation within the prescribed period for response; and
4) The Board delegate its authority to determine requests for release or refund in amounts less than $100 to the County Attorney.

ORD-2012-044

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 5-d

SUBJECT: Fiscal Year 2012-13 Budget Amendment #3

DEPARTMENT: Finance and Administrative Services

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
Attachment 1. Budget as Amended Spreadsheet
Attachment 2. Year-To-Date Budget Summary

INFORMATION CONTACT:
Clarence Grier, (919) 245-2453

PURPOSE: To approve budget, grant, and capital project ordinance amendments for fiscal year 2012-13.

BACKGROUND:

Library Services

1. Library Services has received revenue via the E-Rate discount funds totaling $4,752 to replace Symphonix, an internet content filter, for computers available to the public. In accordance with the Federal Telecommunications Act of 1996, the Orange County Library receives discounts for telecommunication services offered by CenturyLink. There is no County match required for the receipt of these funds. This budget amendment provides for the receipt of these additional funds for the above stated purpose. *(See Attachment 1, column 1)*

Department of Environment, Agriculture, Parks and Recreation (DEAPR)

2. The Department of Environment, Agriculture, Parks and Recreation (DEAPR) has received a donation, from a local boy scout, totaling $516. The boy scout collected donations to complete his Eagle Scout project, for DEAPR, and has donated the excess funds to the department. DEAPR will use the funds towards departmental supplies.

3. On June 30, 2012, DEAPR had received Little River Park donations totaling $11,000. During FY 2011-12, these funds were earmarked as deferred revenue, for use in FY 2012-13, for capital equipment purchases for the park.

   This budget amendment provides for the receipt of these additional funds for use in FY 2012-13 for the above stated purposes. *(See Attachment 1, column 2)*

County Capital Project Ordinances

4. At its August 21, 2012 meeting, the Board of County Commissioners authorized the County's contribution of $36,000 toward the purchase of a permanent conservation easement for the Thompson Farm in Cedar Grove. The conservation easement conforms to federal and state guidelines from the U.S. Department of Agriculture's Farm and Ranch Land Protection Program and the NC Agricultural Development and Farmland Preservation Trust Fund, which will contribute funds of $90,000 to complete this project. The County's share of $36,000 will come from existing funds budgeted for the Lands Legacy Program.

   This budget amendment provides for the transfer of these funds ($36,000) from the Lands Legacy Capital Project to the Conservation Easement Capital Project, and amends the capital project ordinances as follows:

Lands Legacy ($36,000) - Project # 20011

Revenues for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Alternative Financing	$851,472	$0	$851,472
From General Fund	$805,100	($36,000)	$769,100
Donations	$1,000	$0	$1,000
Appropriated Fund Balance	$9,337	$0	$9,337
Total Project Funding	**$1,666,909**	**($36,000)**	**$1,630,909**

Appropriated for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Lands Legacy	$1,666,909	($36,000)	$1,630,909
Total Costs	**$1,666,909**	**($36,000)**	**$1,630,909**

Conservation Easements ($36,000) - Project # 20006

Revenues for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Alternative Financing	$590,632	$0	$590,632
Capital Grant Funds	$903,280	$0	$903,280
From General Fund	$203,296	$36,000	$239,296
Total Project Funding	**$1,697,208**	**$36,000**	**$1,733,208**

Appropriated for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Conservation Easements	$1,697,208	$36,000	$1,733,208
Total Costs	**$1,697,208**	**$36,000**	**$1,733,208**

Department on Aging

5. The Department on Aging will receive $6,000 in fee revenue for the Fit Feet program, which will purchase service providers and program supplies for the Senior Citizen Health Wellness Program. This budget amendment provides for the receipt of these funds and amends the current Senior Citizen Health Promotion (Wellness) Grant Project Ordinance as follows: *(See Attachment 1, column 3)*

Senior Citizen Health Promotion Wellness Grant ($6,000) - Project # 294303

Revenues for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Senior Citizen Wellness Funds	$98,604	$6,000	$104,604
Total Project Funding	**$98,604**	**$6,000**	**$104,604**

Appropriated for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Senior Citizen Wellness Grant	$98,604	$6,000	$104,604
Total Costs	**$98,604**	**$6,000**	**$104,604**

Board of Elections

6. For the November 6th General Election, the Board of Elections has approved additional days and hours during the early voting period. In the 2008 Presidential General Election, all sites were not open the entire period during early voting, and voting on Saturday only occurred on the last Saturday before Election Day. This year, the Board of Elections has approved opening all five early voting sites the entire period, which begins October 18th and ends on November 3rd, including being open until 3:00 pm on the three Saturdays before Election Day. Voting will be available Monday – Friday from 9:00 am until 5:00 pm at two sites and from 12:00 pm until 7:00 pm at three sites, with Saturday voting from 9:00 am – 3:00 pm at all five sites. The financial impact of opening the additional days and hours is $43,310. In FY 2011-12, the department realized approximately $44,000 in unspent and available seasonal personnel funds that reverted to fund balance at year-end. This budget amendment provides for a fund balance appropriation of $43,310 from the General Fund to cover these expenditures in FY 2012-13. *(See Attachment 1, column 4)*

School Capital Project Ordinance

7. During FY 2010-11, County staff reconciled and closed out prior years' activity in many of the County and School Capital projects. Recently, staff has determined that budgeted funds of $47,745 were inadvertently closed out in one Orange County Schools Capital Project (District Wide Improvements). This budget amendment provides for an appropriation of fund balance totaling $47,745 from the Schools Capital Project Fund to

budget the correct amount within the District Wide Improvements Capital Project, and amends the project ordinance as follows:

District Wide Improvements ($47,745) - Project # 51021

Revenues for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
From General Fund	$200,000	$47,745	$247,745
Total Project Funding	**$200,000**	**$47,745**	**$247,745**

Appropriated for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Construction	$200,000	$47,745	$247,745
Total Costs	**$200,000**	**$47,745**	**$247,745**

Health Department

8. The Orange County Health Department has received notification of the following additional funds:

   - **Anne Wolfe Mini-Grant** – receipt of a $5,000 Anne Wolfe Mini-grant from the North Carolina Public Health Association. Funding for this grant will allow current nursing staff to become Lamaze Childbirth Educators for health departments and begin offering Childbirth Education classes to prenatal patients and their partners. In addition to childbirth-specific information, classes will include education on a healthy pregnancy, including nutrition information, smoking cessation, substance abuse, avowing maternal infections including STDs, newborn care, breastfeeding, infant safe sleep, secondhand some exposure, and other relevant topics.

   - **Public Health Preparedness funds** – receipt of $2,719 in additional funds from the North Carolina Division of Public Health. Funds will be used to enhance all hazards planning and direction, coordination and assessment, surveillance and detection capacities, risk communication and health information dissemination, telecommunications capabilities, and education and training.

   This budget amendment provides for the receipt of these additional funds for the above stated purposes. *(See Attachment 1, column 5)*

9. The Orange County Health Department requests the use of $25,000 in existing Medicaid Cost Settlement funds to cover expenses associated with the department's rebranding campaign, and the employment of temporary staff for a three-month assignment needed to clear out a backlog of denied Dental claims. This budget amendment provides for the transfer of existing Medicaid Maximization funds to the department's operations within the General Fund, and amends the Capital Project Ordinance as follows: *(See Attachment 1, column 6)*

Medicaid Maximization: (Project #30012)

Revenues for this project:

	FY 2012-13 Current Budget	FY 2012-13 Amendment	FY 2012-13 Revised
Medicaid Maximization Funds	$3,924,142	($25,000)	$3,899,142
Total Project Funding	**$3,924,142**	**($25,000)**	**$3,899,142**

Appropriated for this project:

	FY 2012-13 Current Budget	FY 2012-13 Amendment	FY 2012-13 Revised
Medicaid Maximization Project	$3,924,142	($25,000)	$3,899,142
Total Costs	**$3,924,142**	**($25,000)**	**$3,899,142**

10. At the September 26, 2012 Board of Health meeting, several fees were reviewed and approved. Due to vaccine shortages and projected changes in the availability of free vaccines from the State, the Health Department anticipates the need to purchase vaccines beginning this fiscal year, and thus need to establish a charge in order to cover costs associated with the provision of the vaccines. Tobacco use cessation counseling is currently being provided by nursing staff during scheduled office visits. In order to cover costs associated with the counseling sessions, the department is requesting to charge the maximum Medicaid allowable reimbursement rate. The following new fees were approved by the Orange County Board of Health at their September 26, 2012 meeting:

Description	Medicaid Reimbursement Rate	Orange County Health Department Rate
90654 Intradermal Flu Vaccine	Non-Medicaid Reimbursable	$20.00
I693 Form Completion	Non-Medicaid Reimbursable	$25 (Flat Fee)
90648 HIB Vaccine	$21.00	$26.00
90696 Kinrix (DTaP/IPV)	$51.41	$52.00
99406 Tobacco Use Cessation Counseling-Intermediate	$10.66	$10.66 (Maximum Medicaid Reimbursement Allowed)
99407 Tobacco Use Cessation Counseling-Intensive	$22.10	$22.10 (Maximum Medicaid Reimbursement Allowed)

<u>Intradermal Flu Vaccine:</u>

The Intradermal Flu Vaccine was first made available during the 2011-2012 flu season. The vaccine is injected into the skin rather than muscle, and uses 40% less flu antigen. Medicaid does not currently reimburse for this particular vaccine. We are requesting to

establish a fee of $20 per vaccine which associated covers excluding the administration fee.

I-693 Form Completion:
Immigrants who are attempting to adjust their immigration status must have a Report of Medical Examination and Vaccination Record Form (I693) completed as required by the U.S. Citizenship and Immigration Services Agency of the Department of Homeland Security.

This form can only be completed by medical providers who have been approved to do so. The form serves as verification of required vaccines needed for the adjustment of immigration status, and takes an additional 25-30 minutes to complete.

HIB Vaccine & Kinrix Vaccine:
These vaccines were provided at no charge by the state in the past. Subsequently, the Health Department never purchased them, and thus did not have a need to establish a charge. However due to vaccine shortages and projected changes in the availability of free vaccine from the state, we anticipate the need to purchase these vaccines beginning this fiscal year. We are requesting to establish a charge in order to cover our costs associated with the provision of the vaccines.

Tobacco Use Cessation Counseling:
Tobacco use cessation counseling is currently being provided by nursing staff during scheduled office visits. In order to cover costs associated with the counseling sessions we are requesting to charge the maximum Medicaid allowable reimbursement rate.

The Board of County Commissioners amends the FY 2012-13 County Fee Schedule to include the above mentioned new fees in the Health Department.

Efland Volunteer Fire Company, Inc.

11. At its September 18, 2012 meeting, the Board of County Commissioners approved the Financing Arrangement for Efland Volunteer Fire Company, Inc. to purchase a Fire Engine truck, as well as an appropriation of $45,000 from the department's unassigned fund balance to help with the purchase of the truck. With this appropriation, approximately $5,000 remains in their County-held fund balance. This budget amendment provides for the budgeting of this $45,000 appropriation within the Fire District Fund. *(See Attachment 1, column 7)*

FINANCIAL IMPACT: Financial impacts are included in the background information above.

RECOMMENDATION(S): The Manager recommends the Board of County Commissioners approve budget, grant, and capital project ordinance amendments for fiscal year 2012-13.

Attachment 1. Orange County Proposed 2012-13 Budget Amendment

The 2012-13 Orange County Budget Ordinance is amended as follows:

	Original Budget	Encumbrance Carry Forwards	Budget as Amended	Budget as Amended Through BOA #2-B	#1 Library Services receipt of E-Rate funds ($4,752) to update the internet content filter, for all public computers.	#2 DEAPR donations ($516) related to an Eagle Scout project requirement and deferred revenue donations ($11,000), from FY 2011-12, for Little River Park.	#3 Department on Aging receipt of fit feet clinic revenues ($6,000) for service providers and program supplies related to the Senior Citizen Health Promotion (Wellness) Grant Project.	#4 Appropriated Fund Balance of $43,310 from the General Fund to cover additional days and hours during early voting for the November 6th General Election	#5 Health Department receipt of Anne Wolfe Mini-grant ($5,000) and additional Public Health Preparedness funds ($2,719)	#6 Transfer of exisiting Medicad Cost Settlement funds ($25,000) from the County Capital Project to the Health Department's operations within the General Fund	#7 Appropriation of $45,000 from the Efland Fire District's unassigned fund balance to help cover the costs of a new fire engine truck	Budget as Amended Through BOA #3
General Fund												
Revenue												
Property Taxes	$ 136,928,193	$ -	$ 136,928,193	$ 136,928,193	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 136,928,193
Sales Taxes	$ 15,742,304	$ -	$ 15,742,304	$ 15,742,304	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 15,742,304
License and Permits	$ 313,000	$ -	$ 313,000	$ 313,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 313,000
Intergovernmental	$ 13,595,810	$ -	$ 13,595,810	$ 15,412,600	$ -	$ -	$ -	$ -	$ 7,719	$ -	$ -	$ 15,420,319
Charges for Service	$ 9,292,257	$ -	$ 9,292,257	$ 9,295,157	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 9,295,157
Investment Earnings	$ 105,000		$ 105,000	$ 105,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 105,000
Miscellaneous	$ 798,340		$ 798,340	$ 826,612	$ 4,752	$ 11,516						$ 842,880
Transfers from Other Funds	$ 1,040,000		$ 1,040,000	$ 1,062,700						$ 25,000		$ 1,087,700
Fund Balance	$ 2,187,872		$ 2,187,872	$ 3,296,060				$ 43,310				$ 3,339,370
Total General Fund Revenues	$ 180,002,776	$ -	$ 180,002,776	$ 182,981,626	$ 4,752	$ 11,516	$ -	$ 43,310	$ 7,719	$ 25,000	$ -	$ 183,073,923
Expenditures												
Governing & Management	$ 15,339,623	$ -	$ 15,339,623	$ 15,316,376	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 15,316,376
General Services	$ 17,910,408	$ -	$ 17,910,408	$ 17,971,747	$ -	$ -	$ -	$ 43,310	$ -	$ -	$ -	$ 18,015,057
Community & Environment	$ 5,851,987	$ -	$ 5,851,987	$ 5,854,887	$ -	$ 11,516	$ -	$ -	$ -	$ -	$ -	$ 5,866,403
Human Services	$ 30,711,556	$ -	$ 30,711,556	$ 32,615,150	$ -	$ -	$ -	$ -	$ 7,719	$ 25,000	$ -	$ 32,647,869
Public Safety	$ 20,121,532	$ -	$ 20,121,532	$ 20,147,032	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 20,147,032
Culture & Recreation	$ 2,332,405	$ -	$ 2,332,405	$ 2,332,405	$ 4,752	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,337,157
Education	$ 82,300,134		$ 82,300,134	$ 82,300,134	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 82,300,134
Transfers Out	$ 5,435,131		$ 5,435,131	$ 6,443,895	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 6,443,895
Total General Fund Appropriation	$ 180,002,776	$ -	$ 180,002,776	$ 182,981,626	$ 4,752	$ 11,516	$ -	$ 43,310	$ 7,719	$ 25,000	$ -	$ 183,073,923
	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Fire District Funds												
Revenues												
Property Tax	$ 3,608,643		$ 3,608,643	$ 3,608,643								$ 3,608,643
Intergovernmental	$ -		$ -	$ 25,000								$ 25,000
Investment Earnings	$ -		$ -	$ -								$ -
Appropriated Fund Balance	$ 10,911		$ 10,911	$ 10,911							$ 45,000	$ 55,911
Total Fire Districts Fund Revenue	$ 3,619,554	$ -	$ 3,619,554	$ 3,644,554	$ -	$ -	$ -	$ -	$ -	$ -	$ 45,000	$ 3,689,554
Expenditures												
Remittance to Fire Districts	$ 3,619,554		$ 3,619,554	$ 3,644,554							$ 45,000	$ 3,689,554

Attachment 1. Orange County Proposed 2012-13 Budget Amendment

The 2012-13 Orange County Budget Ordinance is amended as follows:

	Original Budget	Encumbrance Carry Forwards	Budget as Amended	Budget as Amended Through BOA #2-B	#1 Library Services receipt of E-Rate funds ($4,752) to update the internet content filter, for all public computers.	#2 DEAPR donations ($516) related to an Eagle Scout project requirement and deferred revenue donations ($11,000), from FY 2011-12, for Little River Park.	#3 Department on Aging receipt of fit feet clinic revenues ($6,000) for service providers and program supplies related to the Senior Citizen Health Promotion (Wellness) Grant Project.	#4 Appropriated Fund Balance of $43,310 from the General Fund to cover additional days and hours during early voting for the November 6th General Election	#5 Health Department receipt of Anne Wolfe Mini-grant ($5,000) and additional Public Health Preparedness funds ($2,719)	#6 Transfer of exisiting Medicad Cost Settlement funds ($25,000) from the County Capital Project to the Health Department's operations within the General Fund	#7 Appropriation of $45,000 from the Efland Fire District's unassigned fund balance to help cover the costs of a new fire engine truck	Budget as Amended Through BOA #3
Grant Project Fund												
Revenues												
Intergovernmental	$ 175,584		$ 175,584	$ 226,288								$ 226,288
Charges for Services	$ 24,000		$ 24,000	$ 24,000			$ 6,000					$ 30,000
Transfer from General Fund	$ 71,214		$ 71,214	$ 71,214								$ 71,214
Miscellaneous	$ -		$ -	$ -								$ -
Transfer from Other Funds	$ -		$ -	$ -								$ -
Appropriated Fund Balance	$ -		$ -	$ -								$ -
Total Revenues	$ 270,798	$ -	$ 270,798	$ 321,502	$ -	$ -	$ 6,000	$ -	$ -	$ -	$ -	$ 327,502
Expenditures												
NCACC Employee Wellness Grant			$ -	$ -								$ -
Governing and Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
NPDES Grant (Multi-year)		$ -	$ -	$ 60,525								$ 60,525
NC Tomorrow CDBG (Multi-year)		$ -	$ -	$ -								$ -
Growing New Farmers Grant			$ -	$ -								$ -
Community and Environment	$ -	$ -	$ -	$ 60,525	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 60,525
Child Care Health - Smart Start	$ 63,588		$ 63,588	$ 64,996								$ 64,996
Scattered Site Housing Grant			$ -	$ -								$ -
Carrboro Growing Healthy Kids Grant			$ -	$ -								$ -
Healthy Carolinians			$ -	$ -								$ -
Health & Wellness Trust Grant			$ -	$ -								$ -
Senior Citizen Health Promotion(Wellness)	$ 98,604		$ 98,604	$ 98,604			$ 6,000					$ 104,604
Dental Health - Smart Start			$ -	$ -								$ -
Intensive Home Visiting			$ -	$ -								$ -
Human Rights & Relations HUD Grant			$ -	$ -								$ -
Senior Citizen Health Promotion (Multi-Yr)			$ -	$ -								$ -
SeniorNet Program (Multi-Year)			$ -	$ -								$ -
Enhanced Child Services Coord -SS			$ -	$ -								$ -
Diabetes Education Program (Multi-Year)			$ -	$ -								$ -
Specialty Crops Grant			$ -	$ -								$ -
Local Food Initiatives Grant			$ -	$ -								$ -
Reducing Health Disparities Grant (Multi-Y	$ 78,996		$ 78,996	$ 67,767								$ 67,767
FY 2009 Recovery Act HPRP			$ -	$ -								$ -
Human Services	$ 241,188	$ -	$ 241,188	$ 231,367	$ -	$ -	$ 6,000	$ -	$ -	$ -	$ -	$ 237,367
Criminal Justice Partnership Program	$ 29,610		$ 29,610	$ 29,610								$ 29,610
Hazard Mitigation Generator Project			$ -	$ -								$ -
Buffer Zone Protection Program			$ -	$ -								$ -
800 MHz Communications Transition			$ -	$ -								$ -
Secure Our Schools - OCS Grant			$ -	$ -								$ -
Citizen Corps Council Grant			$ -	$ -								$ -
COPS 2008 Technology Program			$ -	$ -								$ -
COPS 2009 Technology Program			$ -	$ -								$ -
EM Performance Grant			$ -	$ -								$ -
2010 Homeland Security Grant - ES			$ -	$ -								$ -
2011 Homeland Security Grant - ES			$ -	$ -								$ -
Justice Assitance Act (JAG) Program			$ -	$ -								$ -
Public Safety	$ 29,610	$ -	$ 29,610	$ 29,610	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 29,610
Total Expenditures	$ 270,798	$ -	$ 270,798	$ 321,502	$ -	$ -	$ 6,000	$ -	$ -	$ -	$ -	$ 327,502

Attachment 2

Year-To-Date Budget Summary

Fiscal Year 2012-13

General Fund Budget Summary

Original General Fund Budget	$180,002,776
Additional Revenue Received Through Budget Amendment #3 (October 16, 2012)	
Grant Funds	$104,012
Non Grant Funds	$1,815,637
General Fund - Fund Balance for Anticipated Appropriations (i.e. Encumbrances)	
General Fund - Fund Balance Appropriated to Cover Unanticipated Expenditures	$1,151,498
Total Amended General Fund Budget	**$183,073,923**
Dollar Change in 2012-13 Approved General Fund Budget	$3,071,147
% Change in 2012-13 Approved General Fund Budget	1.71%

Paul Laughton:
$24,597 to cover remaining costs of Pay and Class Study allocation; $49,327 to cover 2nd Primary Election costs (BOA #1); $25,500 to cover Sheriff Office vehicle purchase (BOA #1); $904,367 to resolve matter with NC 911 Board regarding past use of E911 Funds (BOA #2-A); $104,397 to help with purchase of OSSI-CAD system (BOA #2-B);$43,310 to cover additional hours and days of early voting period (BOA #3)

Authorized Full Time Equivalent Positions

Original Approved General Fund Full Time Equivalent Positions	801.425
Original Approved Other Funds Full Time Equivalent Positions	86.750
Position Reductions during Mid-Year	
Additional Positions Approved Mid-Year	
Total Approved Full-Time-Equivalent Positions for Fiscal Year 2012-13	**888.175**

ORD-2012-045

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 5-e

SUBJECT: Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro City Schools (CHCCS) and Contingent Approval of Budget Amendment # 3-A Related to CHCCS Capital Project Ordinances

DEPARTMENT: Financial Services

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
Attachment 1. CHCCS – North Carolina Education Lottery Proceeds Application

INFORMATION CONTACT:
Clarence Grier, (919) 245-2453

PURPOSE: To approve an application to the North Carolina Department of Public Instruction (NCDPI) to release funds from the NC Education Lottery account related to FY 2012-13 debt service payments for Chapel Hill – Carrboro City Schools, and to approve Budget Amendment #3-A (amended School Capital Project Ordinances), contingent on the State's approval of the application.

BACKGROUND: Both Chapel Hill – Carrboro City Schools and Orange County Schools have previously presented approved resolutions from their respective Boards requesting that the County modify its Capital Funding Policy by applying accumulated lottery funds for debt service payments, and permitting current year withdrawals immediately after the State's quarterly lottery fund allocations. This expedites both the application process and the receipt of funds for the school systems.

Currently, the accumulated available lottery funds for Chapel Hill – Carrboro City Schools (CHCCS) is $382,922. The attached application requests the State to release lottery funds to cover debt service for the Chapel Hill – Carrboro City School system.

Budget Amendment #3-A provides for the receipt of the Lottery Funds, contingent on State approval of the application, and substitutes the amount of Lottery Funds approved for debt service as additional Pay-As-You-Go (PAYG) funds for FY 2012-13 for CHCCS capital needs and projects, and amends the budgets for the following CHCCS capital projects:

Chapel Hill – Carrboro City Schools ($382,922):

ADA Requirements ($25,000) – Project # 54000

Revenues for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
From General Fund (PAYG)	$175,505	$25,000	$200,505
Total Project Funding	**$175,505**	**$25,000**	**$200,505**

Appropriated for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
General Renovations	$175,505	$25,000	$200,505
Total Costs	**$175,505**	**$25,000**	**$200,505**

Abatement Projects ($57,576) – Project # 54001

Revenues for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
From General Fund (PAYG)	$378,000	$57,576	$435,576
Total Project Funding	**$378,000**	**$57,576**	**$435,576**

Appropriated for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Abatement	$378,000	$57,576	$435,576
Total Costs	**$378,000**	**$57,576**	**$435,576**

Doors/Hardware/Canopies ($5,346) – Project # 53023

Revenues for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
From General Fund (PAYG)	$77,654	$5,346	$83,000
Total Project Funding	**$77,654**	**$5,346**	**$83,000**

Appropriated for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Construction	$77,654	$5,346	$83,000
Total Costs	**$77,654**	**$5,346**	**$83,000**

Energy Efficiency ($225,000) – Project # 54003

Revenues for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
From General Fund (PAYG)	$0	$225,000	$225,000
Total Project Funding	**$0**	**$225,000**	**$225,000**

Appropriated for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Energy Management	$0	$225,000	$225,000
Total Costs	**$0**	**$225,000**	**$225,000**

Fire/Safety/Security ($45,000) – Project # 54004

Revenues for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
From General Fund (PAYG)	$305,000	$45,000	$350,000
Lottery Proceeds	$80,000	$0	$80,000
Total Project Funding	**$385,000**	**$45,000**	**$430,000**

Appropriated for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Emergency/Security	$385,000	$45,000	$430,000
Total Costs	**$385,000**	**$45,000**	**$430,000**

Indoor Air Quality ($25,000) – Project # 54005

Revenues for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
From General Fund (PAYG)	$384,700	$25,000	$409,700
Lottery Proceeds	$91,640	$0	$91,640
Total Project Funding	**$476,340**	**$25,000**	**$501,340**

Appropriated for this project:

	Current FY 2012-13	FY 2012-13 Amendment	FY 2012-13 Revised
Construction	$476,340	$25,000	$501,340
Total Costs	**$476,340**	**$25,000**	**$501,340**

FINANCIAL IMPACT: The total Lottery Fund amounts requested from the State for Chapel Hill–Carrboro City Schools is $382,922.

RECOMMENDATION(S): The Manager recommends the Board approve, and authorize the Chair to sign, the application for NC Education Lottery Proceeds; and approve Budget Amendment #3-A receiving the Lottery Funds and amending CHCCS Capital Project Ordinances, contingent on the State's approval of the application.

APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY

Approved: _____

Date: _____

County: Orange County

LEA: Chapel Hill - Carrboro City Schools

Address: P.O. Box 8181, Hillsborough, NC

Contact Person: Clarence Grier

Title: Assistant County Mgr, CFO

Phone: (919) 245-2453

Project Title: FY 2012-13 Debt Service (Spring 2006 Private Placement)

Location: ____

Type of Facility: _____

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

(3) No county shall have to provide matching funds...

(4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.

(5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. ***Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.***

Short description of Construction Project: Debt Service associated with Spring 2006 Private Placement - issued June 2007 for Chapel Hill - Carrboro City Schools Elementary #10 (Morris Grove Elem)

Estimated Costs:

Purchase of Land	$	
Planning and Design Services		
New Construction		
Additions / Renovations		
Repair		
Debt Payment / Bond Payment		382,922.00
TOTAL	$	382,922.00

Estimated Project Beginning Date: July 2012

Est. Project Completion Date: June 2013

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of $ 382,922.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

_____

(Signature — Chair, County Commissioners) (Date)

_____

(Signature — Chair, Board of Education) (Date)

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda
Item No. 5-f

SUBJECT: FY 2012-2013 Purchase of Vehicles through Vehicle Replacement Internal Service Fund

DEPARTMENT: Financial and Administrative Services

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
Internal Service Fund Vehicle Listing
Internal Service Fund FY2012-2013 Budget

INFORMATION CONTACT:

Frank Clifton, 919-245-2300
Clarence Grier,919-245-2453
Paul Laughton, 919-245-2152
Jeff Thompson, 919-245-2658

PURPOSE: To approve the final list of County vehicles to be purchased through the Vehicle Replacement Internal Service Fund established with the FY2012-13 Budget.

BACKGROUND: The 2012-13 Budget established the Vehicle Replacement Internal Service Fund for County vehicle purchases. Internal Service Funds are an accounting device used to accumulate and allocate costs internally among the functions of the County. All County vehicle purchases will occur through this fund instead of through departments' operating budgets. The internal service fund centralizes all vehicle purchases, which will increase the effectiveness of vehicle cost and replacement monitoring.

As the budget process concluded, staff informed the Board of County Commissioners (BOCC) that staff would bring a final listing of the vehicles that the County proposes to purchase within the fund. Attached is the finalized list of vehicles to be purchased. The list coincides with and outlines the vehicles approved in the FY 2012-2013 budget and the amounts to be funded with and without debt financing for the BOCC's consideration. The total amount of vehicles to be debt financed will be $640,503, and $54,470 of vehicles will be purchased with auto property insurance claims funds received through September 30, 2012. The total dollar amount of the vehicles to be purchased will be $694,973. Additionally there is sufficient fund balance that can be considered as an option to purchase the vehicles.

FINANCIAL IMPACT: The financial impact of the purchase of the vehicle replacement vehicles is $694,973.

RECOMMENDATION(S): The Manager recommends that the Board approve the purchase of the recommended vehicles based on the information above and the attached documents, and authorize staff to use available funds, fund balance and/or debt financing to purchase the vehicles.

Orange County
Vehicle Replacement Fund
Listing of FY 2012- 2013 Vehicles To Be Purchased

Revenues

	FY12	FY13	Total
Auto Property Insurance Claim Funds	40,670	13,800	54,470
Internal Services Fund		640,503	640,503
Total	***40,670***	***654,303***	***694,973***

Expenses

	FY12	FY13	Total
Vehicle Requisitions/Purchases			
Env. Health Ford F150 Truck	18,215		18,215
Health Toyota Prius Sedan	22,455		22,455
DEAPR Soil and Water Ford F150 Truck		19,001	19,001
DEAPR Parks Ford F150 Truck		17,352	17,352
EMS Ford F150 Truck		24,951	24,951
Env. Health Ford F150 Truck		18,301	18,301
Health Toyota Prius Sedan		23,950	23,950
DSS Toyota Prius Sedan		23,950	23,950
DSS Toyota Prius Sedan		23,950	23,950
IT Ford Transit Connect		19,901	19,901
AMS Ford Transit Connect		19,901	19,901
Sheriff Chevrolet Tahoe (6 each)		157,780	157,780
Future Requisition Estimates			
EMS QRV/Ambulance Assets		198,737.00	198,737
EMS MERV Upfit		25,000.00	25,000
Planning/Inspections Chevrolet Equinox (3 each)		69,852.00	69,852
DSS Van Bench Seat, Cargo Racking		11,674.00	11,674
Total	***40,670***	***654,303***	***694,973***

Vehicle Replacement - Internal Service Fund

Purpose of Fund

In FY 2012-13, the Commissioner Approved Budget establishes a second Internal Service Fund, for County vehicle purchases. Internal Service Funds are an accounting device used to accumulate and allocate costs internally among the functions of the County. Historically, the County has used an internal service fund to account for one activity - its employee dental insurance program. If the Board of County Commissioners (BOCC) approves the new Internal Service Fund, vehicles purchases would occur through this fund instead of the departments' operating budgets. The change would centralize vehicle purchases, which would increase the effectiveness of vehicle performance and cost monitoring.

The list below outlines Manager recommended vehicle requests for FY 2012-13. During the summer/early fall, staff will provide a complete list of recommended, debt-financed, vehicle purchases, for the BOCC's consideration.

FY 2012-13 Manager's Recommended Vehicles

Department	Item Description	Cost
Department of the Environment, Agriculture, Parks and Recreation	Vehicle due to be replaced (Parks)	$19,397
	Vehicle due to be replaced (Soil and Water Conservation)	$19,397
Emergency Services	Funds to re-purpose F800 vehicle for use as a Mass Casualty response unit (Administration)	$25,000
	F-150 to replace high mileage vehicle (Life Safety Management)	$28,171
	Replaced ambulance for aging fleet (Emergency Medical Services)	$227,848
Health	Previous truck rendered unusable, 12/2010. Transport equipment and personnel to conduct Wastewater Treatment Management Program inspections (Environmental Health)	$21,000
	2 new Toyota Prius' for Family Home Visiting staff (Personal Health)	$46,000
Planning and Inspections	Chevrolet Malibus to replace 1999 Ford Ranger (#438), 1997 Ford Pickup (#364), 1989 Chevrolet 1500 Pickup (#478)	$51,000
Sheriff	6 replacements for Chevrolet Caprice plus taxes and fees (Non-Jail Operations)	$157,780
Social Services	Vehicle due to be replaced	$44,910
FY 2012-13 Manager Recommended Total:		$640,503
FY 2012-13 Source of Funds: Short-term Installment Financing/Internal Reserves		$(640,503)
Net County Cost:		**$ -**

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda
Item No. 5-g

SUBJECT: Legal Advertisement for Quarterly Public Hearing – November 19, 2012

DEPARTMENT: Planning and Inspections **PUBLIC HEARING: (Y/N)** No

ATTACHMENT(S):
1. Proposed Legal Advertisement
2. Map of Proposed Efland Zoning Overlay Districts

INFORMATION CONTACT:

Perdita Holtz, Planning Systems Coordinator, 245-2578
Craig Benedict, Planning Director, 245-2592

PURPOSE: To consider the legal advertisement for items to be presented at the joint Board of County Commissioners/Planning Board Quarterly Public Hearing scheduled for November 19, 2012.

BACKGROUND: The Board of County Commissioners reviews proposals to be considered at public hearing for consistency with general County policy and presentation format. The following items are scheduled for the November 19, 2012 Quarterly Public Hearing:

County Initiated:

1. 2030 Comprehensive Plan and Unified Development Ordinance (UDO) Text Amendments and Zoning Atlas Amendments. These amendments are proposed in order to **establish two new zoning overlay districts** in the Efland area (see map in Attachment 2 for locations). The proposed overlay districts are measures to implement some of the recommendations contained in the adopted Efland-Mebane Small Area Plan.

   A public information meeting ("open house" style) will be held on November 14 to give interested persons an opportunity to learn more about the proposal and speak with Planning staff members in small groups or on a one-to-one basis prior to the public hearing.

2. Unified Development Ordinance (UDO) Text Amendment to modify and clarify existing regulations and definitions associated with the erection and use of **outdoor lighting facilities**.

3. Unified Development Ordinance (UDO) Text Amendment to **incorporate minor changes suggested by MuniCode** as a result of MuniCode's legal review of the UDO.

4. Educational Facilities Impact Fee Ordinance Amendments to **clarify those instances where an educational facilities impact fee is not required to be paid**.

The legal advertisement in Attachment 1 provides additional information regarding these items. The BOCC approved the Amendment Outline Forms for each item as follows:

- Item 1 at its June 19, 2012 meeting
- Item 2 at its September 18, 2012 meeting
- Item 3 at its October 2, 2012 meeting

FINANCIAL IMPACT: Other than advertising costs, which are included in the FY 2012-13 Budget, there are no direct financial impacts associated with the approval of this item.

RECOMMENDATION(S): The Manager recommends the Board approve the proposed November 19, 2012 Quarterly Public Hearing legal advertisement.

Attachment 1

NOTICE OF JOINT PUBLIC HEARING
ORANGE COUNTY BOARD OF COMMISSIONERS
ORANGE COUNTY PLANNING BOARD

A joint public hearing will be held at the Central Orange Senior Center, 103 Meadowlands Drive, Hillsborough, North Carolina, on Monday, November 19, 2012 at 7:00 PM for the purpose of giving all interested citizens an opportunity to speak for or against the following items:

1. **2030 Comprehensive Plan and Unified Development Ordinance (UDO) Text Amendments and Zoning Atlas Amendments**: In accordance with the provisions of Section 2.3 *Comprehensive Plan Amendments* and Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the Unified Development Ordinance, the Planning Director has initiated an amendment to the text of the 2030 Comprehensive Plan and the Unified Development Ordinance and to the Zoning Atlas

   The purpose of these amendments is to **establish two new zoning overlay districts in the Efland area**. These proposed actions are measures to implement some of the recommendations contained in the adopted Efland-Mebane Small Area Plan.

   In the 2030 Comprehensive Plan, the Land Use and Zoning Matrix contained in Appendix F is proposed to be amended by adding a checkmark to potentially allow a special zoning overlay district in the following land use classifications: 20-Year Transition, Commercial Transition Activity Node, Commercial-Industrial Transition Activity Node, and Economic Development Transition Activity Node.

   The following Sections of the UDO are proposed for amendment: 2.5.7 and 4.4. Additionally, existing Sections 4.5 and 4.6 will be renumbered to 4.7 and 4.8, respectively. New Sections 4.5 and 4.6 will be inserted to establish the new zoning overlay districts. Existing Section 6.6.3 will be renumbered to be 6.6.5 and new Sections 6.6.3 and 6.6.4 will be inserted to establish standards for the two proposed zoning overlay districts.

   The proposed renumbering will also affect references to the sections proposed for renumbering. References will be updated in the following Sections: 4.5.1, 6.8.12, and 7.13.2.

   The Zoning Atlas is proposed to be amended in order to depict the geographic extent of the two overlay districts.

   The general geographic extent of the proposed “Efland Village Overlay District” is the railroad tracks that run through Efland to slightly north of U.S. Highway 70 with west-east boundaries of the Harding Road area and Gym Road.

The general geographic extent of the proposed "Efland Interstate Overlay District" is the railroad tracks that run through Efland to Interstate 40/85 with west-east boundaries of a line between Gaines Chapel Road and Center Street and the U.S. 70 Connector.

A map depicting the proposed overlay districts is available on the Planning Department's website at: http://orangecountync.gov/planning/SpecialProjects.asp

Single-family residential uses are not subject to the proposed overlay districts.

Purpose: To review the item and receive public comment on the proposed text and zoning atlas amendments.

PUBLIC INFORMATION MEETING
for this proposal

In an effort to better inform interested persons in an informal setting, an "open house" style Public Information Meeting will be held on Wednesday, November 14, 2012. Interested persons will have the opportunity to speak with Planning staff members in small groups or on a one-to-one basis about the proposed amendments. The Public Information Meeting will be held at Efland-Cheeks Community Center (117 Richmond Road, Efland, NC) from 4:00 to 6:00 p.m.

2. **Unified Development Ordinance (UDO) Text Amendment:** In accordance with the provisions of *Section 2.8 Zoning Atlas and Unified Development Ordinance Amendments* of the Unified Development Ordinance (UDO), the Planning Director has initiated text amendment(s) to the text of the Unified Development Ordinance (UDO). The following Section(s) are proposed for amendment:

   a. 6.11 *Outdoor Lighting*, and

   b. Article 10 *Definitions*

   The purpose of the amendments is to **modify and clarify existing regulations and definitions associated with the erection and use of outdoor lighting facilities**.

   During the development of the UDO, potential outdoor lighting amendments were identified but not incorporated into the final adopted document due to time constraints. This proposal seeks to incorporate these revisions at this time.

   Purpose: To review the item and receive public comment on the proposed text amendments.

3. **Unified Development Ordinance (UDO) Text Amendments**: In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance*

Amendments of the Unified Development Ordinance, the Planning Director has initiated amendments to the text of the Unified Development Ordinance (UDO).

The purpose of the amendments is to **make minor changes that have been suggested by the County's code vendor** (MuniCode) as a result of MuniCode's legal review. The changes are primarily in references to state statutes or seek to clarify language.

The following Sections are proposed for amendments: 1.1.2, 1.1.3, 1.1.8, 1.4.1, 1.6.6, 1.8.1, 1.8.5, 2.8.7, 2.22.5, 2.23.9, 2.24.2, 2.25.8, 4.2.1, 4.2.2, 5.3.1, 5.8.4, 5.15.6, 6.2.6, 6.15.4, 6.16.4, 9.5.4, 9.8.5, 9.9.2, and 10.1.

Purpose: To review the item and receive public comment on the proposed amendments.

4. **Educational Facilities Impact Fee Ordinance Amendments**: Amendments to Chapter 30, Article 2 of the Orange County Code of Ordinances have been proposed by Orange County. This section of the code is commonly referred to as the "Educational Facilities Impact Fee Ordinance." Section 30-34 *Public school impact fee exceptions* is proposed to be amended in order to **clarify those instances where an educational impact fee is not required to be paid**.

   Purpose: To review the item and receive public comment on the proposed amendments.

Substantial changes in items presented at the public hearing may be made following the receipt of comments made at the public hearing. Accommodations for individuals with physical disabilities can be provided if the request is made to the Planning Director at least 48 hours prior to the Public Hearing by calling the one of the phone numbers below. The full text of the public hearing items may be obtained no later than November 9, 2012 at the County website www.co.orange.nc.us at the Meeting Agendas link.

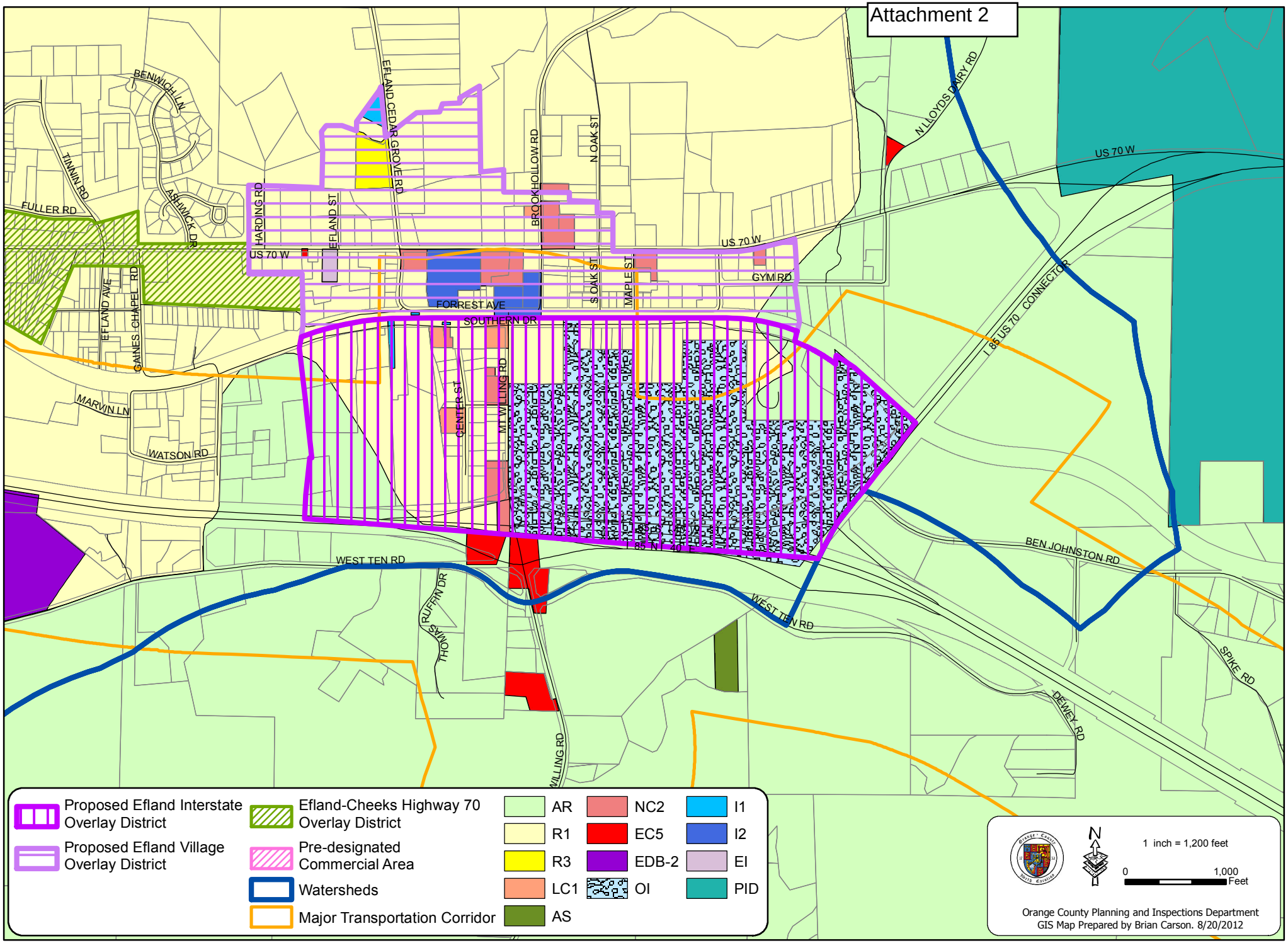
Questions regarding the proposals may be directed to the Orange County Planning Department located on the second floor of the County Office Building at 131 West Margaret Lane, Suite 201, Hillsborough, North Carolina. Office hours are from 8:00 a.m. to 5:00 p.m. Monday through Friday. You may also call (919) 245-2575 or 245-2585 and you will be directed to a staff member who will answer your questions.

PUBLISH:

News of Orange	Chapel Hill Herald
November 7, 2012	November 7, 2012
November 14, 2012	November 14, 2012

Proposed Zoning Overlay Districts

Attachment 2



ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda
Item No. 5-h

SUBJECT: Interlocal Agreement between Town of Hillsborough and Orange County for Erosion Control Services

DEPARTMENT: Planning and Inspections
Erosion Control Division

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
1. Interlocal Agreement (Contract Document, approved by Hillsborough)

INFORMATION CONTACT:
Craig Benedict, Planning Director, 245-2592
Ren Ivins, Erosion Control Supervisor, 245-2586
Wesley Poole, Erosion Control Officer I, 245-2587

PURPOSE: To consider approval of an updated Interlocal Agreement to continue implementation of the erosion control program for the Town of Hillsborough by Planning & Inspections' Erosion Control Division.

BACKGROUND: Orange County has conducted soil erosion and sedimentation control for the Town of Hillsborough since 1975. Soil erosion and sedimentation control is actually a requirement of the Town's National Pollutant Discharge Elimination System (NPDES) Phase II stormwater permit. While the Town of Hillsborough no longer requires Orange County to provide stormwater services, the Town does want Orange County to continue providing erosion control services within the Town of Hillsborough's planning jurisdiction. Execution of this Interlocal Agreement will provide the means for the continued implementation of the erosion control programs. The County Attorney has reviewed the contract and provided input. The Erosion Control Division does not review or inspect local government projects, whether the projects are Orange County's or other municipalities, so there is no conflict of interest.

FINANCIAL IMPACT: The Erosion Control Division is presently partially funded through user fees paid by developers requiring land-disturbing permits. The Erosion Control Division will continue to collect erosion control plan review and land-disturbance fees paid by the developer to fund the erosion control program within the Town of Hillsborough.

RECOMMENDATION(S): The Manager recommends that the Board approve and authorize the Chair to sign the Interlocal Agreement.

Attachment 1

STATE OF NORTH CAROLINA INTERLOCAL AGREEMENT

COUNTY OF ORANGE TOWN OF HILLSBOROUGH

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT made as of October 2012, by and between ORANGE COUNTY, a political subdivision of the State of North Carolina (hereinafter "County") and the TOWN OF HILLSBOROUGH, North Carolina, a municipal corporation of the State of North Carolina (hereinafter "Town").

WITNESSETH:

WHEREAS, this Interlocal Agreement is entered into pursuant to G.S. §160A-458 and G.S. §160A-459, which authorize towns to adopt and enforce erosion control ordinances, and G.S. §160A–360(d) which permits the Town to request the Board of County Commissioners to exercise their powers within Town's jurisdiction, and they shall thereupon be empowered to do so until the TOWN officially withdraws its request in the manner provided in G.S. §160A–360(g). (1969, c. 1065, s. 1; 1971, c. 698, s. 1; 1973, c. 426, s. 64; 1993, c. 232, s.3.)

WHEREAS, this Interlocal Agreement is entered into pursuant to G.S. § 160A-461 (Interlocal Cooperation), North Carolina Statutes, which permits the Town and the County to resolve to enter into a contract of reasonable duration to execute an undertaking within the Town's planning jurisdiction;

WHEREAS, County maintains a Department of Planning and Inspections, which includes an Erosion Control Division ("Erosion Control") that conducts site plan review and inspections, maintains administrative offices and records, and administers the Erosion and Sedimentation Control requirements and provisions of the Orange County Unified Development Ordinance;

WHEREAS, the Town is desirous of procuring selected services of County for the enforcement of the Erosion and Sedimentation Control requirements and provisions of the Orange County Unified Development Ordinance within the municipal boundaries and/or of the Town's Extraterritorial Jurisdiction as may be changed from time to time;

WHEREAS, County, through said Erosion Control Division, is willing to perform such services pursuant to the terms and conditions hereafter set forth;

WHEREAS it is in the best interest of the citizens of the Town and County to promote a sustainable community that provides for the monitoring of soil erosion, sedimentation control and protection of water quality; and

WHEREAS approval of this Interlocal Agreement can help promote a sustainable community;

NOW THEREFORE, IN CONSIDERATION OF THE PREMISES AND THE FULFILLMENT OF THE TERMS OF THIS INTERLOCAL AGREEMENT, THE COUNTY AND TOWN AGREE AS FOLLOWS:

ARTICLE 1 – SCOPE OF SERVICES

1.1 The County shall during the term of this Interlocal Agreement and any subsequent renewal thereof, enforce the Erosion and Sedimentation Control requirements and provisions of the Orange County Unified Development Ordinance (hereafter the "Ordinance") as it is currently enacted and as it may be amended or reenacted from time to time, and perform such services in connection with the enforcement of the Ordinance.

1.2 County through its employees shall be responsible for the performance of the Services, including the staff of the Erosion Control Division of the County's Planning and Inspections Department, or any successor division or department as may be designated by the County Manager.

ARTICLE 2 – FUNCTIONS AND DUTIES NOT TRANSFERRED TO COUNTY

2.1 It is specifically understood and agreed as provided in Article 1 of this Interlocal Agreement, all rights and powers as may be vested in the Town pursuant to the permit(s) requirement(s), laws of the State of North Carolina, or any other law or ordinance or Charter provision of the Town, shall be retained by Town. It shall be the responsibility of parties other than the County to perform Services not specifically identified as Services to be performed by the County. It is further understood and agreed that the Services to be provided by the County are not intended to include any functions related thereto that are identified below as excluded functions, which shall remain the exclusive responsibility of the Town (hereinafter "Excluded Functions"):

Excluded Functions
Legal Services
Engineering
Water Management
Drainage Districts
Natural Resource Protection
Enforcement of Erosion and Sedimentation Control Requirements on Publically Funded Projects (these are enforced by the North Carolina Division of Energy, Mineral and Land Resources, Land Quality Section)

2.2 In the event Town desires to have County add any Excluded Functions to the Services hereunder, a separate agreement therefore may be entered into between Town and County pursuant to Article 8.6 of this Interlocal Agreement.

ARTICLE 3 – COMPENSATION

3.1 Erosion and Sedimentation Control: County shall directly collect permit fees to provide the Services set forth in Section 1.2 above and on Schedule "B". Permits shall be issued by County in accordance with the fees charged by County, as such fees may be amended from time to time. All fees shall be retained by County and no other reimbursement from TOWN will be required for the provisions of Services set forth in Section 1.2 and Schedule "B" of this Interlocal Agreement.

ARTICLE 4 – GOVERNMENTAL IMMUNITY

4.1 To the extent permitted by law, Town agrees to indemnify and hold County harmless from and against any and all claims, liabilities, damages and expenses, including attorney's fees, arising from the Town's operation and maintenance of the Town's Municipal Separate Storm Sewer System and from the implementation of the Permit. Town and County agree to indemnify and hold each other harmless from and against any and all claims, liabilities, damages and expenses, including attorney's fees arising from enforcement of the Erosion and Sedimentation Control Ordinance, Storm Water Ordinance or this Interlocal Agreement. Nothing herein is intended to serve as a waiver of sovereign or governmental immunity by any party to which such immunity may be applicable. There shall be no third party beneficiaries to this Interlocal Agreement, and nothing herein shall be construed as consent to be sued by third parties in any matter arising out of this Interlocal Agreement or any other agreement.

ARTICLE 5 – TERM OF INTERLOCAL AGREEMENT

5.1 The term of this Interlocal Agreement shall be until and if the Town petitions the Sedimentation & Erosion Control Commission for its own "Local Program".

ARTICLE 6 – TERMINATION

6.2 Either party may terminate this Interlocal Agreement, with or without cause, by providing notice to the other party of termination in writing at least 4 months prior to the effective date of termination. This Interlocal Agreement may also be terminated by court order upon the finding that there has been substantial breach of this Interlocal Agreement by the non-complaining party so as to entitle the complaining party to be relieved of its obligations under this Interlocal Agreement.

ARTICLE 7 – NOTICES

7.2 Any and all notices given or required under this Interlocal Agreement shall be in writing and may be delivered in person or by United States mail, postage prepaid, first class and certified, return receipt requested, addressed as follows:

TO COUNTY:

Craig N. Benedict, AICP
Orange County Planning & Inspections Director
P.O. Box 8181
Hillsborough, N.C. 27278

With copy to:

Frank W. Clifton, Jr.
Orange County Manager
P.O. Box 8181
Hillsborough, N.C. 27278

TO TOWN:

Eric Peterson
Hillsborough Town Manager
P.O. Box 429
Hillsborough, N.C. 27278

ARTICLE 8 – MICELLANEOUS PROVISIONS

8.1 Remedy: The parties agree that the remedy of specific performance would be an appropriate remedy, among others, for the enforcement of this Interlocal Agreement.

8.2 Assignment: Neither party shall have the right to assign this Interlocal Agreement without the advance written permission of the other party.

8.3 Waiver: The waiver by either party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Interlocal Agreement shall not be construed as a waiver of any future or continuing similar or dissimilar failure.

8.4 Severability: The invalidity of any provision of this Interlocal Agreement shall in no way affect the validity of any other provision.

8.5 Entire Agreement: It is understood and agreed that this Interlocal Agreement incorporates and includes all prior negotiations, agreements or understandings applicable to the matters contained herein, and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this

Interlocal Agreement that are not contained in this document. It is further understood and agreed that this Interlocal Agreement revokes and supersedes all prior agreement between the parties relating to the subject matter contained herein. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.

8.6 Modification: It is further agreed that no modifications, amendments or alterations in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

8.7 Governing Law: Any controversies or legal problems arising out of this transaction and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the State courts of the State of North Carolina, the venue situs, and shall be governed by the laws of the State of North Carolina. To encourage prompt and equitable resolution of any litigation that may arise hereunder, each party hereby waives any rights it may have to a trial by jury of any such litigation.

8.8 Interpretation: This Interlocal Agreement has been negotiated and drafted by all parties hereto and shall not be more strictly construed against any party because of such party's preparation of this Interlocal Agreement.

8.9 Recording: This Interlocal Agreement may be recorded in the public records of Orange County, in accordance with the North Carolina General Statutes.

IN WITNESS WHEREOF, the parties hereto have made and executed this Interlocal Agreement between the County and Town for selected Services to be performed by the County on the respective dates under each signature:

ORANGE COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Chair or Vice Chair, authorized to execute same by Board action on the _____ of _____, _____ (date) and the TOWN, through its Board of Commissioners signing by and through its Mayor, authorized to execute same by Council action on the _____ day of _____, _____ (date).

COUNTY

ATTEST:

_____
Donna S. Baker, Clerk,
Orange County Board of Commissioners

ORANGE COUNTY

By_____
Bernadette Pelissier, Chair,
Orange County Board of Commissioners

____day of _____,____ (date)

APPROVED AS TO FORM:

By_____
County Attorney

TOWN

Attest:

_____
Town Clerk/Director of Administration
Town of Hillsborough

TOWN OF HILLSBOROUGH

By_____
Tom Stevens, Mayor,
Hillsborough Board of Commissioners

____ day of _____, _____(date)

By_____
Town Manager

____ day of _____, _____(date)

APPROVED AS TO FORM:

By_____
Town Attorney

SCHEDULE B

Enforcement of the Erosion and Sedimentation Control Requirements of the Orange County Unified Development Ordinance, as adopted on April 5, 2011 and Amended Thereafter.

Erosion Control Scope of Services

Orange County will implement and enforce construction site stormwater runoff control for the Town of Hillsborough's through its erosion control program. Orange County has local delegated authority from the state to implement an erosion control program. This scope of services is part of a legal agreement allowing Orange County to enforce the erosion and sedimentation control provisions and requirements of the Orange County Unified Development Ordinance within the Town's jurisdiction.

The services provided by Orange County include:

Plan Review

Review and approve erosion control plans for proposed new development projects within the Town's jurisdiction to ensure compliance with the erosion and sedimentation provisions and requirements of the Orange County Unified Development Ordinance.

Inspections

Inspect permitted construction sites within the Town's jurisdiction to ensure compliance with approved erosion control plans. As needed, request corrective actions, issue notice of violations and stop work orders as outlined in the erosion and sedimentation provisions and requirements of the Orange County Unified Development Ordinance.

These services funded through plan review and land-disturbance fees collected directly from developers. Current fee schedule is provided below.

Fee Schedule as of July 1, 2012

Erosion Control Plan Review Fee: THERE IS NO MAXIMUM FEE!

Rural Disturbance:	$158.00 per acre of disturbance
Urban Disturbance:	$272.00 per acre of disturbance
Intense Urban Disturbance	$507.00 per acre of disturbance

Land-disturbing Permit Fee: THERE IS NO MAXIMUM FEE!

Rural Disturbance:	$310.00	per acre of disturbance
Urban Disturbance:	$646.00	per acre of disturbance
Intense Urban Disturbance	$1,241.00	per acre of disturbance

New Fee as of July 1st 2012: Infill flat fee of $10,000.00. If the project is Intense Urban calculate fees as before and if less than $10,000.00, pay $10,000.00 for the Land Disturbance Permit.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 5-i

SUBJECT: Retiree Health Insurance Eligibility for County Commissioners

DEPARTMENT: Human Resources

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
1) NCGS § 153A-93 Retirement Benefits
2) Board Policy Section IX, Board of Commissioners' Compensation
3) Resolution Amending Board Policy Section IX

INFORMATION CONTACT:
Nicole Clark, Human Resources Director, (919) 245-2552
John Roberts, County Attorney, (919) 245-2318

PURPOSE: To consider a resolution which would make the Board of County Commissioners' eligibility for retiree health insurance benefits commensurate with the eligibility requirements for Orange County employees.

BACKGROUND: NCGS § 153A-93 allows counties to provide health insurance for all or any class of former officers and employees of the county who have obtained at least ten years of service with the county prior to separation from the county. Attachment 1 is NCGS § 153A-93. On June 19, 2012, the Board of County Commissioners approved a revision to Article IV, § 28-36 which requires employees hired on or after July 1, 2012 to complete 20 years of continuous service as a permanent employee to be eligible for retiree health insurance.

At the October 2, 2012 regular meeting, the Board of County Commissioners voted to adopt retiree health insurance eligibility requirements commensurate with Orange County employees and asked that the Personnel Ordinance reflect such action. Board of County Commissioners in office prior to October 2, 2012 would be grandfathered under the applicable eligibility requirements.

Retiree health insurance eligibility for the Board and other provisions historically have been documented in a Board Policy format. Effective July 1, 2003, Section IX of the Board Policy: Board of Commissioners' Compensation states if the County Commissioner has served two or more full terms in office (eight years or more), the County contribution is commensurate with an employee who retires from Orange County with at least ten years of service as a permanent employee. Attachment 2 is Section IX of the Board Policy reflecting those provisions.

FINANCIAL IMPACT: The cost of the retiree health insurance would be the cost of the County contribution as outlined in Article IV § 28-36.

RECOMMENDATION(S): The Manager recommends the Board approve the resolution (Attachment 3) reflecting the Board's decision to make Commissioner eligibility for retiree health insurance commensurate with the eligibility requirements for Orange County employees effective October 2, 2012.

§ 153A-93. Retirement benefits.

(a) The board of commissioners may provide for enrolling county officers and employees in the Local Governmental Employees' Retirement System, the Law-Enforcement Officers' Benefit and Relief Fund, the Firemen's Pension Fund, or a retirement plan certified to be actuarially sound by a qualified actuary as defined in subsection (c) of this section and may make payments into such a retirement system or plan on behalf of its employees.

(b) No county may make payments into a retirement system or plan established or authorized by a local act unless the system or plan is certified to be actuarially sound by a qualified actuary as defined in subsection (c) of this section.

(c) A qualified actuary means a member of the American Academy of Actuaries or an individual certified as qualified by the Commissioner of Insurance.

(d) A county which is providing health insurance under G.S. 153A-92(d) may provide health insurance for all or any class of former officers and employees of the county. Such health insurance may be paid entirely by the county, partly by the county and former officer or employee, or entirely by the former officer or employee, at the option of the county.

(d1) On and after October 1, 2009, a county which is providing health insurance under G.S. 153A-92(d) may provide health insurance for all or any class of former officers and employees of the county who have obtained at least 10 years of service with the county prior to separation from the county and who are not receiving benefits under subsection (a) of this section. Such health insurance may be paid entirely by the county, partly by the county and former officer or employee, or entirely by the former officer or employee, at the option of the county.

(d2) Notwithstanding subsection (d) of this section, any county that has elected to and is covering its active employees only, or its active and retired employees, under the State Health Plan, or elects such coverage under the Plan, may not provide health insurance through the State Health Plan to all or any class of former officers and employees who are not receiving benefits under subsection (a) of this section. The county may, however, provide health insurance to such former officers and employees by any other means authorized by G.S. 153A-92(d). The health insurance premium may be paid entirely by the county, partly by the county and former officer or employee, or entirely by the former officer or employee, at the option of the county.

(e) The board of commissioners may provide a deferred compensation plan. Where the board of commissioners provides a deferred compensation plan, the investment of funds for the plan shall be exempt from the provisions of G.S. 159-30 and G.S. 159-31. Counties may invest deferred compensation plan funds in life insurance, fixed or variable annuities and retirement income contracts, regulated investment trusts, or other forms of investments approved by the Board of Trustees of the North Carolina Public Employee Deferred Compensation Plan. (1973, c. 822, s. 1; 1981, c. 347, s. 1; 1991, c. 277, s. 1; 2009-564, ss. 1, 2.)

Attachment 2

Section IX. Board of Commissioners' Compensation

The Board of County Commissioners authorizes that:

- Salaries of County Commissioners will be adjusted by any cost of living increase, any in-range salary increase and/or any other general increase granted to permanent County employees. This includes adjusting Commissioners' salaries effective July 1, 2003 by the equivalent of the 2.5 percent service based increase granted permanent employees in April 2003 with Phase 1 Classification and Pay Study implementation. It also includes adjusting Commissioners' salaries by the percentage amount of any service based increase for employees when authorized to be effective as part of Phase 2 of the Classification and Pay Study.

- Annual compensation for County Commissioners will include the County contribution for health insurance, dental insurance and life insurance that is provided for permanent County employees, provided the Commissioners are eligible for this coverage under the insurance contracts and other contracts affecting these benefits.

- County Commissioners' compensation includes eligibility to continue to participate in the County health insurance at term end as provided below:

  - ✓ If the County Commissioner has served less than two full terms in office (less than eight years), the Commissioner may participate by paying the full cost of such coverage. (If the Commissioner is age 65 or older, Medicare becomes the primary insurer and group health insurance ends.)

  - ✓ If the County Commissioner has served two or more full terms in office (eight years or more), the County makes the same contribution for health insurance coverage that it makes for an employee who retires from Orange County after 10 years service as a permanent employee. If the Commissioner is age 65 or older, Medicare becomes the primary insurer and group health insurance ends. The County makes the same contribution for Medicare Supplement coverage that it makes for a retired County employee with 10 years service.

- Annual compensation for Commissioners will include a County contribution for each Commissioner to the Deferred Compensation (457) Supplemental Retirement Plan that is the same as the County contribution for non-law enforcement County employees to the State 401(k) plan.

- Travel expense allowances for Commissioners will be established at $150 per month for the Board Chair and at $125 per month for the other four Commissioners.

RES-2012-091 Attachment 3

ORANGE COUNTY BOARD OF COMMISSIONERS

RESOLUTION AMENDING THE COUNTY CONTRIBUTION FOR COMMISSIONER BENEFITS POLICY

WHEREAS, pursuant to NCGS §153A-93 counties are authorized to provide health insurance benefits to all or any class of former officers or employees of the county; and

WHEREAS, in 2009 NCGS §153A-93 was amended to require such former officers or employees to provide not less than ten years of service before they become eligible to receive such benefits upon their separation from a county; and

WHEREAS, in 2003 the Orange County Board of Commissioners amended the County Contribution for Commissioner Benefits Policy to provide former County Commissioners who have served less than two full terms health insurance benefits at 100% of the County's cost and to provide former County Commissioners who have served at least two full terms health insurance benefits at the same cost as a former permanent employee with ten years' service to Orange County; and

WHEREAS, at the June 19, 2012 regular meeting of the Orange County Board of Commissioners the Board amended the Orange County Code of Ordinances to, among other things, provide former permanent employees access to health insurance provided the former employee had, at the time of separation, at least 20 years' continuous service to Orange County for those under 65, ten years' continuous service for those 65 or over or who are on a disability retirement, and to end enrollment in the county's group benefit for those former permanent employees eligible for Medicare; and

WHEREAS, at the October 2, 2012 regular meeting of the Orange County Board of Commissioners the Board unanimously voted to amend the County Contribution for Commissioner Benefits Policy to authorize access to health insurance benefits for former commissioners upon the same terms and conditions as such benefits are provided to former permanent employees of Orange County.

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Commissioners hereby amends Section IX of the County Contribution for Commissioner Benefits Policy to authorize the provision of health insurance benefits to former commissioners upon the same terms and conditions as such benefits are provided to former permanent employees of Orange County by Chapter 28 of the Orange County Code of Ordinances.

This the 16th day of October 2012.

_____
Bernadette Pelissier, Chair
Orange County Board of Commissioners

Attest:

_____
Clerk to the Board of Commissioners

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 5-j

SUBJECT: Electronic Medical Record/Practice Management System Replacement

DEPARTMENT: Health

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):

INFORMATION CONTACT:
Dr. Colleen Bridger, (919) 245-2412

PURPOSE: To approve the replacement of the Health Department's Electronic Medical Record/Practice Management System with the purchase of the Patagonia Health Electronic Medical Record/Practice Management System with existing Medicaid Cost Settlement funds.

BACKGROUND: Three years ago, the North Carolina Department of Health and Human Services (DHHS) required adoption of HIS (Health Information System) as the Practice Management (PM) system for local health clinics. After roll-out and ongoing problems with the system resulting in significant efficiency and billing losses, counties petitioned the state to allow them to "opt out" of the system and purchase commercial PM systems like those used by private providers and hospitals – necessarily more developed as user-friendly and high-efficiency billing systems.

There are significant problems with the current Practice Management/Electronic Medical Record (PM/EMR) billing/revenue/reporting systems. The ability to produce high-level reports is not built into the system, making strategic decision-making difficult. Currently, Health Department staff working on rebilling of denied claims is over one year behind, making it difficult to catch repetitive errors in a timely fashion.

Custom reports indicate the Health Department's billing efficiency is at around 40% of billable charges ($355,250 payments on $711,100 claims). This short-fall is largely due to a combination of (1) consistently inaccurate reporting, (2) non-existent data-checking before billing, (3) inefficient re-billing of denied claims and (4) a lack of high-level reporting tools to increase billing quality improvement. Bringing the billing percentage to 70% of payments on billable services (from 40%) would yield an increase in additional revenue of $210,263 in year two (see table below).

As of 2012, counties are allowed to opt-out of HIS. Simultaneously, counties are recognizing the benefits of moving to electronic charting of not just the billing records (the "PM" piece), but also the clinical data Electronic Medical Record (EMR). A vendor search and rating project by Gaston County, in conjunction with a collection of the state's local health directors, vetted over fifty different hospital PM/EMRs by cost and features, as measured by user surveys and demonstrations.

From that process, five PM/EMRs stood out as highly recommended. The Orange County Health Department demonstrated three of those five systems (Greenway, AllScripts, and Patagonia Health) with management and then again with all staff. Surveys were collected that assessed functionality of all three products. In consultation with key Information Technologies staff, and after a comparative analysis of services and products offered, upfront costs, and implementation framework, the clear choice was Patagonia Health PM/EMR.

DHHS and multiple counties have already established a vendor relationship with Patagonia, meaning that state and federal forms are already built in and it complies with DHHS reporting requirements. User surveys for functionality and user-interface/ease of use were universally better for Patagonia. Patagonia is a national company headquartered in Cary, North Carolina.

FINANCIAL IMPACT: Unlike many pieces of software, Patagonia is a subscription system based on the number of users at an annual cost. After an initial start-up year cost of $98,713, estimated annual cost for years two to six is between $60,000 and $70,000. This amounts to a total software cost of $430,202 for the first six years.

The cost of the Patagonia system is expected to be offset by two sources: (1) annual, federal "meaningful use" incentives based on purchase of Patagonia (as a certified EMR - e-chart - software system); and (2) an increase in revenue from more accurate and efficient billing of services. With the implementation of the system, the Health Department's goal is to recoup at least 70% of potential billable revenue beginning next fiscal year (vs. historical average of 40% with the old system), and to increase the percentage of recoupment in subsequent fiscal years.

Purchase of this system is intended to increase Health Department net revenue (add increased billing, add eligible incentives, less software cost) by $914,995 over the first six years. The table below represents these incentive reimbursements, software costs, and expected additional Health Department net revenue increase.

Existing Medicaid Cost Settlement funds in the amount of $98,713 are available within the Medicaid Maximization Capital Project to cover the initial cost of the system in Year 1, which includes implementation, staff training, and ongoing support. On-going annual costs to Patagonia will also be covered by annual Medicaid Cost Settlement funds.

ANNUAL CASH FLOW	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total 2012-2017
MU1 Incentives (@ 3 providers)	$ 63,750	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 188,750
Payment Patagonia	$ (98,713)	$ (61,543)	$ (64,621)	$ (66,495)	$ (68,423)	$ (70,407)	$ (430,202)
Net Software Cash Flow	$ (34,963)	$ (36,543)	$ (39,621)	$ (41,495)	$ (43,423)	$ (45,407)	$ (241,452)
Projected Revenue Increase (@70%)	$ 105,132	$ 210,263	$ 210,263	$ 210,263	$ 210,263	$ 210,263	$ 1,156,447
Net Projected Cash Flow Increase	$ 70,169	$ 173,720	$ 170,642	$ 168,768	$ 166,840	$ 164,856	$ 914,995

Table represents "Stage 1 Meaningful Use" – payments to Patagonia continue after 2017, but Stage 2 and 3 Meaningful Use correspond with different (and higher) federal software incentives.

RECOMMENDATIONS: The Manager recommends the Board approve the purchase of the Patagonia Health Electronic Medical Record/Practice Management System with existing Medicaid Cost Settlement funds.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 5-k

SUBJECT: Change in BOCC Regular Meeting Schedule for 2012

DEPARTMENT: County Commissioners **PUBLIC HEARING: (Y/N)** No

ATTACHMENT (S):

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

PURPOSE: To consider one change to the County Commissioners' regular meeting calendar for 2012.

BACKGROUND: Pursuant to North Carolina General Statute 153A-40, the Board of County Commissioners must fix the time and place of its meetings or provide a notice of any change in the Regular Meeting Schedule by:

- Changing the location of the BOCC Quarterly Public Hearing meeting scheduled for Monday, November 19, 2012 at 7:00pm **FROM** the DSS Offices, 113 Mayo Street, **TO** the Central Orange Senior Center (Adjoining Triangle SportsPlex), 103 Meadowlands Drive, Hillsborough, N.C. (Dinner meeting with the Planning Board at 5:30pm will remain at Link Government Services Center).

FINANCIAL IMPACT: In order to insure that the sound quality is adequate at the November 19, 2012 meeting, Asset Management Services will need to engage the services of Custom Light and Sound at a cost of approximately $500 (delivery, set-up and management of rental sound equipment).

RECOMMENDATION (S): The Manager recommends the Board amend its regular meeting calendar for 2012 by:

- Changing the location of the BOCC Quarterly Public Hearing meeting scheduled for Monday, November 19, 2012 at 7:00pm **FROM** the DSS Offices, 113 Mayo Street, **TO** the Central Orange Senior Center (Adjoining Triangle SportsPlex), 103 Meadowlands Drive, Hillsborough, N.C. (Dinner meeting with the Planning Board at 5:30pm will remain at Link Government Services Center).

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 7-a

SUBJECT: Southern Orange County Government Services Campus Master Plan Adoption

DEPARTMENT: County Manager's Office, Asset Management Services

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
1) Formal Master Plan Document
2) Master Plan Presentation
3) Clarion Associates Professional Services Agreement Amendment

INFORMATION CONTACT:
Frank Clifton, 919-245-2306
Gwen Harvey, 919-245-2307
Michael Talbert, 919-235-2308
Jeff Thompson, 919-245-2658

PURPOSE: To:

- Receive and adopt a Master Plan for the Southern Orange County Government Services Campus;
- Authorize the Manager to submit the necessary application and fees to the Town of Chapel Hill for the Special Use Permit ("SUP") Modification process for this project;
- Authorize the Chair to execute an amendment to the Clarion Associates Agreement dated May 15, 2012 in the amount not to exceed $37,500 for potential additional services related to the SUP process; and
- Consider authorizing the Chair to contact the Town of Chapel Hill regarding adjusting the SUP modification process and related fees for this project.

BACKGROUND: At the August 21, 2012 regular meeting, the Board of County Commissioners received a presentation regarding the Southern Orange County Government Services Campus Master Plan process. As a result of that presentation, the Board directed County staff and the County's consultant, Clarion Associates, to fully develop concept plan "B" into a formal master plan and related development guidelines.

Attachment 1 represents this formal master plan document. Staff and the consultant are presenting this document for formal approval and subsequent submission to the Town of Chapel Hill for the required SUP modifications.

Attachment 2 represents the presentation materials that will be used to inform the Board and frame the discussion.

Since the August 21, 2012 Board meeting, Clarion Associates has solidified Chapel Hill's requirements for this SUP modification process should the Board authorize the Manager to continue the process with a formal master plan approval decision. The SUP process requested by Chapel Hill has become lengthier, primarily because of the potential number of review and process meetings that may be required of this SUP application. Originally, the process

estimated 7-8 review meetings. Recently, Chapel Hill has suggested an estimated 17 review meetings. Attachment 3 represents a Professional Services Agreement amendment in the not-to-exceed amount of $37,500 that would compensate Clarion for this additional time, if necessary.

Additionally, staff and the consultant reported on the estimated Chapel Hill SUP processing fees during the August 21, 2012 update. Clarion has since discussed these fees with Chapel Hill and recommends the County reserve $110,000 for this purpose. Staff recommends the Board authorize the Chair to contact Chapel Hill regarding adjusting the process and associated fees for the benefit of Orange County.

FINANCIAL IMPACT: There are sufficient funds in the capital project budget for the additional not-to-exceed $37,500 for Clarion's professional services as well as the $110,000 for the Chapel Hill SUP process fees.

RECOMMENDATION(S): The Manager recommends the Board:

- Receive and adopt a Master Plan for the Southern Orange County Government Services Campus;
- Authorize the Manager to submit the necessary application and fees to the Town of Chapel Hill for the Special Use Permit ("SUP") Modification process for this project;
- Authorize the Chair to execute an amendment to the Clarion Associates Agreement dated May 15, 2012 in the amount not to exceed $37,500 for potential additional services related to the SUP process; and
- Authorize the Chair to contact the Town of Chapel Hill regarding adjusting the SUP modification process and related fees for this project.

Attachment 1

SOUTHERN ORANGE COUNTY GOVERNMENT SERVICES CAMPUS

Master Plan

DRAFT

September 24, 2012

Table of Contents

MASTER PLAN OVERVIEW 1

Planning Objectives 1

MASTER PLAN MAP 2

DESIGN GUIDELINES 4

SITE PLANNING 4

General 4

Site Plans 5

Solid Waste Plan 6

Construction Management Plan 6

Steep Slope Plan 7

Grading Plan 7

Landscape Protection Plan 7

Planting Plan 7

INFRASTRUCTURE 7

Water and Sewer 7

Stormwater 8

Lighting/Street and Parking Lots 8

UNDISTURBED AREAS 9

SUSTAINABILITY 9

Orientation 9

Daylight 9

Shading 10

Water Efficiency 10

Landscape 10

Materials 10

Energy Management Plan 10

BUILDINGS 10

Building Flexibility 10

Building Entry 10

Pedestrian Scale 11

Building Height/ Roof Form 11

Aesthetics 11

Appendices 12

DRAFT

MASTER PLAN OVERVIEW

In an effort to prepare for the public service needs of future residents in the southern portion of Orange County, the county has developed a long-range Master Plan for the Southern Orange County Government Service Campus. Located at 2551 Homestead Road in Chapel Hill, the campus site is the current location for the Robert and Pearl Seymour Center and the Southern Human Services Center.

The campus provides ample opportunities for future development of government services that can serve citizens in southern Orange County. Multiple facilities can be easily located within one convenient and cohesively designed campus. The site is served by public transportation, and is located adjacent to future centers of activity (i.e., Carolina North), creating opportunities for increasing access to public services via alternative modes of transportation – on foot or by bike.

This Master Plan is a general, long-range site plan that provides guidance for development of government service facilities over a 25 year planning timeline. The purpose of this Master Plan is to provide a framework within which future government facilities can be planned, designed, and constructed. The intent of this Master Plan is to provide a general framework for future development that is flexible to new planning and design innovations that will arise over the course of campus development. This Master Plan consists of

(1) a map that identifies areas for future development and areas that should remain undisturbed, and
(2) a set of design guidelines that will guide future development actions on this site.

Any future changes that occur to either of the two elements of the Master Plan require corresponding revisions to the other element.

Planning Objectives

The Master Plan was developed under the policy direction of the 2030 Orange County Comprehensive Plan and the Chapel Hill 2020 Comprehensive Plan. Key planning objectives of the Master Plan include:

- Coordinate locations of development and public services
- Support non-automobile modes of travel
- Protect rural lands, and promote clustered, walkable developments
- Provide efficient and fiscally responsible public facilities
- Protect natural resources and promote sustainable development
- Foster compact communities and hubs of activity

Plan Development

This Master Plan was developed under the supervision of the Southern Orange County Government Services Campus Master Plan Project Program Team and ultimately adopted on [insert adoption date] by the Orange County Board of Commissioners. Two public information sessions were provided on September 4, 2012 at the Seymour Center and the Southern Human Services Center, providing the public with opportunity to view and respond to draft versions of the Master Plan. The appendices provided in this document provide background analysis and information used to develop this Master Plan.

DRAFT

MASTER PLAN MAP

The 33-acre campus site offers opportunities for centralized, convenient, accessible, and co-located government facilities within one campus that is served by public transportation. Located adjacent to the Carolina North campus, this site also offers opportunities to connect to the Town of Chapel Hill's greater greenway, pedestrian, and bicycle networks by providing pedestrian and bicycle facilities that link to the Carolina North Greenway and to future facilities planned along Homestead Road.

The intent of the Master Plan map is to identify general areas where development should be placed in the future. Accordingly, the map identifies development areas that could accommodate 350,000 additional square feet of floor area, the maximum area that can be permitted for the site per Town of Chapel Hill development regulations. If the site were fully built-out to the maximum floor area permitted, the floor area would cover approximately 28 percent of the total site.[1] ,. The campus will be the site for future government services uses. The specific uses that will be developed on this site will be determined over time as specific government facility plans are developed.

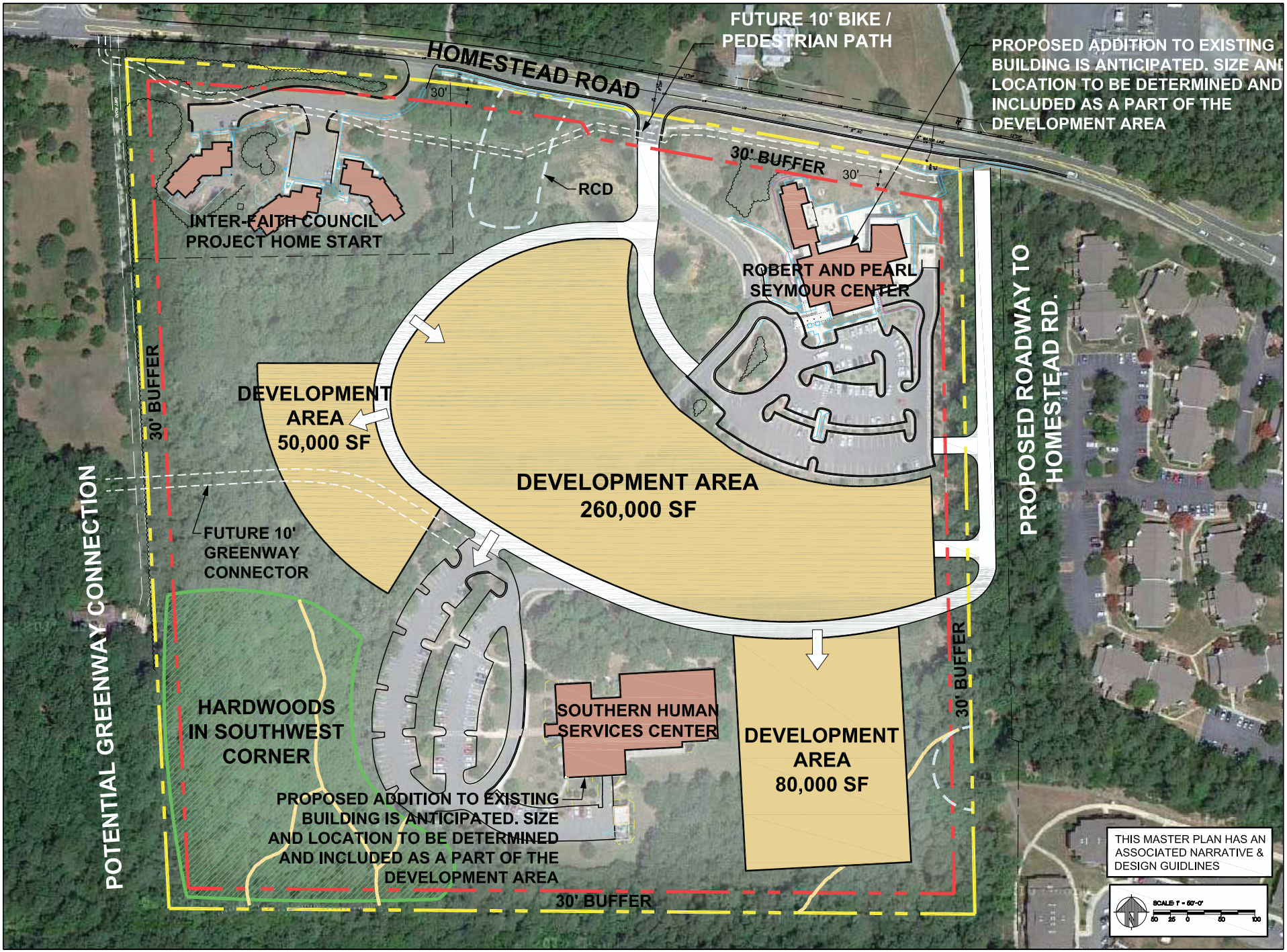
The Plan Map outlines specific "development areas" where land disturbance activities can occur. These areas may include buildings, parking, stormwater facilities, landscaping, roads, sidewalks and trails, and bike paths. In addition, the Plan addresses opportunities for expansion of existing facilities – the Seymour Center and the Southern Human Services Center. Specific guidance for development of future facilities within these "development areas" are explained in the Design Guidelines section of this Master Plan.

As specific site plans are developed, "development areas" may also include natural areas; these areas will not be disturbed for the purpose of protecting existing tree stands, environmentally sensitive areas, or natural recreation areas. The Plan identifies the southwest corner of the site as an area that should remain undisturbed and where development activities should not occur.

The roads, pedestrian and bicycle paths, and greenways on the Master Plan map denote general areas where these facilities should be placed. The Master Plan does not identify the precise locations of these facilities, which will be determined upon development of future detailed plans and site plan approval.

DRAFT

[1] The percent of the total campus area that could be developed with one-story buildings (i.e., one-story floor area) is calculated by adding the existing floor area (61,750 square feet) to the potential addition of floor area (350,000 square feet) totaling 411,750 square feet. Dividing the total future floor area (411,750) by the total square footage of the site (1437480 square feet or 33 acres) results in the future potential floor area being 28 percent of the total site. This calculation is provided to assist in understanding the quantity of development that can be permitted on the site. It does not suggest that future development be in the form of one-story buildings, or that floor area should total 28 percent of the site.



corley redfoot architects inc.
architects | engineers | planners
222 claster court chapel hill, nc 27514 919-401.8586 www.corleyredfootarchitects.com

Southern Orange County Government Services Campus Master Plan

Chapel Hill, North Carolina

no. revisions

drawn BHS checked MLH

CONCEPTUAL SITE PLAN

sheet **SP-1**

date 09/17/12 project no. 1207

DESIGN GUIDELINES

This set of Design Guidelines is intended to guide design and siting of future individual government facilities uses. Specific site design objectives for the Master Plan include:

- Develop a walkable campus of clustered county services
- Be clear about preservation areas and development areas
- Promote green design of public facilities
- Promote energy efficiency, and reduction of resource consumption
- Emphasize transportation connections, with particular attention to non-automobile options
- Address tree canopies, greenways, and open space
- Coordinate building locations and parking locations
- Design road and pedestrian networks to achieve safety and connectivity

These Design Guidelines are organized into five core areas:

(1) Site Planning
(2) Infrastructure
(3) Undisturbed Areas
(4) Sustainability
(5) Buildings

SITE PLANNING

General

The design intent is to create a campus approach for the design of future buildings and development areas. Buildings will be sited to create strong relationships between existing and future buildings on the site and the related pedestrian, bicycle, and vehicular access. Pedestrian access to all new buildings and throughout the campus must be carefully designed with attention to adjacent landscaping to promote walking. Development will follow the natural contours of the site where possible. Preserving significant trees has been a key element of all prior planning efforts on the site, and this Master Plan reinforces that effort by designating specific areas for tree protection.

New facilities will be oriented with consideration of sun, wind, and microclimate factors, especially the possible use of daylighting to offset the use of artificial lighting in occupied spaces.

Future site designs will follow various elements of the 2020 Chapel Hill Comprehensive Plan.

1) A vibrant center of activity and services
2) A compact community where larger existing areas are left undisturbed
3) Promotion of alternate modes of transportation (environmentally friendly)
4) Green connections to adjacent properties
5) Preserve areas on site and within the developed areas
6) Protect natural resources with effective on site stormwater management and preservation areas

DRAFT

All plans for new projects at this site will be developed using the Town of Chapel Hill's Design Guidelines as well as the High Performance Guidelines: Triangle Region Public Facilities. All new development will include detailed site plans which will be approved prior to issuance of a Zoning Compliance Permit.

Site Plans

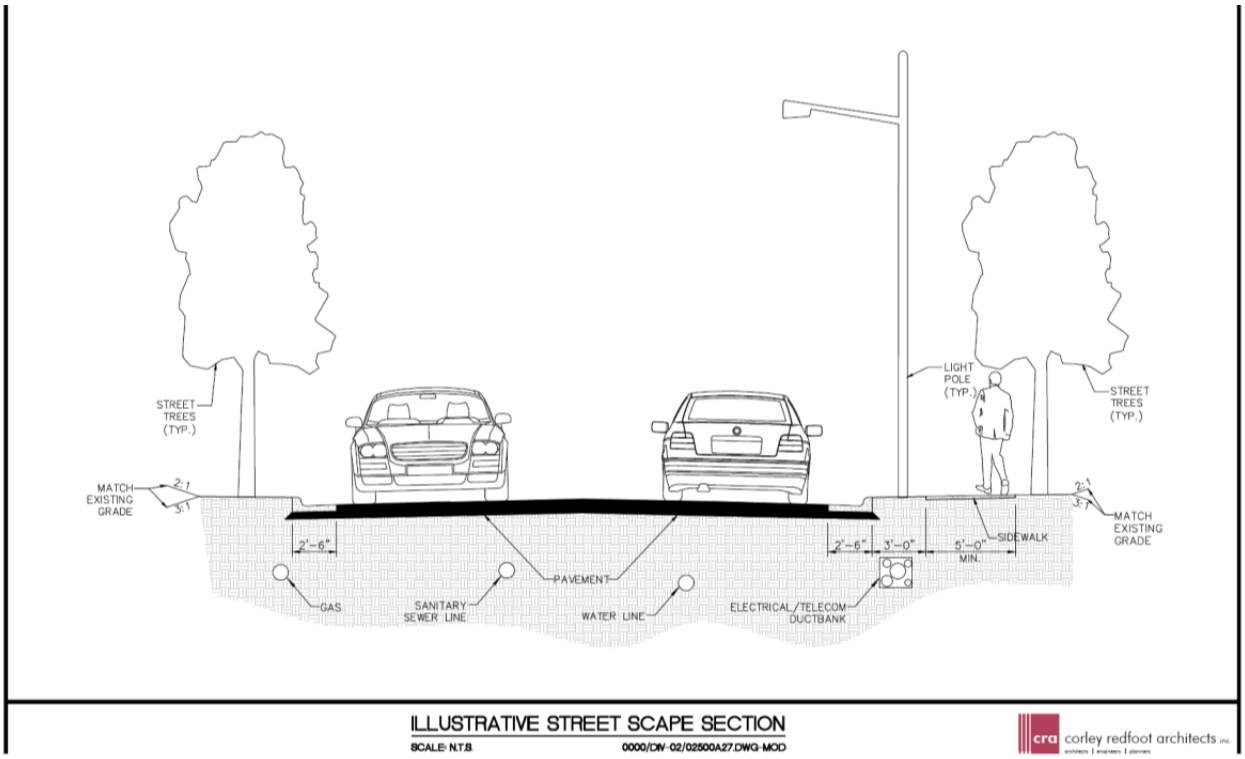
Site Plans will be approved as part of the Town of Chapel Hill's Zoning Compliance Permit process required for all new development. Future site plans for the site will meet the following guidelines:

1) All vehicular parking layouts will comply with Town of Chapel Hill Standards Lot Layout Schedule Plan.
2) All vehicular pavements will meet minimum town standards for asphalt paving sections.
3) Bicycle parking will comply with all Town of Chapel Hill standards.
4) Roadway sections will include curb and gutter sections with sidewalks on at least one side. A minimum of two travel lanes and bike lanes. Additional turn lanes will be added as needed for intersections. See illustrated streetscape.
5) Roadway designs will comply with all requirements of AASHTO and The Town of Chapel Hill.
6) Bus stops will be provided as necessary and conform to the latest Town of Chapel Hill Standards.
7) Pedestrian walkways will be a minimum of five feet wide and meet Town of Chapel Hill Standards, while using existing topography and natural constraints. Pedestrians will have priority over vehicles in all roadway and parking area crossings. Raised crosswalks will be provided in roadway and parking lot areas for significant pedestrian movements.
8) All concrete curb and gutter will comply with the applicable Town of Chapel Hill Standards.
9) Accessible ramps will be provided at all street intersections and driveway crossings. Ramps will conform to the Town of Chapel Hill Standards and ADA requirements.
10) Sight distance triangles shall be provided at all roadway intersections. A minimum 10'X70' sight triangle will be provided. No plantings will be allowed in the sight triangle.
11) A typical roadway section is provided to show the locations of all utilities in the streets. This section will included street lights which will be located per Town of Chapel Hill standards.
12) All new work to be done on the site will require clearing limits which will be shown on the plans along with the tree protection fencing. All tree protection fencing will comply with the Town of Chapel Hill standards and details. No work can take place until the tree fencing is in place and reviewed and approved by the Town's Urban Forrester.
13) Traffic calming areas, if provided, will comply with the latest Town of Chapel Hill Standard details and signage. Pedestrian crossing will be provided on raised crosswalks and so will comply with all Town Standards.

The following street cross-section illustrates the intent for future streets identified on the Master Plan map. They shall include a minimum of two travel lanes, bike lanes, and sidewalk on a minimum of one side of the street.

DRAFT

Figure 1: Illustrative Streetscape Section



Solid Waste Plan

A Solid Waste Plan will be approved prior to issuance of a Zoning Compliance Permit and will address the following:

1) New buildings will be required to comply with all applicable Town Standards for Solid Waste Management. Screen walls and concrete pads will be compatible with adjacent buildings on the site and comply with minimum Town of Chapel Hill Standards.
2) Dumpster pads will be constructed of concrete pavement with a minimum compression strength of 4000 psi and sized in accordance with the number of dumpsters needed. The pads will be a minimum of 20 feet deep. All dumpster pad areas shall be designed to accommodate the Town's front loading refuse truck and have an inside turning radius of 40 feet. Backing movements needed to access the pads shall not exceed 100 feet. Heavy duty pavements shall be provided along the access route from the primary roadways to any dumpster area. Recycling roll cart areas shall be provided in all dumpster layouts, and shall conform to all applicable Town Standards.

Construction Management Plan

A Construction Management Plan will be approved prior to issuance of a Zoning Compliance Permit. A construction staging and access plan shall be required for all new construction on the site. These plans shall indicate routes for the material deliveries as well as construction staging and fencing areas. All traffic control construction plans shall conform to the latest NCDOT Manual on Uniform Traffic Control Devices.

DRAFT

Steep Slope Plan

A Steep Slope Plan will be approved prior to issuance of a Zoning Compliance Permit, and shall address the following guidelines.

a) A Steep Slope Plan will be provided which designates the slopes by 0-10%, 10-15%, 15-25%, and 25% or greater.
b) Each slope area will show all clearing limits and the distribution for that slope category on the grading plan.
c) No work will be done on slopes greater than 25% without prior approval of the Town. Specialized site construction techniques will be approved by the Town of Chapel Hill for work in any of these areas.

Grading Plan

An approved Grading Plan is required prior to issuance of a Zoning Compliance Permit.

A Grading Plan will be prepared for all new work with new and existing contours at two foot intervals, limits of disturbance, and tree protection fencing locations. The Plan will denote the total perimeter of disturbed areas, as well as existing and proposed impervious surface totals for the property.

Landscape Protection Plan

A Landscape Protection Plan shall be approved prior to issuance of a Zoning Compliance Permit.

A Landscape Protection Plan will be proposed for any new work at the site. The plan will show all existing rare and specimen trees per the Town of Chapel Hill Standards. These trees will be drawn showing their critical root zones. All trees to be removed shall be noted. A clearing limit with the new tree protection fencing shown will be required. A pre-construction/demolition conference will be conducted with the Town of Chapel Hill's Urban Forester to discuss the Landscape Protection Plan. The plan shall comply with all applicable patterns of the Town's Tree Protection Ordinance. The tree canopy coverage calculations will be shown on the plan.

Planting Plan

An approved Planting Plan is required prior to the issuance of a Zoning Compliance Permit.

A Planting Plan will be provided which labels all landscape buffer yards and screens. All existing easements shall be shown on the planting plan. New landscape buffers and parking lot plantings shall be shown along with the calculations for a 35% shading requirement. All new grading and utilities shall be shown on this plan.

INFRASTRUCTURE

Water and Sewer

All water and sewer layouts will conform to the latest OWASA Standards and Specifications. Fire hydrant layout will be provided around the primary road system and comply with all requirements of the Town of Chapel Hill Fire Department. All utilities will be located underground. All water and sewer lines will require a dedicated OWASA easement. All utilities will be located under paved areas where possible with appropriate easements. Stormwater piping and structures will be installed per Town of Chapel Hill Standards. A 20 foot minimum dedicated easement will be provided over all lines and structures for the Town of Chapel Hill. No plantings will be allowed over the utility easements.

DRAFT

Stormwater

1) A Stormwater Impact Statement will be prepared for any proposed improvement to the site. The Stormwater Impact Statement will include the following information:

   a) Written narrative describing existing and proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
   b) Description of land uses and area (in square footage)
   c) Existing and proposed impervious surface area in square feet for all subareas and project area
   d) Ground cover and uses information
   e) Soil information (classification, infiltration rates, depth to groundwater and bedrock)
   f) Tim of concentration calculations and assumptions
   g) Topography (2-foot contours)
   h) Pertinent on-site and off-site drainage conditions
   i) Upstream and/or downstream volumes
   j) Discharges and velocities
   k) Backwater elevations and effects on existing drainage conveyance facilities
   l) Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas
   m) Water quality volume calculations
   n) Drainage areas and sub-areas delineated
   o) Peak discharge calculations and rates (1, 2, and 25-year storms)
   p) Hydrographs for pre-and post-development without mitigation, post –development with mitigation
   q) Volume calculations and documentation of retention for 2-year storms)
   r) 85% total suspended solids (TSS) removal for post-development stormwater run-off
   s) Nutrient loading calculations
   t) Stormwater best management practice (BMP) sizing calculations
   u) Pipe sizing calculations and schedule (include hydraulic grade line and energy grade line calculations and profiles)

2) A Stormwater Management Plan is required for all new work at the site. The plan will included proposed and existing contours at a 2 foot intervals. All existing drainage conditions, features and stormwater piping and structures shall be shown on the plan. All Resource Conservation District (RCD) areas on the site shall be noted with delineated boundaries. All proposed stormwater systems and drainage conditions must be shown. A piping system for the new stormwater system shall be shown with the associated schedule. New roof drains from all buildings shall be shown to their terminations. All proposed stormwater easements shall be labeled and provide a 20 foot width at a minimum. All proposed best management practices shall be shown on the plan with associated details and sections. New plantings and stabilization techniques shall be noted on this plan. A Stormwater Management Plan will included compliance with the latest Town of Chapel Hill requirements as well as Jordan Lake Rules, and shall be approved prior to issuance of a Zoning Compliance Permit.

Lighting/Street and Parking Lots

All street and parking lighting plans will be approved by the Town of Chapel Hill Community Design Commission (CDC) prior to issuance of a Zoning Compliance Permit.

DRAFT

UNDISTURBED AREAS

Future site plans will identify areas where land disturbance activities will not occur.

1) No work is allowed in designated undisturbed areas, except for connections of pedestrian paths and greenways.
2) Tree protection fencing is to be provided during construction activities to delineate the amount of clearing in the area.
3) Areas shall be walked for best route and flagged prior to installation of fencing by designer and Urban Forester.
4) Designated disturbed areas are portions of the site needed to support the development area, and may include buildings, parking, stormwater facilities, landscaping, roads, sidewalks and trails, and bike paths. They may also include undisturbed areas identified at the site plan development stage of planning and design.
5) Site plans shall show all clearing limits and tree protection fencing.

SUSTAINABILITY

All new projects at the site will be done following the Town of Chapel Hill Design Guidelines as well as the High Performance Guidelines: Triangle Region Public Facilities prepared by the Triangle J Council of Governments.

Balancing the fulfillment of our current needs without compromising the ability of future generations to meet their needs is the essence of sustainability. Orange County, as an early proponent of sustainable design, will be seek to apply design solutions used on recently completed facilities as well as new technologies and designs where feasible on this site.

Orientation

The natural setting of the site, its contours and vegetation, shall be viewed as assets to be preserved and woven into the design as much as possible. For the Chapel Hill climate, buildings oriented with the longitudinal axis of the building in the east/west direction will typically have lower energy costs than buildings oriented with the longitudinal axis of the building in the north/south direction.

Daylight

Using daylight from windows, clerestories, skylights, atriums, etc, is encouraged to reduce artificial lighting and increase user satisfaction. Skylights and atriums should allow narrow building footprints to be naturally lit. Windows close to the ceiling are encouraged to allow greater penetration of daylight. Interior offices should incorporate transoms and vision lights to allow light infiltration into deeper spaces.

Uncontrolled use of daylight can lead to user discomfort and increase mechanical cooling requirements. Buildings should incorporate appropriate shading devices over windows and entryways. Roof overhangs, recessed windows, sunshades, and arcades are all devices which can be used to create shade on the face of a building. Automated, motion-sensor or user-controlled interior lighting, either natural or artificial, should be provided to maintain user comfort and reduce energy costs.

DRAFT

Shading

Passive solar shading is useful for conserving energy, animates buildings and public spaces, and creates additional design opportunities (e.g., a deep-set window shaded by the building frame or by the addition of sunscreens), and will be considered as designs for future buildings on the site are developed.

Water Efficiency

Water use reduction and irrigation efficiency measures limit or eliminate the use of potable water for landscape irrigation. Designs should reduce the volume and slow the flow of storm water runoff through the landscape with vegetated swales and sequences of check dams and catchments, cisterns and water collection points in parking lots. Rainwater collection is widely used in existing Orange County facilities and should be considered for toilet flushing and irrigation.

Landscape

Reduce site disturbance and/or restore damaged areas. Choose landscaping which reduces the heat island effect and that is native to North Carolina.

Materials

Where possible, use durable, recyclable materials made from recycled content that are locally produced.

Energy Management Plan

The design of future buildings and its systems shall provide energy efficiency of 20 percent above what is required by ASHRAE Standards. The use of sustainable forms of energy (such as solar, wind, geothermal and biofuels) shall be utilized where possible.

Any proposed efforts to increase energy efficiency will include investigation of possible participation in the NC Green Power Program or similar programs. Projects shall be monitored over time to help evaluate achievement of goals related to energy efficiency, reduction of carbon footprints, and reduction of single automobile trips.

BUILDINGS

Building Flexibility

Flexible building design that accommodates change is very important and is a proven way to respond to programmatic needs that evolve over time. Initial building phases should be designed as a first step in a larger collection of integrated buildings. To accomplish this, consider the following:

1) **Simple Forms:** Simple rectilinear forms are preferred because these forms are more easily adaptable to change than buildings with complicated forms. Individual forms should be designed to complement one another as well as their surroundings.
2) **Planned Expansion (Additions and Renovations):** As site permits, each future building should allow for growth.
3) **Massing:** Buildings shall be set back off all internal streets and driveways in a consistent manner to produce visual unity.

Building Entry

An Entrance is a primary building design feature and should be well defined and easily recognizable as a point of entry, regardless of the size of the building. Building entrances provide links between individual building design and site design and should be well defined. At ground level, building design should focus

DRAFT

on the pedestrian. Building entrances should be oriented to pedestrian plazas and entry courts and should be open and inviting.

Pedestrian Scale

At building entrances and on streetscape facades, elements that relate buildings to the size of humans are important. While buildings may be up to 60 feet high, these larger masses can be broken into smaller visual elements through sensitive use of building materials, window articulation and building massing.

Building Height/ Roof Form

Building heights and their roof forms can be used to promote an overall sense of cohesiveness and offers an opportunity to focus attention to certain key buildings or areas.

1) **Building Height:** The maximum allowable height for buildings is 60 feet above ground, as measured from the average grade of the site. The maximum height could reach four stories. Floors below grade are permitted. The floor levels of new buildings should match the floor levels of the adjacent existing buildings. Established vertical heights should be maintained to continue the vertical campus grid and allow upper levels of buildings to be connected by bridges.
2) **Roof-Mounted Infrastructure Screening:** Roof parapets should be used to screen roof-mounted equipment. Roof-mounted mechanical equipment and vent stack pipes should be grouped together and screened from all views on campus. Taller equipment should be enclosed by walls or grills that are in harmony with the design of the building and provide for the required air circulation needs of the equipment. Satellite dishes and antennas must be fully concealed if located on a building. Roof drains shall direct water underground and divert water from structures and paved surfaces to prevent erosion or ponding.

Aesthetics

Future designs should maintain a uniform architectural style within the development area being proposed. In general, future architectural styles should be compatible with existing architectural styles and should express an image of governmental facilities. Forms and shapes are to be simple, yet creative and appealing and should relate to nearby forms.

DRAFT

APPENDICES

1) Context and Background Information Report (July 5, 2012)
2) Site Context Map
3) Site Conditions Map

DRAFT

Appendix 1:

Southern Orange County Government Services Campus Master Plan

Context and Background Information Report

July 5, 2012

CLARION

cra corley redfoot architects inc.
architects | engineers | planners

MARTIN ALEXIOU BRYSON

Contents

- Project Fundamentals
  - Objectives
- Contextual Information for Site
  - Regulatory History
  - Site Conditions and Constraints
  - Proximate Proposed and Pending Developments
  - Policy Framework
  - Key Regulatory Considerations

Project Fundamentals:

Project Objectives

- Develop and Adopt Master Plan
  - General site plan / building program
  - Plan for phasing
  - Design Guidelines
- Obtain Development Approvals from TOCH
  - Special Use Permit Modification
  - Short-term building
  - Initial Zoning Compliance Permit

Contextual Information

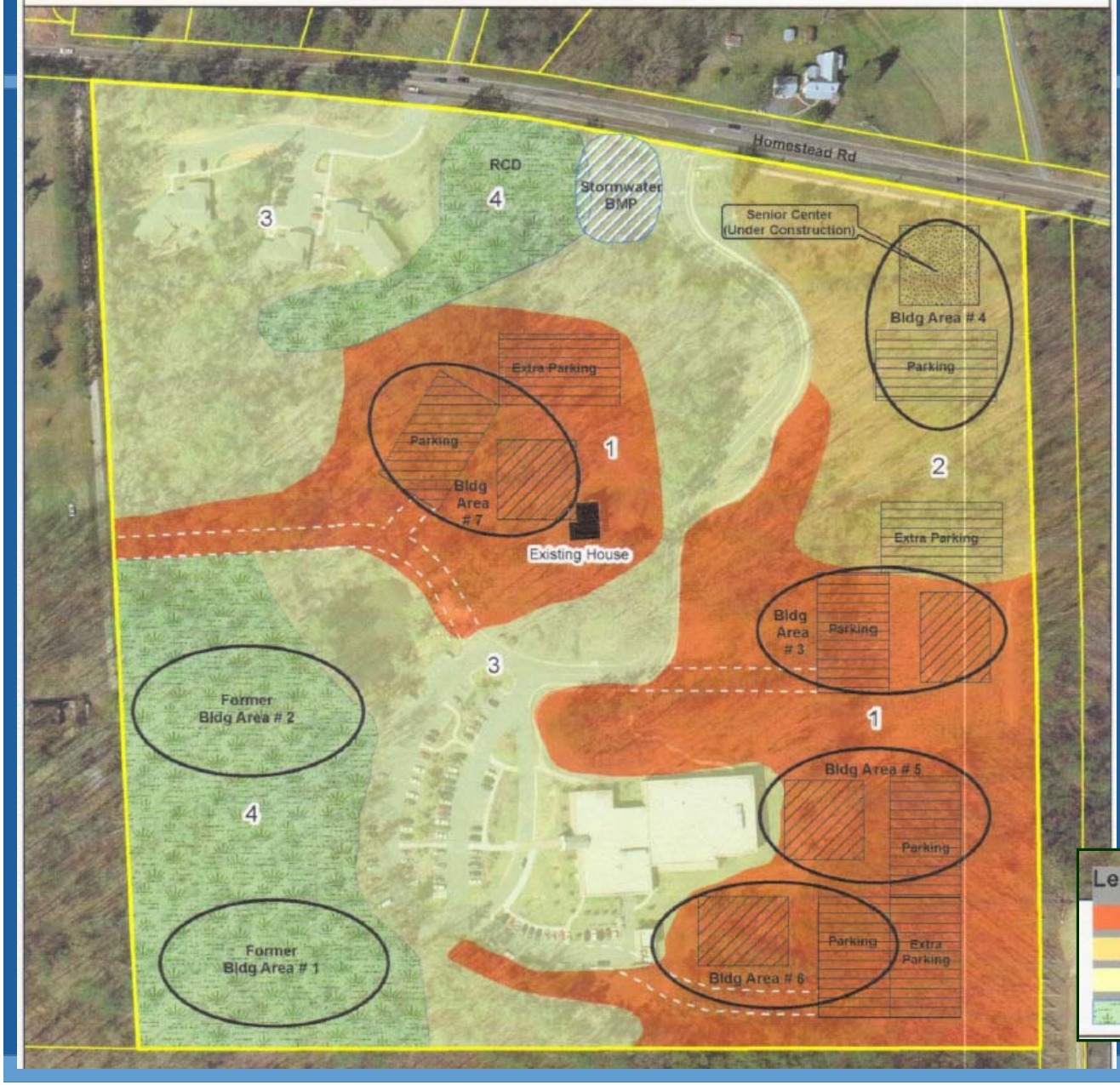
1. Existing Site Context
2. Regulatory History of Site
3. Site Conditions and Constraints
4. Proximate Proposed and Pending Developments
5. Policy Framework
6. Key Regulatory Considerations

Southern Human Services Campus

2. Regulatory History of Site

- 1992: County Purchased Site
  - Consolidation of human services in southern Orange County
- 1994: Special Use Permit (SUP) Approved
  - Orange County Southern Human Services Center
- 1995: SUP Modification Approved
  - Project Homestart facility
- 2005: SUP Modification Approved
  - Robert and Pearl Seymour Senior Center
- 2007: Adoption of County Concept Plan
  - For Internal Staff Working Purposes
  - Several assessments: cultural, archaeological, environmental

Concept Plan 2006
Southern Human Services Campus



Legend: Cult. & Arch. Survey Overlay

- 1 - Potential Sites (~12 acres)
- 2 - Senior Center Under Construction (~4 acres)
- 3 - Existing (~12 acres)
- 4 - Environmental Constraints (~6 acres)

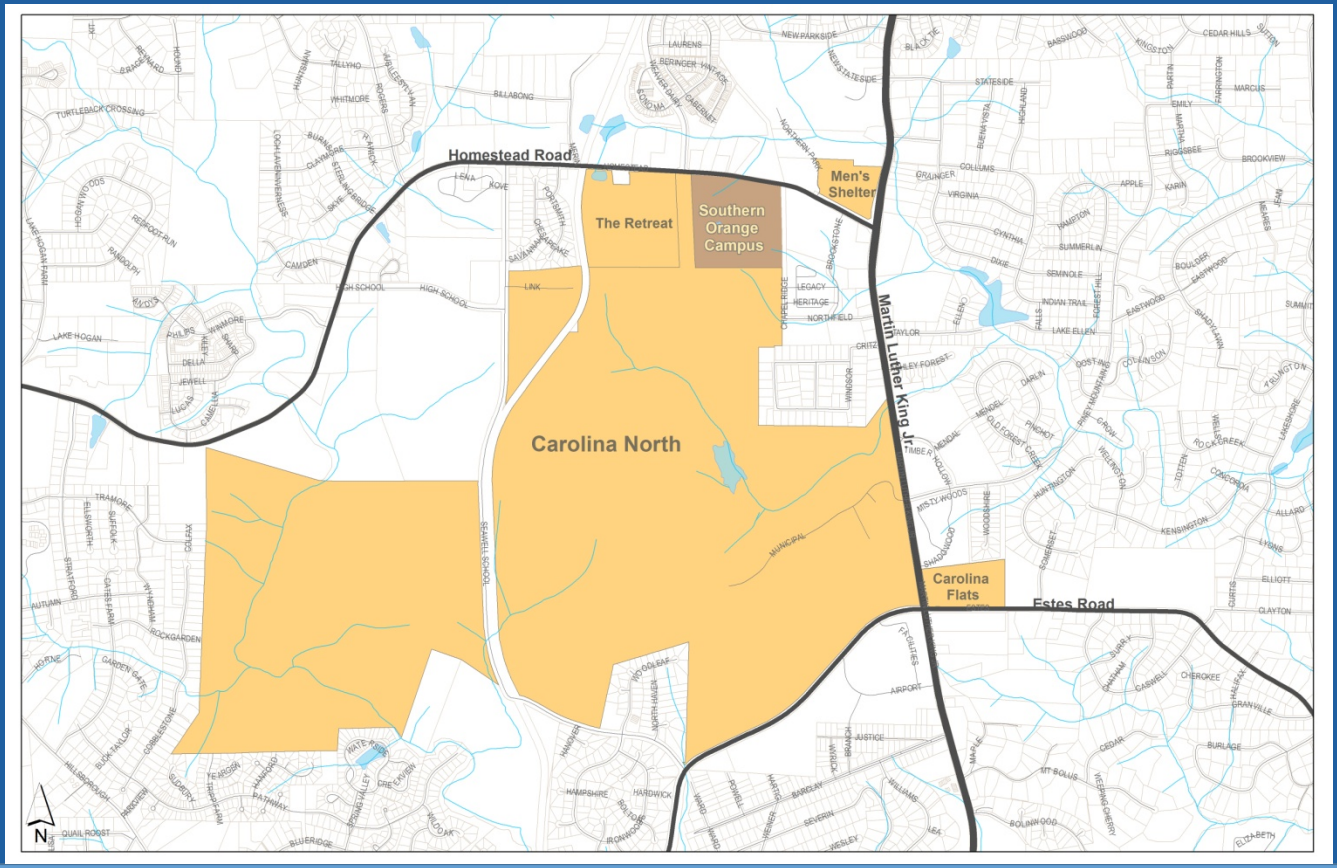
2. Regulatory History of Site

- SUP Stipulations:
  - Construction Related Activities
  - Environmental and Stormwater Management
  - Land Use Intensity
  - Tree Protection and Landscaping
  - Architectural Building Elevations
  - Transportation (multi-modal)
  - Utility and Services
  - Detailed Plans

Existing Site Context

4. Proximate Proposed & Pending Developments

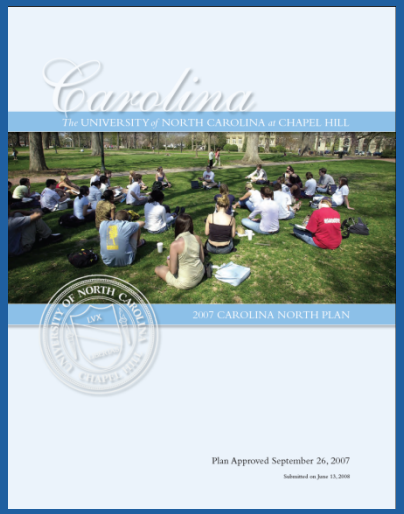
- Carolina North
- IFC Men's Shelter
- The Retreat
- Carolina Flats



4. Proximate Proposed & Pending Developments

Carolina North

- Site: 947 acre Horace Williams Tract
- Mixed-use research and learning campus
- Focus on sustainability and fostering innovation
- Located due south of Southern Orange Campus
- Numerous studies, plans, and public input opportunities between 1990-2008
  - 2007 Ecological Assessment Report
  - 2007 Carolina North Plan
  - 2008 Carolina North Design Guidelines

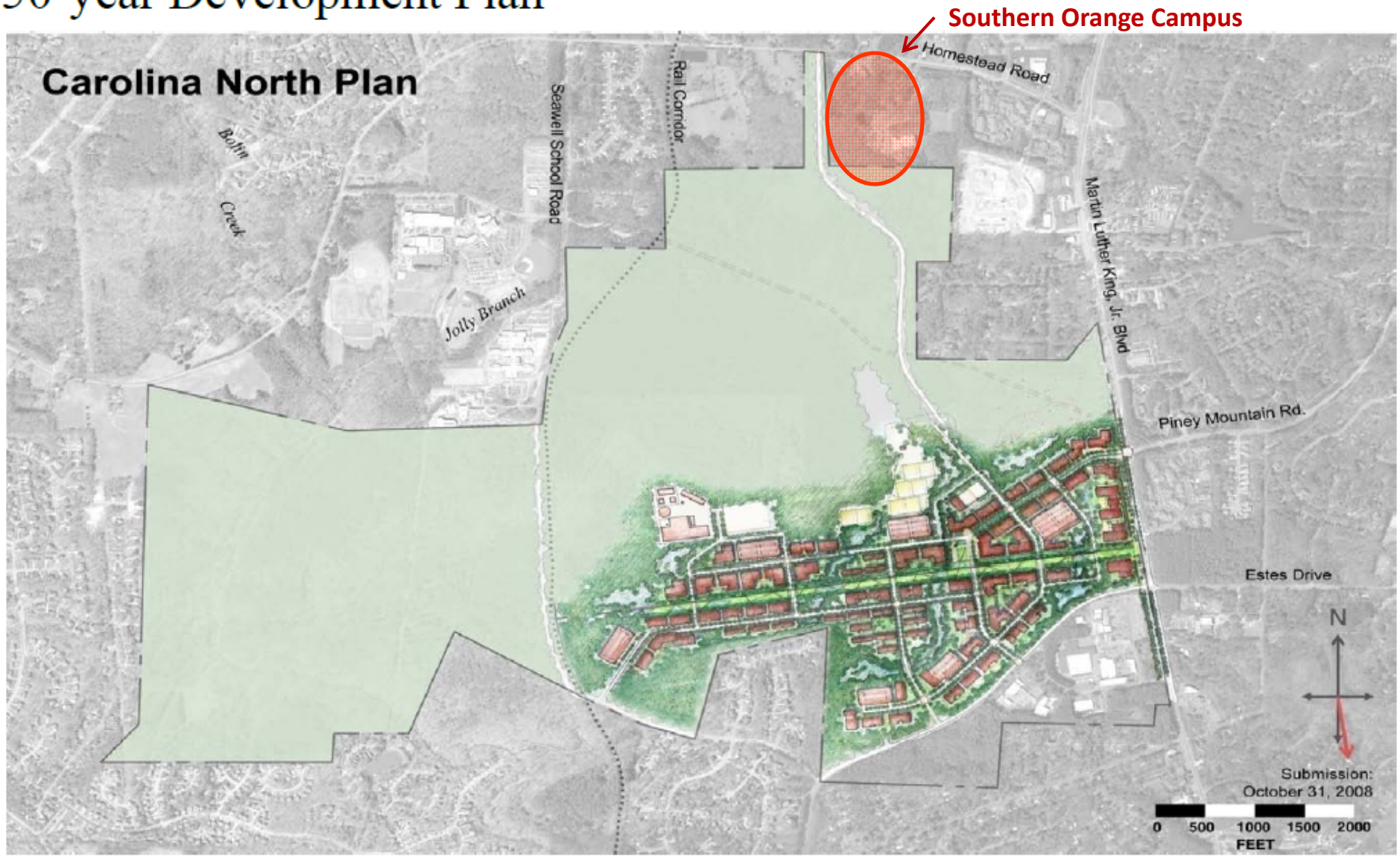


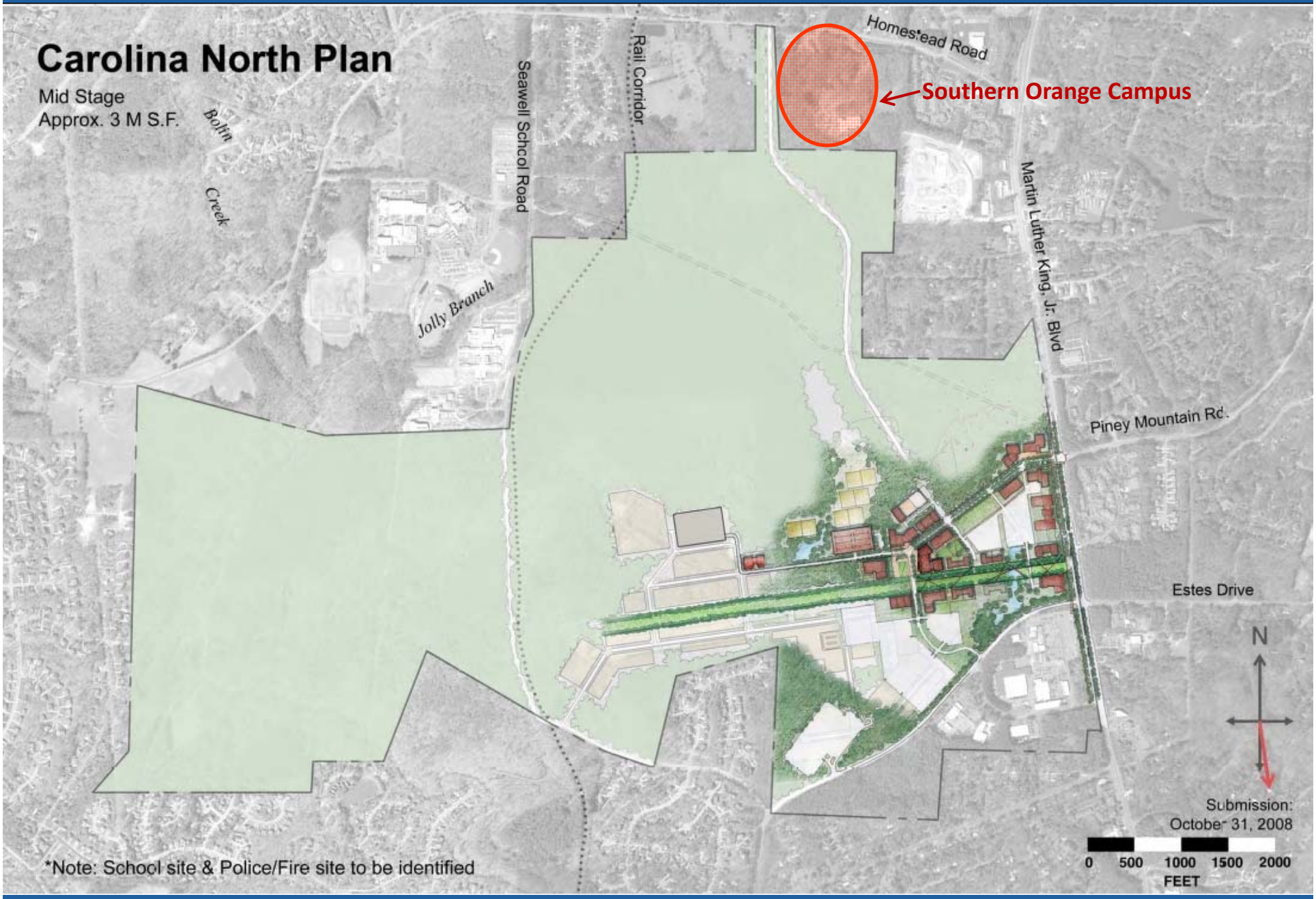
4. Proximate Proposed & Pending Developments

Carolina North

- 2007 Carolina North Plan
  - 50 year development plan for 250 acres
  - Development concentrated on 228 acres
  - 8-9 million sf development
  - 311 acres in conservation
- 2009 SUP for Innovation Center
- 2009 Development Agreement and U-1 Zoning
  - 20-year agreement for mid-stage plan
  - 3 million sf of building on 133 acres in SE corner
  - Uses: university, research, civic, hospital, cultural, housing, businesses, office, recreation, utility, open space

50-year Development Plan

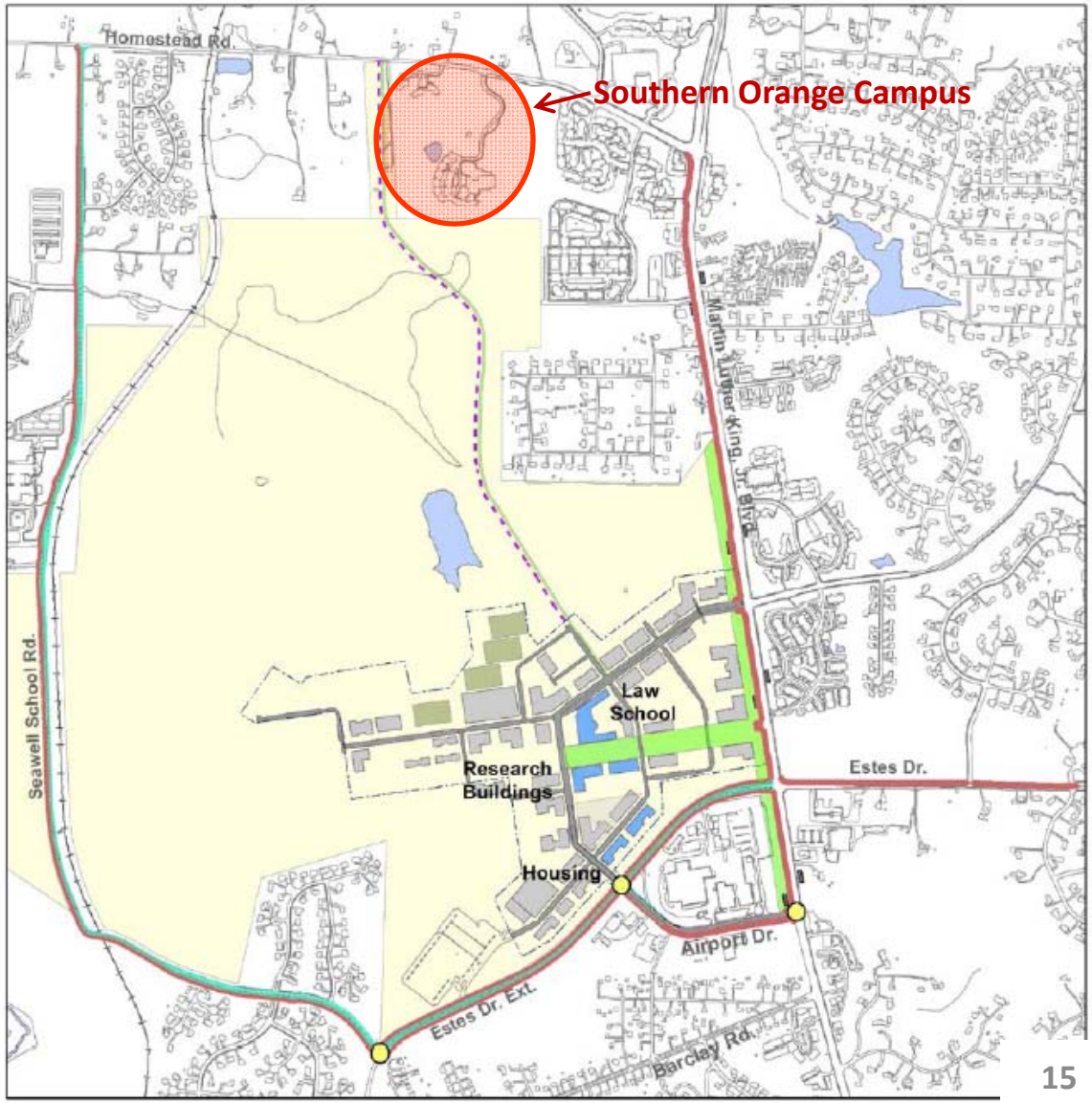



Carolina North Plan
Mid Stage
Approx. 3 M S.F.
Bolin Creek
Jolly Branch
Seawell School Road
Rail Corridor
Homestead Road
Southern Orange Campus
Martin Luther King, Jr. Blvd
Piney Mountain Rd.
Estes Drive
N
Submission:
October 31, 2008
0 500 1000 1500 2000
FEET
*Note: School site & Police/Fire site to be identified

Projected Development: First 800,000 square feet

Research Building One	225,000 sf
Small Central Utility Plant	5,000 sf
Law School	250,000 sf
Research Building Two	120,000 sf
Housing	200,000 sf

- Existing Buildings
- Carolina North
- Development Agreement Boundary
- Proposed Buildings
- Proposed Roads
- Proposed Open Space
- Proposed Fields
- Paved Parking
- Buildings - first 800,000 sq. ft.
- Sidewalk Improvements
- Bike Lane Improvements
- Realigned Airport Dr.
- Traffic Signal Improvements
- Utility Corridor
- Greenway
- Bus Shelter
- Railroad
- Streams
- Open Water

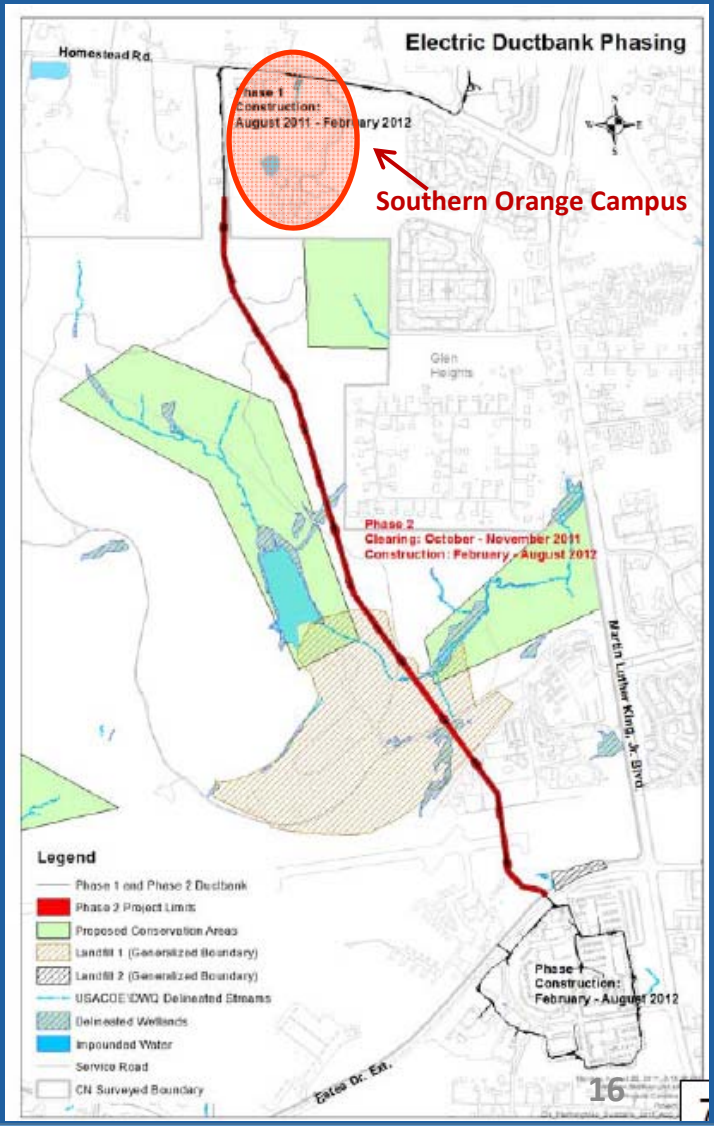


THE UNIVERSITY of NORTH CAROLINA at CHAPEL HILL

4. Proximate Proposed & Pending Developments

Carolina North

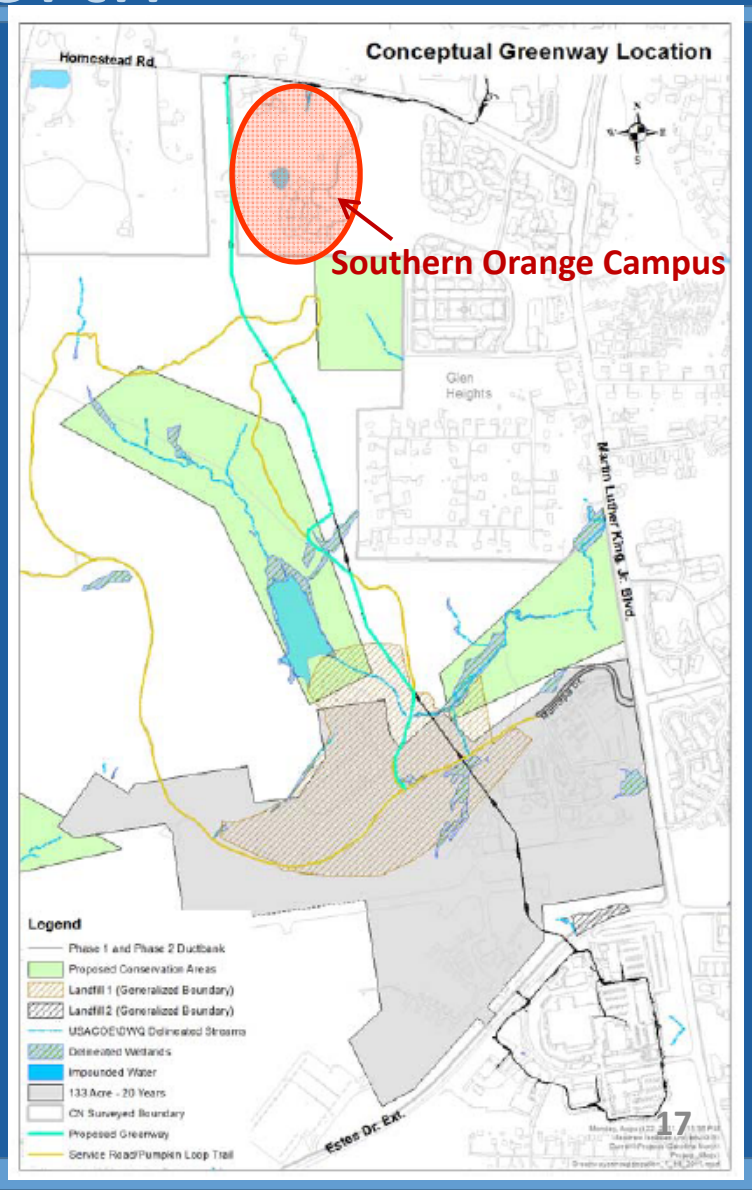
- Current Work:
  - Duct bank construction
  - Landfill gas pipe construction
  - Carolina North Greenway
  - Research building and infrastructure



4. Proximate Proposed & Pending Developments

Carolina North

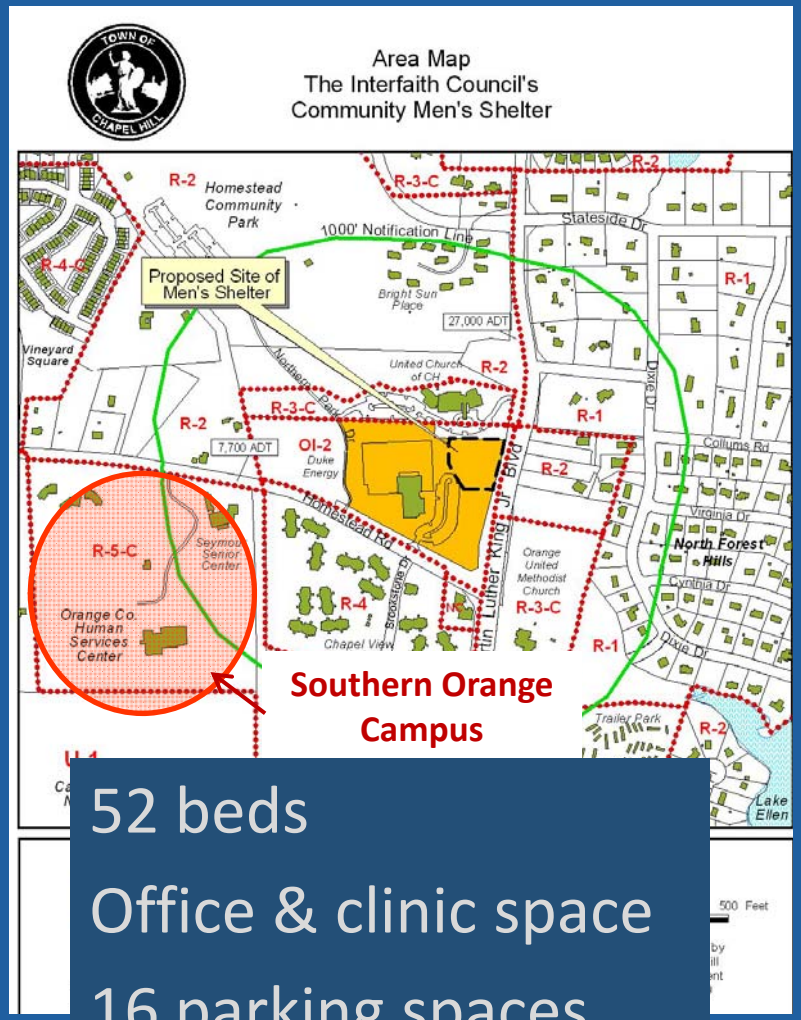
- Carolina North Greenway
- Conservation areas
- Opportunities for ped/bike connections



4. Proximate Proposed & Pending Developments

IFC Men's Shelter

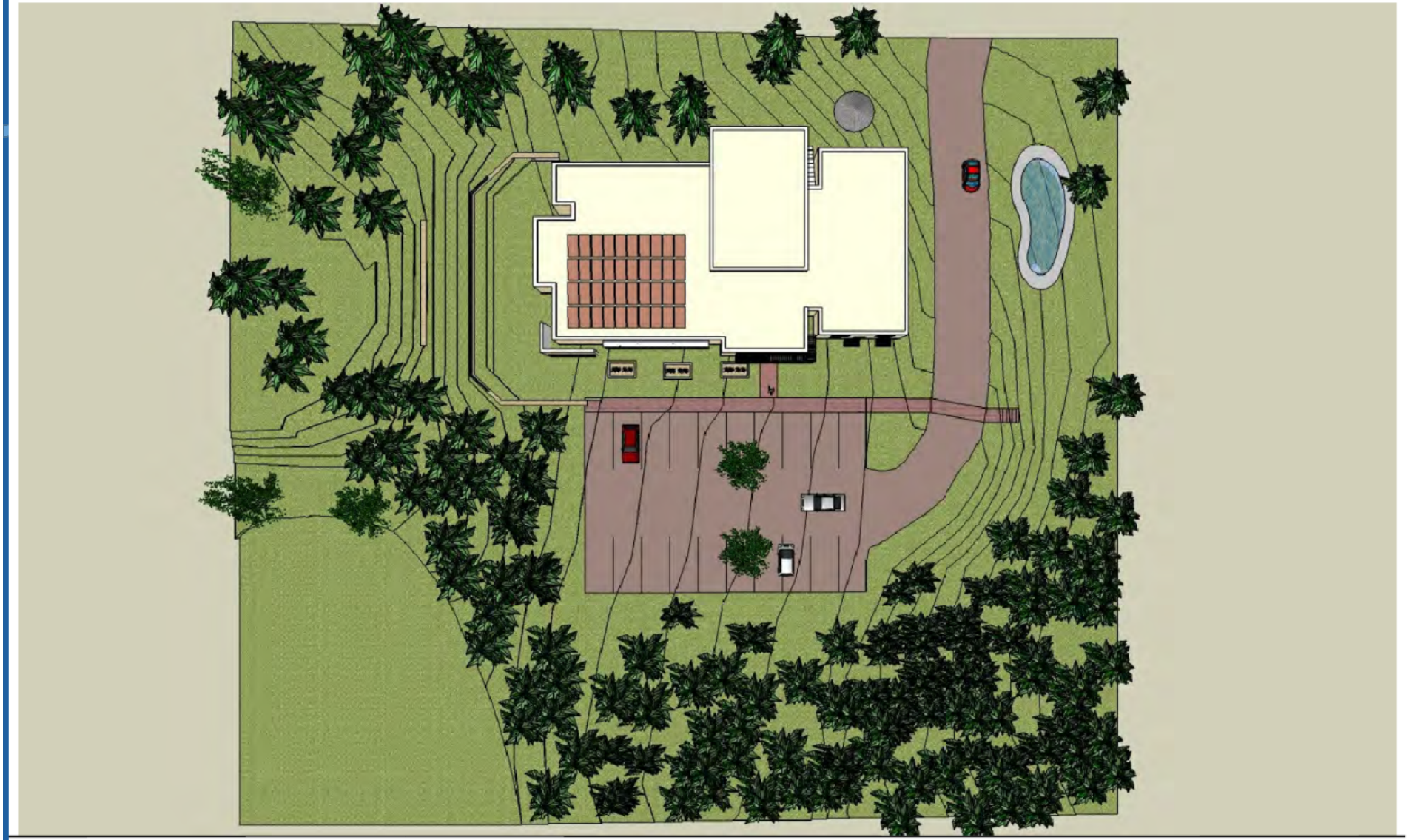
- 1.8 acres
- Northeast corner of UNC property
- Transitional men's shelter
- 2-story, 16,250sf
- SUP Approved 2011



52 beds

Office & clinic space

16 parking spaces



MEN'S SHELTER
THE INTER FAITH COUNCIL
CHAPEL HILL, NORTH CAROLINA

GGA ARCHITECTS

ILLUSTRATIVE SITE PLAN

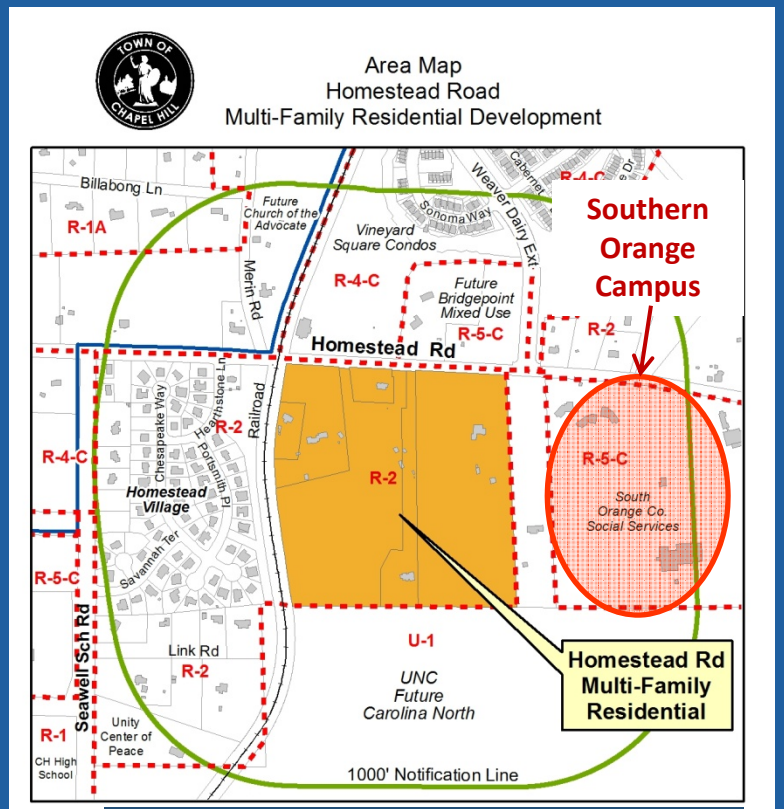
CONCEPT PLAN PHASE

June 5, 2009

4. Proximate Proposed & Pending Developments

The Retreat

- Formerly "The Cottages"
- 38.29 acres
- East of project site
- Proposed multi-family development
- Proposed ped connection
- Concept Plan Review Jan. 2012



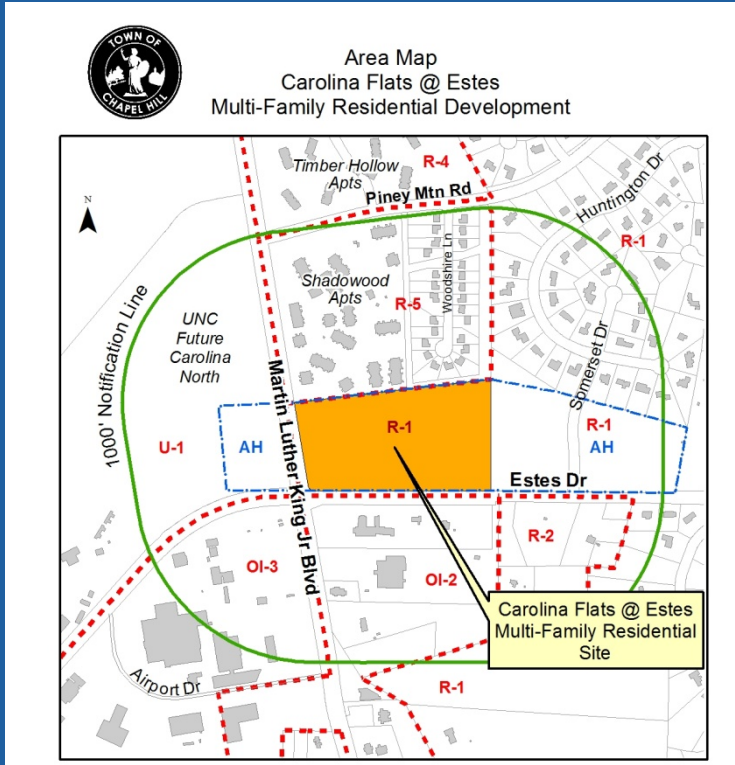
72 townhouses
102 single-family units
Clubhouse
809 parking spaces

HOMESTEAD ROAD
RESIDENTIAL
DEVELOPMENT
Project Information:
R-2 Low Density Residential District
114 Dwelling Units
4.6 DU/Acre as Permitted by the Inclusionary Zoning Ordinance
HOMESTEAD ROAD
Southern Orange Campus
N
NOT TO SCALE
LANDMARK
PROPERTIES
Williams
&Associates
Engineering - Surveying
Landscape Architecture

4. Proximate Proposed & Pending Developments

Carolina Flats

- 16.18 acres
- Proposed multi-family development with 4-story hotel and parking deck
- Seven 3-story apartment buildings
- In flight hazard zone
- Concept Plan Review March 2012



189 apartment units

124-145 hotel rooms

532 parking spaces

MARTIN LUTHER KING JR. BLVD.
ESTES DRIVE
HOTEL
CLUB
PARKING GARAGE
ACTIVITY LAWN
POWER EASEMENT
STORM WATER MANAGEMENT
BOARDWALK
BOAT SLIP
BUFFER
JDAVISARCHITECTS
510 Glenwood Ave, Suite 201 | Raleigh, NC 27603 | tel 919.835.1500 | fax 919.835.1510
CAROLINA FLATS @ ESTES:
CONCEPT PLAN
(GRAPHIC SCALE IN FEET)
1 inch = 50 ft.
REVIEW DRAWING
NOT FOR CONSTRUCTION
NC GRID NAD 83
BALLENTINE ASSOCIATES, P.A.
NOT FOR CONSTRUCTION
NUM
REVISIONS
DATE
OWNER INFORMATION
PROGRESSIVE CAPITAL GROUP, LLC
545 DELANEY AVENUE
BLDG. #9
ORLANDO, FL 32801
OWNERS REPRESENTATIVE:
RUSS GREER
PH: (407) 849-3670
FAX (407) 426-7282
ISSUED
CONCEPT PLANS
15 FEB
CAROLINA FLATS @ ESTES
CHAPEL HILL, NC
CONCEPT PLAN DRAWINGS
JOB NUMBER: 111015.00
DATE: 15 FEB 12
SCALE: AS SHOWN
DRAWN BY: JDAVIS
REVIEWED BY: GJR
SHEET
07

5. Policy Framework

Orange County Comprehensive Plan

- Adopted in November 18, 2008
- Synthesized numerous plans and studies into one plan
- Elements developed under supervision of 9 advisory boards
- Sets out vision, goals, and objectives for County
- 2030 planning horizon
- Plan Elements:
  - Sustainability
  - Economic Development
  - Housing
  - Land Use
  - Natural and Cultural Systems
  - Parks and Recreation
  - Services and Facilities
  - Transportation

5. Policy Framework

Orange County Comprehensive Plan

- BOCC Planning Principles
  - Efficient and Fiscally Responsible Public Facilities
  - Sustainable Growth and Development
  - Energy Efficiency, Reduced Consumption, Air Quality Protection
  - Natural Area Resource Preservation
  - Preservation of Rural Land Pattern
  - Water Resources Preservation
  - Promotion of Economic Prosperity and Diversity
  - Preservation of Community Character

5. Policy Framework

Orange County Comprehensive Plan

- Key Land Use Goals for Consideration
  1. Coordinating new development with public service capacity
  2. Development that supports non-auto modes of travel
  3. Patterns of development that mix uses, limit sprawl, and protect rural lands
  4. Promoting clustered, walkable developments
  5. Supporting green design of public facilities
  6. Land uses that protect natural and cultural resources

5. Policy Framework

Orange County Comprehensive Plan

- Key Transportation Goals for Consideration:
  1. Multi-modal transportation system
  2. Transportation that is accessible to all users
  3. Integrated land use and transportation planning
  4. Provision of public transit, walking, and biking facilities
  5. Provision of public transit facilities (carpooling, park-and-ride)
  6. Evaluate and serve special needs (seniors, disabled, disadvantaged, youth)

5. Policy Framework

Orange County Comprehensive Plan

- Key Natural/Cultural Resource Goals for Consideration
  1. Energy conservation and use of non-renewable energy sources
  2. Sustainable quality and quantity of ground and surface water resources (emphasis on Jordan Lake)
  3. Stormwater best management practices
  4. Reduction of greenhouse gas emissions and air pollution
  5. Promote use of fuel-efficient vehicles
  6. Conserve high priority natural areas and wildlife habitats

5. Policy Framework

Orange County Comprehensive Plan

- Key Services/Facilities Goals for Consideration
  1. Growth consistent with adequate and sustainable County services and facilities
  2. Ensure wastewater disposal facilities are appropriate given present and future demand for service
  3. Strive to meet 61% waste reduction goal
  4. Minimize construction waste
  5. Set-aside adequate space and access for waste management and recycling on-site

5. Policy Framework

2020 Chapel Hill Comprehensive Plan

- Year-long effort to produce draft plan
- Emphasis on citizen engagement, key themes, four geographic focus areas for further study
- Key Themes:
    1. Transportation: Variety and Ecological Consciousness
    2. Economic Development: with emphasis on UNC
    3. Destination for cultural and entertainment events
    4. Improved range of housing choices

5. Policy Framework

2020 Chapel Hill Comprehensive Plan

- Ideas from the plan relevant to this site:
  1. Vibrant center of culture, academia, diversity, and ideas
  2. Compact community; population growth expected
  3. Promote environmentally-friendly modes of transportation
  4. Focus on green infrastructure , emphasis on connections
  5. Focus on hubs of activity, with multiple destinations
  6. Support and encourage community engagement
  7. Be clear about preservation areas and development zones
  8. Tree canopy, greenways, and open space
  9. Allocation of scarce public resources
  10. This site in one of four designated “Focus Areas”

5. Policy Framework

2020 Chapel Hill Comprehensive Plan

- Focus Area 3 Considerations:
  1. Carolina North
  2. Connections
  3. Transit corridor
  4. Complete streets
  5. Coordinate development with transportation network

6. Key Regulatory Considerations

- New Development Standards:
  - 2010 Tree Protection Ordinance
- Options for Securing Development Approvals
  - SUP Major Modification
  - SUP Minor Modification
  - Concept Plan Review
  - Zoning Compliance Permits

6. Key Regulatory Considerations

Tree Protection Ordinance (2010)

- Sets out protection of tree canopy cover
- Supports Town sustainability goals to reduce carbon emissions and urban “heat island” effect
- Institutional Use Canopy Requirement – 40%

6. Key Regulatory Considerations

Tree Protection Ordinance (2010)

- Highest priority for maintenance and tree replacement on-site
- Fee-in-lieu of tree replacement is an option
- Modifications to standards possible if other sustainability goals met:
  - LEED
  - Stormwater management
  - Goals of the Town Comp Plan, etc.

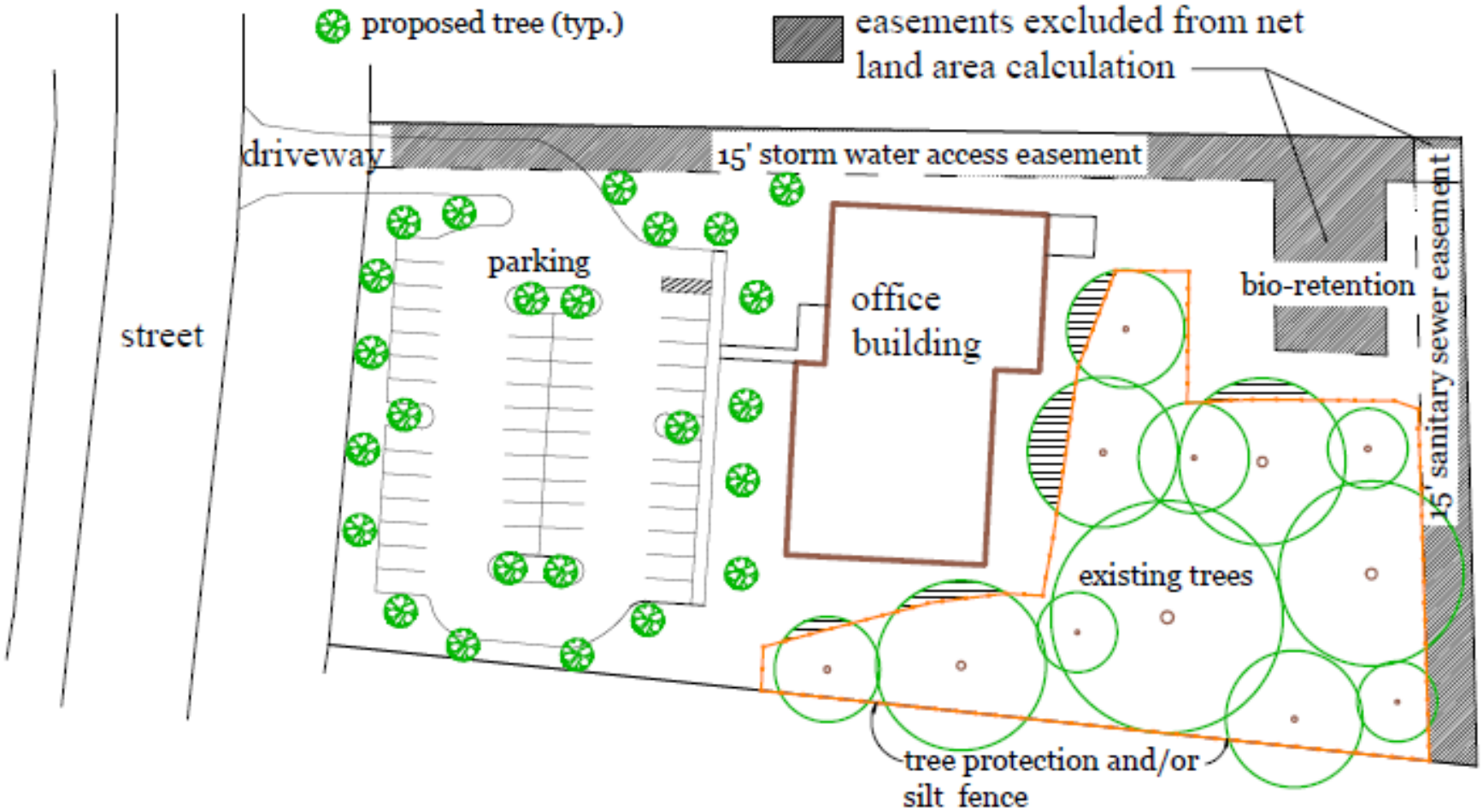
6. Key Regulatory Considerations

Tree Protection Ordinance (2010)

- Process for Calculating
  - Determine net lot size
  - Calculate required canopy coverage (40%)
  - Measure area of existing canopy to be protected
  - Determine canopy deficit
  - Calculate replacement trees needed to reach goal

6. Key Regulatory Considerations

Tree Protection Ordinance (2010)



6. Key Regulatory Considerations

Development Approval Alternatives

- Project Objectives:
  - Approve master plan
  - Secure grading permits for building footprints / parking lots
- Two alternatives for seeking approval:
  - Special Use Permit Modification
  - Concept Plan

6. Key Regulatory Considerations

Special Use Permit Modification

- Process:
  - Application submittal
  - Town Manager Analysis / Preliminary Conference
  - Town Manager's Report to Planning Board
  - Planning Board Review
  - Town Council/Public Hearing
  - Town Manager Report/Recommendation for Action
  - Town Council Action
- Key Considerations:
  - Lengthy, expensive process
  - If no activity within 2 years, SUP modification expires
  - 1-time, 12 month extension available
  - Can secure building / grading permits

6. Key Regulatory Considerations

Concept Plan

- Process:
  - Application Submittal
  - Review by Community Design Commission
  - Possible review by Town Council
- Key Considerations:
  - Preliminary step toward formal development plan
  - Shorter and less expensive process
  - Not possible to obtain grading permits with concept plan approval

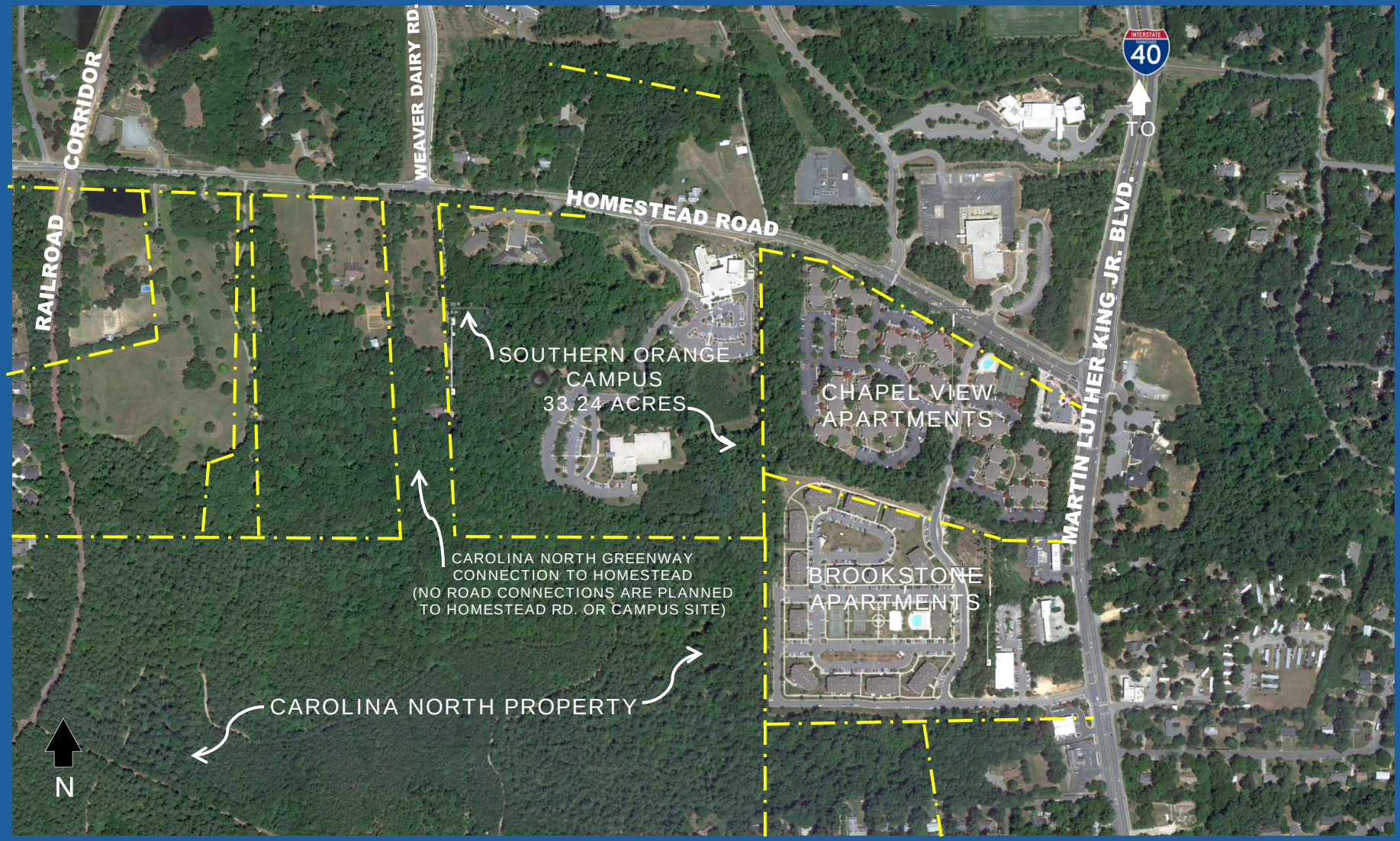
Southern Orange County Government Services Campus Master Plan

CLARION

cra corley redfoot architects inc.
architects | engineers | planners

MARTIN ALEXIOU BRYSON

Appendix 2: Site Context Map



Appendix 3: Site Conditions Map

Attachment 2
Master Plan Presentation

Presentation Objectives

- Activity Since Last Status Report
- Design Guidelines
- Adjustments to Master Plan
- Draft Plan
- Update on Approval Process / Fees

2

Activity Since Last Status Report

- Presentation to BOCC on August 21
- Public Information Meetings on September 4
- Meetings with Stakeholders and Town Staff
- Revisions to Map Based on Additional Information
- Development of Design Guidelines

3

Attachment 2
Master Plan Presentation

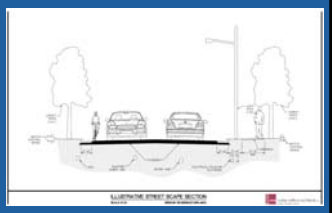
Design Guidelines

- Orange County 2030 Comprehensive Plan
- Chapel Hill 2020 Plan
- Chapel Hill Design Guidelines
- TJCOG High Performance Guidelines for Triangle Region Public Facilities
- Planning Best Practices

4

Design Guidelines

- Site Planning
- Infrastructure
- Undisturbed Areas
- Sustainability
- Buildings



5

Adjustments to Master Plan

- Based on Concept "B" from August 21 Meeting
- Added Connection to Carolina North Greenway / Bikeway
- Added Homestead Road Improvements
- Clarified Language Regarding Expansion of Existing Buildings
- Clarified Buffer and Setback Lines

6

Attachment 2
Master Plan Presentation

Update on Approval Process/Fees

- Process
  - 12 month timeframe
  - Two steps: Concept Plan, Special Use Permit
  - Up to 17 meetings
  - Recommended adjustment to project budget
- Application Fees
  - Concept Plan & Special Use Permit Modification estimate $110,000

8

Next Steps

- BOCC Approval of Master Plan
- Submission of Concept Plan Application to Town of Chapel Hill
- Submission of Special Use Permit Modification to Town of Chapel Hill

9

Attachment 2
Master Plan Presentation

Attachment 3

STATE OF NORTH CAROLINA
ORANGE COUNTY

AMENDMENT TO AGREEMENT FOR
PROFESSIONAL SERVICES

Addendum to that certain Agreement effective the 15th day of May, 2012 by and between the County of Orange, (herein referred to as "County") and Clarion Associates, LLC, a Colorado Limited Liability Company d/b/a Clarion Associates-Chapel Hill, NC, 101 Market Street, Suite D, Chapel Hill, NC 27516, Inc., (hereafter, the "Provider").

In consideration of the mutual promises and conditions set forth herein, the County and Provider agree to amend the Agreement as follows:

WHEREAS, the County wishes to contract with the Provider for professional services including Master Planning and Potential Special Use Permit modification involving the Southern Human Services Campus; and

WHEREAS, the Provider wishes to provide the services provided in Attachment A;

NOW THEREFORE, In consideration of the mutual promises and conditions set forth herein, the County and Provider agree to amend the Agreement as follows:

Effective Date:
Section 4 of the Agreement is amended as follows:
This contract shall be in effect from May 15, 2012 to December 31, 2013.

Compensation:
Section 5 of the Agreement is amended as follows:

a) Compensation for Basic Services in section 5.a. increases from a maximum amount payable of Ninety Six Thousand Dollars ($96,000) to a maximum amount payable of One Hundred Thirty Three Thousand Five Hundred Dollars ($133,500), a not-to-exceed increase of Thirty Seven Thousand Five Hundred Dollars ($37,500);
b) Reimbursable expenses decreases from a maximum amount payable of Fourteen Thousand Dollars ($14,000) to Seventy Eight Hundred Dollars ($7,800), a not-to-exceed decrease of Sixty Two Hundred Dollars ($6,200). This $6,200 amount is to be available for Compensation for Basic Services in lieu of Reimbursable Expenses.

Full Force and Effect

Except as amended by this Amendment, the Agreement shall remain in full force and effect.

[SIGNATURES ON THE FOLLOWING PAGE]

IN TESTIMONY WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

ORANGE COUNTY:

By: _____
Bernadette Pelissier, Chair

ATTEST:

By: _____
Donna Baker, Clerk to the Board of Commissioners

PROVIDER: Clarion Associates, LLC

By: _____

_____
Printed Name and Title

WITNESS:

By: _____

_____
Printed Name and Title

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

_____
Finance Director

Approved as to technical content.

_____
Jeff Thompson, for Department Director

Approved as to form and legal sufficiency.

_____
Office of the County Attorney

C L A R I O N

Clarion Associates
101 Market Street, Suite D
Chapel Hill, NC 27516
919.967.9188 phone
919.967.9077 fax

Memorandum

To: Jeff Thompson, Orange County Asset Management Services

From: Roger Waldon, Clarion Associates

Date: September 12, 2012

Re: Request for Adjusting Scope, Budget, and Contract for Southern Human Services Project

---

The purpose of this memorandum is to provide information on the status of work on this project, and to request consideration of adjustments to the project's scope, budget, and contract. Specifically, we ask for consideration of two adjustments: (1) A contract amendment to shift the balance between reimbursable expenses and professional staff time expenses (without changing the overall budget total); and (2) Consideration for Phase 2 of either an increase in the project's overall budget, or a shift in meeting responsibilities between consultant and County staff, or both.

We also include here information about Chapel Hill's fee schedule for development applications.

Background

We are approaching the end of Phase 1 of our initiative to prepare a Master Plan for, and seek development approvals from the Town of Chapel Hill for Orange County's Southern Orange Campus on Homestead Road. Work on the project has gone well, and response has been favorable from the community and from the Orange County Board of County Commissioners. There has been a close and collaborative working relationship between County staff and the Consultant team, and we are pleased with progress to date. We are on-track to hit the deadline of obtaining approval of a Master Plan by the Orange County Board of County Commissioners on October 16, which will complete Phase 1. We will then be in a position to proceed with work on Phase 2, seeking approval of a Special Use Permit Modification for the site from the Town of Chapel Hill.

As we have progressed with work to date, however, we have encountered some un-anticipated need for meetings related to the project, and have learned additional information about Chapel Hill's processes and requirements for obtaining a modification of the existing Special Use Permits for site. We will describe those below, and follow with a suggested set of contract adjustments for consideration.

Steps in the Process – Special Use Permit-Modification Application Review:

- Required pre-submittal meeting with Planning Staff to review completed application.
- Required Department Head Review meeting (DHR) to discuss application.
- Required Public Information Meeting (PIM).
- Optional meeting with Planning Staff to discuss DHR and PIM comments.
- Following revisions to application, optional meeting with Planning Staff to discuss the staff's preparation of a memorandum and recommended stipulations for approval.
- Required meeting with Planning Board. Planning Board required to make recommendation to the Town Council at a Public Hearing. May require a second meeting if Planning Board does not make recommendation at first meeting (although it usually does).
- Required meeting to present to Transportation Board.
- Required meeting to present to Bicycle and Pedestrian Advisory Board.
- Required meeting to present to Community Design Commission.
- Required meeting to present to Parks and Recreation Commission.
- Required meeting to present to Town Council at Public Hearing.
- Required meeting of Town Council, post-hearing, for Council to consider action. Town Council not required to act; can ask for more information and subsequent return.

Summary – Number of Meetings to Attend and Present Materials:

For Concept Plan Process:	5 meetings at Town Hall (3 required)
For Special Use Permit Process:	12 meetings at Town Hall (10 required)
Total:	17 meetings (13 required)

Following are budget implications of these facts:

- Budget for taking applications through the process (assuming 6-7 meetings): $ 28,000.
- Anticipated budget for full 17-meeting process, with full consultant presence: $ 65,500.
- Additional Cost of full consultant presence at all 17 meetings: $ 37,500.

Menu of Options for consideration:

- Adjust Scope and Budget for project for Phase 2, and increase project budget by $37,500.
- Or, alternatively, decide that there will be up to 10 meetings covered by County staff, without consultant participation.
- Or, adjust our approach for allocation of consultant resources to some or all of these meetings (fewer consultant attendees).
- Or, a combination of these options.

From the list of meetings, above, if attendance were to be limited to County staff (no consultant presence), we would suggest that the meetings most suitable for this approach would be, in order: the Public Information Meeting, meetings with Town Advisory Boards, and meetings with Staff to review procedural logistics.

Town of Chapel Hill Development Review Fees

Type of Application/Permit	Fee Schedule
Zoning Compliance Permit (ZCP)	
Staff Review/Administrative Approval	$480
Final Plans for Zoning Compliance Permit Issuance	½ of original approval fee
Revised Final Plans/Revised Phasing Plan	$480
RCD Encroachment	$480
RCD Exemption Approval	$55
Single-Family/Two-Family Staff Review/ Administrative Approval	$240
Single-Family/Two-Family "Express" Staff Review/ Administrative Approval	$121
Combined Single-Family/Two-Family ZCP and RCD Encroachment	$480
Home Occupation	$121
Exceptions to Front Yard Parking Requirements	$121
Food Truck ZCP - Property Owner	$118
Food Truck ZCP - Vendor	$118
Subdivisions	
Preliminary Plat	$7,787 plus $301/lot
Re-approval (Preliminary Plat)	$900
Minor Subdivision	$958 plus $60/lot
Final Plat	$599 plus $60/lot
Recombination Plat or Exempt Plat	$240
Historic District Commission	
Certificates of Appropriateness (Demolition/New Construction/Floor Area Additions/Duplexes)	$360
Certificates of Appropriateness for all others (including staff approvals)	$360
Combined Certificates of Appropriateness and ZCP	$543
Building Elevations, Lighting Plan, or Alternative Buffer	$397
Concept Plan Review	$360
Community Design Commission (CDC)	
Duplex Elevations and Site Plan	$397
Combined Duplex Elevations/Site Plan and ZCP	$580
Building Elevations, Lighting Plan, or Alternative Buffer	$397
Concept Plan Review	$360
Northside and Pine Knolls Neighborhood Conservation Districts only:	
Combined Concept Plan Review and ZCP Application	$351
Sign Plan Review	
Individual Sign (single business on one zoning lot)	$181
Unified Sign Plan (multiple businesses on one zoning lot)	$301
Individual Sign compliant with Approved Unified Sign Plan	$121
Site Plan Review	
Site Plan Review and Modification*	$2,994 + $30/100 sq ft*
Extension, Renewal, Minor Change	$900
Northside and Pine Knolls Neighborhood Conservation Districts only:	
Combined Site Plan Review and ZCP Application	
Site Plan for parked 4-wheeled	$234
motor vehicles per zoning lot	$118

ORD-2012-046

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 7-b

SUBJECT: Historic Rogers Road Neighborhood Community Center and Budget Amendment #3-B

DEPARTMENT: County Manager

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):

1. Managers' Recommendations to the Historic Rogers Road Neighborhood Task Force dated September 28,2012

INFORMATION CONTACT:

Frank Clifton, County Manager, 245-2306
Michael Talbert, Assistant County Manager, 245-2308

PURPOSE: To establish a County Capital Project for the construction of a Rogers Road Neighborhood Community Center and approve Budget Amendment #3-B.

BACKGROUND: In 1972 the landfill was opened by the Town of Chapel Hill and in 1999 Orange County assumed ownership and operation of the Orange County Landfill on Eubanks Road. The Historic Rogers Road Community has lived with the Orange County Landfill for 40 years.

On May 17, 2011 the Board of Commissioners received a plan from Rogers-Eubanks Neighborhood Association (RENA) recommending actions to mitigate the long and short term impacts of Orange County's Landfill and Solid Waste operations on the health, safety and welfare of the Historic Rogers Road – Eubanks Road community.

On January 26, 2012 the Board of Commissioners and the Town Boards discussed the extension of sewer service and a community center for the Historic Rogers Road Community. County and Town Attorneys have concluded that utilization of Solid Waste reserves to extend sewer service to the Historic Rogers Road Community is not consistent with North Carolina General Statutes and would subject the local governments to legal challenges. Therefore, funding for either the extension of sewer services and/or a community center will have to come from the County's and Towns' other general revenue sources.

On February 21, 2012 the Orange County Board of Commissioners authorized the creation of a new Historic Rogers Road Neighborhood Task Force to address sewer service and a community center.

On September 6, 2012 the Board of County Commissioners reviewed the Interim Report from the Historic Rogers Road Neighborhood Task Force and approved the following motion:

A motion was made by Commissioner Hemminger, seconded by Commissioner Yuhasz, for intent to:

- move forward with a new "green" community center;
- to ask the Manager to find $380,000 more to move into the fund already established with $120,000;
- to work with RENA and Habitat for Humanity on the design and implementation of this community center;
- to ask the towns to contribute computers, supplies, permitting costs, connection costs and the first 12 months of utilities towards this project;
- to ask the towns to expedite the permitting process; and
- to be able to start immediately to bring this project back to the BOCC October meeting to finalize going forward.

On September 18, 2012 the Carrboro Board of Aldermen reviewed the Interim Report from the Historic Rogers Road Neighborhood Task Force and approved the following motion:

MOTION WAS MADE BY ALDERMAN SLADE AND SECONDED BY ALDERMAN LAVELLE THAT THE TOWN OF CARRBORO HAS THE INTENTION OF CONTRIBUTING NOT MORE THAN $900,000 FOR THE TOWN'S PORTION OF THE COMMUNITY CENTER AND COST OF THE SEWER PROJECT. THE TOWN MANAGER SHALL RESEARCH FUNDING SOURCES. TOWN STAFF SHALL ALSO INVESTIGATE HOW THE TOWN CAN RECOUP THE SEWER LINE INVESTMENT COSTS FROM DEVELOPERS. THE BOARD EXPRESSES ITS APPRECIATION TO THE COUNTY FOR THEIR COMMITMENT TO THE PROJECT AND REQUESTS THAT THE TOWN OF CHAPEL HILL CONSIDER THEIR SHARE OF THE CONTRIBUTION. VOTE: AFFIRMATIVE SIX, ABSENT ONE (COLEMAN)

On September 28, 2012 the County and Town Managers met and developed the attached recommendations.

Recommendation 1.c. is to investigate a contractual agreement with Habitat for Humanity to construct a Rogers Road Neighborhood Community Center that would serve the residents of the Rogers Road Neighborhood. The center would be owned by Habitat and leased to Rogers Eubanks Neighborhood Association (RENA) for $1 per year.

A contract between the County and Habitat would be approved by the Board before any funds would be available for the construction of a Rogers Road Neighborhood Community Center.

On October 3, 2012 the Historic Rogers Road Neighborhood Task Force met and discussed the attached recommendations from the County and Town Managers. Based on the draft Meeting Summary the Task Force reinforced support for both the Community Center and Sewer in the Historic Rogers Road Community, by the recommending the following:

1. That the Managers meet and report back to the Task Force at the October 24, 2012 meeting, specifically to study how the local governments can cost-share sewer improvements and a community center.

2. That the Managers consider the attached "Carrboro" cost sharing option.

3. That the Task Force move forward with the Community Center and continue discussions as to how sewer is implemented.

The Historic Rogers Road Neighborhood Task Force is scheduled to present its final report to the Assembly of Governments on December 6, 2012.

On October 10, 2012 staff met with Habitat representatives and discussed the possibility of partnership to construct a Community Center. Habitat representatives were positive about the possibilities and will take this discussion to the Habitat Board in the next few months. The County's intention is to make a one-time capital contribution ($500,000) toward the construction of a Community Center and negotiate a master lease agreement with Habitat that will authorize the use of the Community Center for public purposes. A sublease could be negotiated with RENA to use this facility for their programs. Many details still have to be worked out before a Community Center could be constructed.

FINANCIAL IMPACT: The Community Center costs are estimated to be $500,000. The Board agrees to establish a Capital Project for the construction of a Community Center and advance the funding for a Community Center of up to $500,000. The establishment of an Interlocal Agreement, with the Towns to repay the County beginning in Fiscal Year 2013/14 for their share of the Community Center at the same costs sharing percentages outlined in the 1972 Landfill Agreement (43% Orange County, 43% Town of Chapel Hill and 14% Town of Carrboro), is necessary for the County to receive reimbursement from the Towns. The Towns have not yet approved funding a Rogers Road Neighborhood Community Center.

Budget Amendment #3-B approves funding of $380,000 that will be appropriated from the General Fund's Fund Balance, combined with the Fiscal Year 2012/13 approved reserve budget of $120,000 for a Community Center. Budget Amendment #3-B transfers $500,000 from the General Fund to the County Capital Fund for this project. The project is contingent on both an Interlocal Agreement with the Towns of Chapel Hill & Carrboro and the approval of a contract with Habitat for Humanity for the construction and operation of a Rogers Road Neighborhood Community Center on the 2 lots in the Phoenix Place subdivision provided by Habitat.

Budget Amendment #3-B

Historic Rogers Road Neighborhood Community Center:

Revenues for this project:

	FY2012-13 Original Budget	October 16, 2012 Amendment	FY 2012-13 Revised
Transfer from General Fund		$500,000	$500,000
Total Project Revenues		**$500,000**	**$500,000**

Appropriated for this project:

	FY2012-13 Original Budget	October 2, 2012 Amendment	FY 2012-13 Revised
Contribution to Habitat		$500,000	$500,000
Total Project Appropriation		**$500,000**	**$500,000**

RECOMMENDATION(S): The Manager recommends that the Board approve the creation of a County Capital Project of $500,000 for a Historic Rogers Road Neighborhood Community Center, authorize the Manager to draft an Interlocal Agreement with the Towns and Habitat to share the costs of a Community Center and approve Budget Amendment #3-B.

Managers Recommendations to
Historic Rogers Road Neighborhood Task Force
September 28, 2012

On August 22, 2012 the Task Force approved the following recommendation:

> The Task Force recommends that the County and Town Managers collectively discuss and formulate a fair and equitable cost sharing recommendation for the Task Force to consider. Options 2 & 4 are no longer being considered by the Task Force, therefore the recommendation should be based on options 1, 3, and /or 5. The cost sharing recommendation will be reviewed by the Task Force and could be applied to funding Sewer Infrastructure and a Community Center.

On September 28, 2012 the County and Town Managers met and developed the following recommendations:

1. That the Task Force supports a new Rogers Road Neighborhood Community Center to be constructed on the 2 lots in the Phoenix Place subdivision, a site graciously provided Habitat for Humanity.
   a. The Board of County Commissioners may agree to have the County advance funding for a Community Center of up to $500,000.
   b. Funding will begin in Fiscal 2013/14 at the same rate the County and Towns are now funding to purchase the Greene Tract from the Orange County Solid Waste Fund. This will commit the County and the Towns to the same costs sharing percentages as outlined in the 1972 Landfill Agreement ($90,549 Orange County, $90,549 Town of Chapel Hill and $29,524 Town of Carrboro).
   c. Investigate a contractual agreement with Habitat for Humanity to construct a Rogers Road Neighborhood Community Center that would serve the residents of the Rogers Road Neighborhood. The center would be owned by Habitat and leased to Rogers Eubanks Neighborhood Association (RENA) for $1 per year.
   d. That the details of development of the Community Center will be referred back to the Managers for coordination and a report to the Task Force and/or the governing bodies

2. The County and the Town of Chapel Hill recommend that Orange County will petition the Town of Chapel Hill to annex all County owned property in the Rogers Road Neighborhood, including the jointly owned Greene Tract and the 2 lots in the Phoenix Place subdivision, the site graciously provided Habitat for Humanity as requested by Habitat for Humanity. The Town of Chapel Hill will act in a timely manner to annex the property petitioned.

3. That the Managers evaluate the Greene Tract for possible sale and/or development of the property, possibly including a School Site, and proceeds could be used for utilities in the Rogers Road Neighborhood. Such development of workforce housing is consistent with the Chapel Hill 2020 Comprehensive Plan. While there is no formal agreement on how the Greene Tract will be used, a concept plan was introduced in 2002. Collectively all governing boards will have to approve any future plans for the Greene Tract.

4. That the Managers continue to work on a solution to provide Sewer Infrastructure to the Rogers Road Neighborhood including priority and funding options. At this time discussions are continuing as to how to advance and fund that effort.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 7-c

SUBJECT: Pretrial Services for Chatham and Orange Counties, Inc. Request for Additional Funding for FY2012-13

DEPARTMENT: Financial and Administrative Services, County Manager

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):

1. Pretrial Services Evaluation Report-Budget and Management
2. September 26, 2012 Pretrial Services' Request with Supportive Background Materials

INFORMATION CONTACT:
Clarence Grief, Assistant County Manager/Chief Financial Officer, 919 245 2453
Gwen Harvey, Assistant County Manager, 919 245 2307
Joyce Kuhn, Director, Pretrial Services, 919 245 2970

PURPOSE: To consider a request from Pretrial Services for Chatham and Orange Counties, Inc. to increase its original FY2012-13 funding allocation by $40,000

BACKGROUND: Pretrial Services for Chatham and Orange Counties, Inc. screens and investigates background and history of defendants who cannot afford bond pending resolution of their cases. In so doing, it provides information on possible defendant release and supervision to district and superior court judges so that placement in jail may be unnecessary. Pretrial connects defendants in need of services with mental health, substance abuse, and other community support partners to stabilize them, enhance community safety, and reduce recidivism. Additionally, the agency prepares sentencing plans by individual contracts with the State for reimbursement.

The Department of Social Services and the Social Services Board reviewed the Pretrial Services' Outside Agency grant application for FY2012-13. The review team rated Pretrial Services a social safety net function, effective in supplementing existing County services, and serving Orange County residents predominately. (The historical caseload split between Orange and Chatham counties has been 70:30.)

The BOCC awarded Pretrial Services $70,000 in FY2012-13, the same as for FY2011-12. Chatham County allocated $19,000 in FY2012-13, the same amount as in past years. The Towns provided $6,000 (Chapel Hill); $4,000 (Carrboro); and $320 (Hillsborough) in FY2012-13.

State funding for alternative sentencing programs was eliminated in FY2011-12. Pretrial Services has experienced mounting fiscal stress due to loss of State funding alongside steadily increasing caseloads. It has used fund balance (reserves) to continue operating and has re-located into in-kind space in the Sheriff's Department for lease savings of $8,400. Two employees – one full time and one part time – presently conduct all program operations. Contracts for professional services to help manage defendant caseloads have been eliminated in an effort to sustain operations to the end the fiscal year.

Pretrial Services is appealing to the BOCC for additional financial support in the amount of $40,000, which Pre-Trial Services states is critically necessary to continue current service levels for the remainder of FY2012-13. This potential increase would raise the current allocation to Pretrial Services from $70,000 to $110,000. Agency leadership projects the need to request a total of $130,000 in County contribution in the FY2013-14 application cycle.

Management review of Pretrial Services supports the following conclusions:

- Majority of benefits accrue to Orange County participants
- Orange County services are priority proportionate to County investment
- Federal and State government have essentially eliminated funding support
- Socio-economic factors drive pretrial caseload
- Pretrial releases assist in managing jail population
- The Sheriff's Department saves Pretrial Services $8,400 annually through donated office space

FINANCIAL IMPACT: A transfer from the General Fund fund balance would be needed to increase the allocation to Pretrial Services in FY2012-13.

RECOMMENDATION(S): The Manager recommends the Board

1. Approve increased funding to Pretrial Services in the amount of $40,000 for FY2012-13;
2. Direct staff to bring back a budget amendment to appropriate the increased allocation; and
3. Direct staff to review and strengthen subsequent performance agreements to ensure Orange County investment is strictly applied to Orange County outcomes and consider alternative options to current operations to help offset local costs associated with these services.

Attachment 1

MEMORANDUM

TO:	Frank Clifton, County Manager
FROM:	Lisa Henty, Budget and Management Analyst
RE:	Pretrial Services Update
DATE:	August 13, 2012

Pretrial Services in North Carolina

As of March 2012, there were thirty-one pretrial programs in North Carolina. The vast majority of these programs occur in the piedmont or central region of the state. A significant factor supporting this pattern would be the population density of these counties. This is not to say that all counties that have pretrial programs are large, but since the tangible savings comes from preventing jail bed overcrowding, it makes sense that most programs are in population dense counties.

As it currently stands, there are no federal or state regulations pertaining to the set up and operation of pretrial programs in North Carolina. The vast majority of the thirty-one programs are run directly by the local county. One is run through the Sheriff's Office and the remaining three are run via a local non-profit.

The North Carolina Senate has proposed SB 756, which passed its second and third reading in June 2011, would require all pretrial programs to wait at least 48 hours before interviewing clients and recommending pretrial release. The bill is currently stalled in the House, referred back to a subcommittee in June 2012. The bill gained momentum from bail bondsmen lobbying, particularly in Mecklenburg County because of the implementation of this program. Given the size of Orange County and the potential releases in any given year, the passage of this bill would seriously jeopardize the effectiveness of this program at the local level.

Non-Profit Profile

Pretrial Services for Chatham and Orange Counties, Inc. (Pretrial Services) is located in Hillsborough, formerly at 100 North Churton Street, and just recently relocated to the Courthouse among the Sheriff's space in the basement. It is a small, shared office with both the Director and the Coordinator.

Currently, the operation relies on one full-time and one part-time individual; in the past some contractors were used to help fill in increased caseloads. However, due to the elimination of the state grant for alternative sentencing in 2011-12 all operations will remain in-house for the 2012-13 fiscal year.

Budget

The total budget for Pretrial Services for fiscal year 2011-12 was $180,864. The majority of costs are in the personnel category with approximately $111,000 spent on permanent salaries, $17,000 on benefits, $8,400 in payroll taxes and $16,000 for contracted professional work.

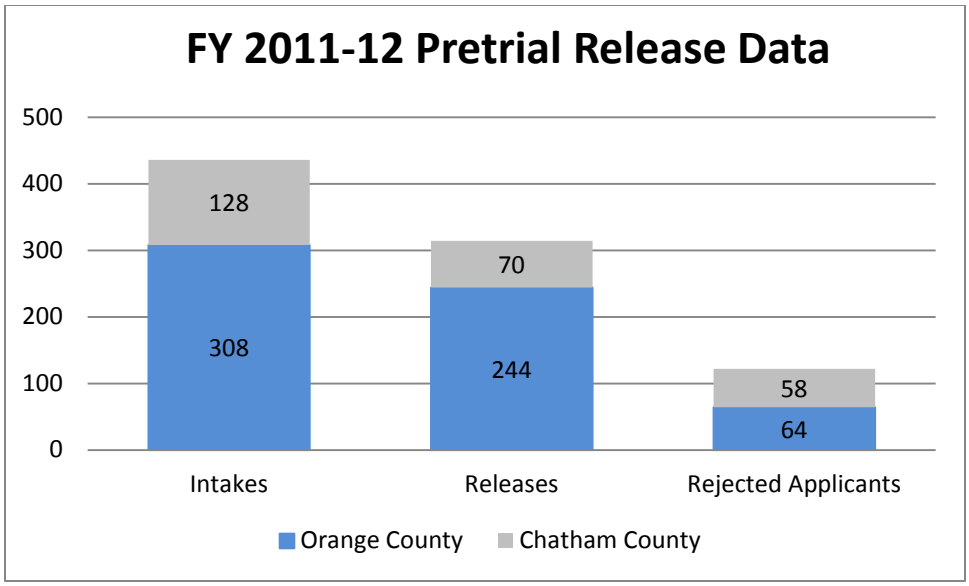
As the financial statements have shown the agency has continually utilized its fund balance in the last two years. It was at this time the state decreased and then completely discontinued the alternative sentencing grant.

Pretrial Services will also save an additional $8,400 this year if an in-kind donation of office space provided by the Orange County Sheriff is formalized through an appropriate lease agreement. At their former location, 100 North Churton Street, the rent cost $700 a month.

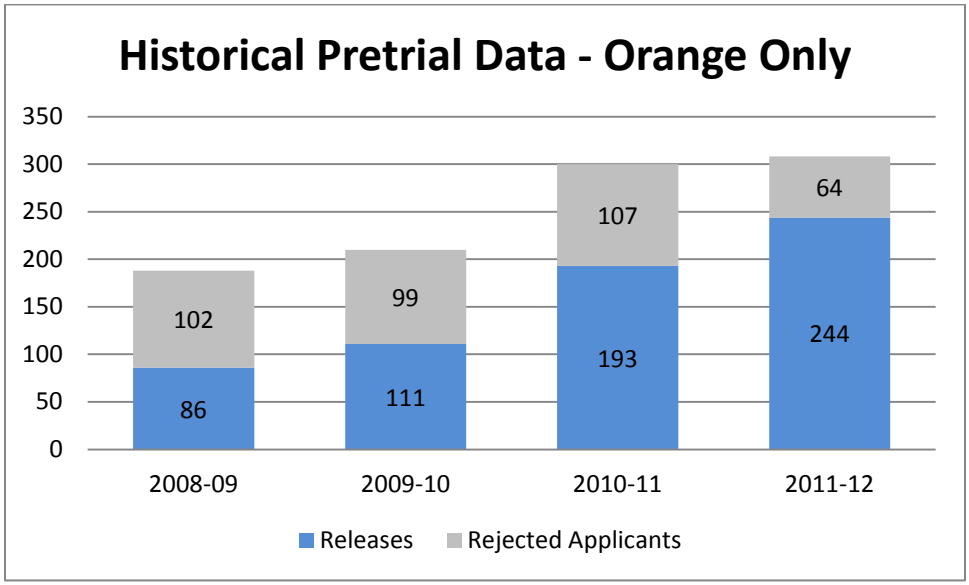
Caseload

Historically, the caseload split between Orange and Chatham Counties has been 70:30 respectively. In 2011-12, Orange County intakes totaled 308, or 70.6 percent of all intakes completed. Likewise, releases consisted of a total of 77.9 percent of all approved releases between the two counties.

Majority of the cost and benefits occurs with Orange County participants. However, given the nature of what is involved in pretrial release (see Appendix A), regardless of the total number of intakes and/or releases the same process is applied. Essentially, every day, the Director and Coordinator must go to the respective jails, collect the first appearances list of arrests from the prior day and research the individuals to determine if an interview is appropriate. Therefore, at the current funding level, Orange County is essentially subsidizing the Chatham County cases, albeit indirectly. Below a graph demonstrates the 70:30 caseload split. Of particular note is the total number of rejected applicants in both counties. It would appear from the most recent data, that a higher percentage of Chatham County arrestees are not eligible for program. This could again, relate back to the overall population of the county.



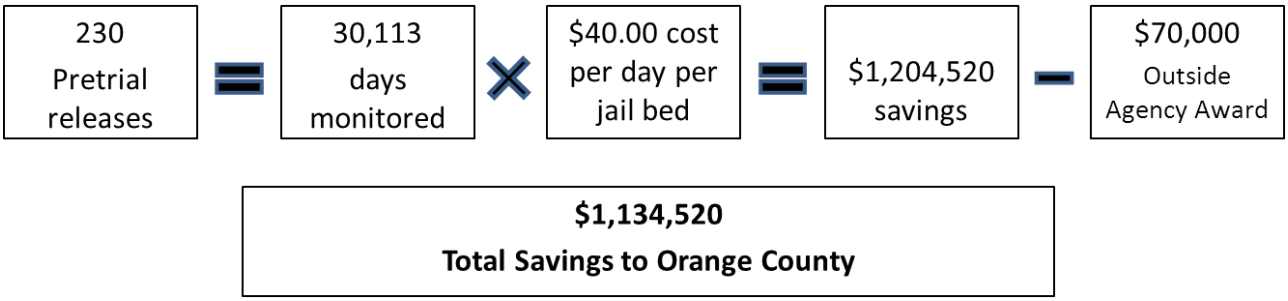
As the graph below indicates, the total Orange County pretrial caseload has significantly increased over the last four years. This last year, fiscal year 2011-12, had the lowest number of rejected applicants. Therefore not only are total cases increasing, but fewer people were rejected this year compared to the three prior years. There are socioeconomic factors that may be at risk to explain this trend however, this is not addressed in this memorandum.



<u>Cost Savings</u>

According to reports submitted to the North Carolina Sentencing and Policy Advisory Commission, the average participation length for individuals under Pretrial Services supervision is 115 days. This means that (on average) if a person is released to Pretrial Services on August 8, 2012 it will take 115 days for their case to progress through the court process. A case is considered complete if it results in a sentence to prison or probation or if the case is dismissed.

Reported cost savings to the County are calculated based on the total number of days that a client is not in jail awaiting trial or sentencing. For calculation purposes, Pretrial Services uses the length of time a person is under surveillance and required to report as the total number of jail bed days, with the assumption that had the individual not been released under the program's supervision, it would have been costing the County resources to house that person in the County jail. For fiscal year ending June 30, 2012, Pretrial Services estimates a total savings to the County of $1,134,520. The agency's calculation for this savings is demonstrated below:



Organizational Sustainability

With no federal or state involvement, there is little to no available funding for these programs. Therefore, the responsibility has fallen to the next level: county and municipal governments. With the revocation of the alternative sentencing grant from the state, Pretrial Services becomes yet another unfunded program that has served and is recognized by the local community.

For the current year, Pretrial Services will receive a total of $79,500 from Orange County, Chapel Hill and Carrboro. The breakdown between the entities is as follows:

Local Government	2012-13 Funding
Orange County	$70,000
Town of Carrboro	$3,500
Town of Chapel Hill	$6,000

Pretrial Services also receives support from Chatham County, in the amount of $19,000. The Executive Director indicated that once the $19,000 runs out from Chatham County this year, Pretrial Services will exclusively focus its efforts in Orange County until they can reapply for more funding next fiscal year. Therefore, local governments, including Chatham County provide Pretrial Services$98,500 of their $180,864 budget. This equates to just over 54 percent of the total budget. The last two years, the gap has been closed with the use of fund balance. The sustainability of this program is highly dependent on continued local support. If all entities are not working in tandem, Pretrial Services will face similar funding concerns in the future.

It is recommended that any future financial support allocated to Pretrial Services be executed via a contract agreement administered by the Sheriff's Office. Should the Board of County Commissioners find desire to increase financial support of this program, it is imperative to bring all the local municipalities together to arrange a contract agreement that will share in the costs and commitments of the program. Pretrial Services has requested an increase of $60,015 for the current fiscal year. This would increase their total county allocation to $130,015.

Appendix A – Shadowing Pretrial Services in Orange County

On Tuesday, July 24, 2012, Joyce Kuhn, Executive Director of Pretrial Services for Chatham and Orange Counties, provided the opportunity to shadow a "Day in Pretrial Services."

The day begins with a visit to the Jail intake to receive a list of all individuals who were received by the correctional facility in the last twenty-four hours. I was quite amazed to see the process. The Coordinator interacted with the deputies on a very professional level. It was clear to me that relationships had been established with each of the officers. One even shared with me the importance of the program's ability to help those who cannot afford their set bond as well as the flexibility it provides the jail in terms of the total beds occupied. Upon receiving a list, the Coordinator also receives the basic information on the individual and his charges.

The Coordinator then takes this information back to the office and proceeds with an arrest record search. These searches are conducted with the use of a State database which provides all arrest records, for all 100 counties in North Carolina, for all arrests from 1985 to present day. In a matter of moments, the search data will return details to provide the Coordinator with information that can help determine if a pretrial release would be a reasonable option that did not adversely affect the wellbeing of the community. In general, felony offenses and domestic abuse incidents are typically grounds for a rejection. In the case a rejection, Pretrial Services involvement with that client ends unless assigned by a judge at the individual's first appearance.

If the individual does not have a history of violence or felony offenses, the Coordinator will go back to the correctional facility and request to meet with the individual. The interview lasts a minimum of twenty minutes. Some of the questions asked are asked of every client such as:

- Are you aware of your charges?
- Are there any markings on your body you'd like to report?
- Are you on any medications? If so did you inform the deputies at intake?

There are also additional questions that try to build a social picture for the individual. These questions can help provide insight to prior arrests, substance abuse or mental health issues, as well as other patterns that may indicate a need for an additional service or treatment option that can be provided outside of the correctional facility:

- What is your current address, how long have you been at that residence?
- Do you have any family in the area? If so, is there anyone you'd like me to contact?
- Do you have any substance abuse problems? What substances are you currently using?
- Have you tried treatment options or plans in the past before?
- Do you have any history of mental health issues?
- If from outside the area: What is it that brought you to Orange County?

At the conclusion of the interview, the Coordinator returns back to the office to prepare the reports, follow-up with family or requested phone calls to individuals who may be able to offer character information or provide bond for the individual. A small report is prepared that includes relevant prior arrest and/or pending court case information. At 2pm that afternoon, the Coordinator takes his place in court and provides updates after the assistant district attorney speaks regarding the case. The judge also will request additional information at times from the Coordinator or assign cases that might have been rejected initially for pretrial release.

The remainder of the day continues with additional phone calls and support to the clients. Pretrial Services provides consultation with many social service applications, particularly, they provide a client assistance securing substance abuse rehabilitation as part of a condition of one's release.

Given the small staff, the nature of the monitoring usually occurs through phone calls and attendance tracking (if certain meetings or programs are a condition of release). Each client has a set time and day to call (not all clients have to all in every day). If a client does not report to their said treatment classes or if they fail to report to Pretrial Services, then Pretrial Services will work with the courts to issue an arrest warrant for that individual for violating the terms and conditions of the pretrial release.

ATTACHMENT 2

Pretrial Services

106 E. Margaret Lane, Hillsborough, NC 27278

BOARD OF DIRECTORS:

Natasha Adams
Assistant Public Defender

Charles Anderson
15B District Court Judge

Chris Atack
Carrboro Police Department

Mani Dexter
Private Attorney

Amber Keith Drowns
Orange County Victim Services

Vickie Feaster Fornville
Probation/Parole Officer

Reggie Horton
Freedom House Recovery Center

Jabe Hunter
Chapel Hill Police Department

Scott Nicolaysen
Hillsborough Police Department

Doug Stuart
Chatham County Sheriff's Office

Robert Trenkle
Private Attorney

Reginald Tyson
Magistrate

Jim Woodall
15B District Attorney

DIRECTOR:

Joyce Kuhn

September 26, 2012

To: Gwendolyn Harvey, ICMA-CM & Clarence G. Grier, CPA, CITP:Financial Services

Assistant County Managers
Orange County Government
Link Government Services Center
200 S. Cameron
Hillsborough, NC 27278

Dear County Managers:

Thank you for your assistance with this appeal to the Board of County Commissioners for the continuation of Pretrial Services. As you know, the service we provide is a long standing one that increases safety in the community and provides a tremendous cost savings (consistently over 1 million dollars per year). The efforts of the staff provide safer release options to judges who need supervision options when defendants cannot afford bond. An additional number of defendants are released directly by judges, with specific release conditions including the additional safety net of Pretrial supervision.

Not only does Pretrial supervise defendants on release, but we also look at some of the challenges facing these defendants, and provide referrals for treatment options that the defendants may not even have known existed. By helping defendants get treatment and other services, we assist them in stabilizing their lives and beginning the journey toward becoming productive citizens. The agency staff of one full time and one part time employee assesses the needs of the defendant and provides ways to address the underlying personal crisis with supportive services in the community. Pretrial supervises the defendants while their charges are pending for an average of approximately four months. This means that the devoted professional meeting the program need results in $0.88 on the dollar going directly for services.

Pretrial investigates the defendant's background, appropriate resources and assessments, and communicates with all facets of the criminal justice system including prosecutors, probation officers, law enforcement, substance abuse and mental health treatment, area hospitals, and many other related agencies as well as family and friends who can assist in stabilizing the defendant.

In addition to the calculated savings detailed in Lisa Henty's report, costs are saved by the value added to management of the Orange County Detention Center in another way. The detention center houses those charged with federal crimes and this function of the detention center brings significant revenue to the county. Pretrial Services works to releases defendants with state and local charges, freeing up valuable space to hold federal inmates and thereby increasing county revenue.

Although the agency is currently serving Chatham County as well, this service ends when the 43% funding received from Chatham for this fiscal year is spent. Chatham has mentioned the possibility in the future, of directly contracting with the agency, rather than granting funding as a human services agency since Pretrial needs more and this displaces the funding allotted to other human service agencies. We are still exploring the possibilities.

Pretrial also prepares expert sentencing reports, a closely related activity, and while this effort brings $500 per case to the agency, the cases are investigated and reports written by current Pretrial staff, diverting resources away from other possible duties or requiring additional personnel. If the increase in funding is granted, the services for sentencing experts can be contracted out, relieving in part this demand for increased manpower.

The costs of providing services have outpaced revenue for about four years. Since that time, the fund balance that kept the agency viable has steadily decreased and will be spent by the end of this fiscal year. The growing need for the service requires more revenue to provide services. Please find supportive letters from Judges, the District Attorney, Mr. Woodall, and the 15B Bar Association. Please consider this valuable cost saving service for continued service.

Sincerely,

Joyce Kuhn

Joyce Kuhn
Executive Director

April 16, 2012

Dear Panel Members:

I am a District Court Judge for Orange and Chatham counties and I am writing to encourage full funding for Pretrial Services. This service can support and educate citizens on their journey through the court process.

Pretrial Services relieves the county's jail of the inmates that qualify for release, but just as importantly I count on the background information the staff provides that often informs me of factors disqualifying inmates or identifying stabilizing resources for the defendant. While these are processes that occur in court, the county and its citizens benefit by the increase in community safety the results from directing defendants to resources that assist with stabilization. This process produces a general "shoring-up"of the community. The staff addresses Spanish speakers (on the rise) and is knowledgeable of local and state resources for the largely indigent population which comprises 90% of the program's clients.

I especially value the staff of Pretrial Services for taking spontaneous assignments from me in the courtroom. They provide expedient information regarding defendants' employment history, community contacts, criminal records, contacts with victims, and risk factors. They also work to facilitate the coordination of mental health and substance abuse services for defendants. Referrals are made and the staff assists with the application process to various treatment facilities such as Freedom House Recovery Center, TROSA, FIRST at Blue Ridge, ADATC, convalescent centers, etc.

The Pretrial Services staff works to release inmates who present with health issues or mental health concerns by locating a viable, stable address while charges are pending. This service saves the county the cost of housing the defendant and provides the community with an additional measure of safety as these defendants are often ordered to abide by a curfew that is monitored by Pretrial Services.

The Pretrial Services staff is proficient in ensuring all defendants under their supervision remain compliant with conditions of pretrial release. Conditions of release can include continued school attendance, curfews, drug screens, office visits or telephone contact. In cases of non-compliance the staff immediately processes an Order for Arrest.

The unique services provided by Pretrial Services mostly occur behind the scenes but make a great impact for the county. Please consider this staff a multifaceted, efficient, pro-social vehicle that clearly saves the County far more than the salaries and operating costs. Should you have questions, please feel free to contact me at (919) 644-4646.

Sincerely,

Beverly A. Scarlett
District Court Judge
Orange and Chatham Counties

BARBER & BARBER PLLC
LAWYERS AND COUNSELORS

P.O. Box 1755 • 27 Hillsboro St.
Pittsboro, NC 27312
Office: (919) 542-5050 Fax: (919) 542-3468
barberandbarberlaw.com

WADE BARBER
ELIZABETH B. BARBER

21 September 2012

Ms. Joyce Kuhn
Orange Chatham Alternative Sentencing, Inc.
116 S. Churton Street
Hillsborough, NC 27278
Via USPS and email to kuhnjoyce@gmail.com

Re: Judicial District 15B Bar

Dear Ms. Kuhn:

Thank you for your email. Personally, and I think that it is safe to speak for the local bar, we support your services and very much appreciate the invaluable services you provide to the people of Orange and Chatham Counties who are facing criminal charges.

Unfortunately, we don't currently have money available to make any contributions to other organizations. Until this year, we had not raised dues since the early 1990's. Our newly approved dues increase will not take effect until 2013 – which means it will be a long time yet until we see that money in the bank.

The membership of 15B will not meet again until May of 2013. Prior to that the leadership will decide if there might be undesignated funds in the budget and if so, how that money should be utilized. If there are undesignated funds and leadership is interested in allocating part of all of those funds to eligible local agencies, we will post notices of grant funds available and let Pretrial Services know. Any donation will have to be approved by a vote of the membership in May, 2013. Based on prior discussions at Bar meetings, I anticipate that there will be strong lobbies both for making monies available, but also for keeping in the bank to have a comfortable "reserve."

The district so appreciates your dedication and work in our criminal justice system.

Sincerely,

Elizabeth Barber

EB/mdl
CC: Katie Merritt, President of 15B District Bar
Greg Herman-Giddens, Secretary/Treasurer of 15B District Bar

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 7-d

SUBJECT: North Carolina State Clearinghouse Request for Intergovernmental Review of Proposed Private Crossing Closures with the North Carolina Railroad (NCRR)/Norfolk Southern (NS) Railway

DEPARTMENT: Planning and Inspections Comprehensive Planning Division

PUBLIC HEARING: (Y/N) No

ATTACHMENTS:
1. 9/21/2012 Letter from NCDOT Regarding Proposed Crossing Closures and Solicitation for Scoping Comments (Includes Figures 1, 2, and 3 as Referenced in the Letter)
2. DRAFT Letter to NCDOT with Comments Regarding Proposed Private Railroad Crossing Closures

INFORMATION CONTACT:
Craig Benedict, Planning Director, 245-2592
Tom Altieri, Comprehensive Planning Supervisor, 245-2579
Abigaile Pittman, Transportation/Land Use Planner, 245-2567

PURPOSE: To receive information on the North Carolina Department of Transportation (NCDOT) proposal to close private North Carolina Railroad (NCRR)/Norfolk Southern (NS) Railway crossings at Gordon Thomas Drive, Greenbriar Drive and Byrdsville Road in Orange County, and consider a letter submitting scoping comments related to the project.

BACKGROUND: As part of the North Carolina State Clearinghouse Intergovernmental Review process, the Planning and Inspections Department has received a solicitation for scoping comments from the NCDOT with regard to the proposed private crossing closures with the North Carolina (NCRR)/Norfolk Southern (NS) Railway crossings at Gordon Thomas Drive (TIP No. P-44051), Greenbriar Drive (TIP No. P-4405J), and Byrdsville Road (TIP No. P-4405K) in Orange County (See Attachment 1 with Attachments 1-1 through 1-3, as received from NCDOT).

This railroad track is part of the Southeast High Speed Rail corridor (SEHSR), which when complete will provide high speed passenger rail service between Washington, DC and Charlotte, NC. These three private road rail crossings were identified in NCDOT's Private Crossing Safety Initiative (PCSI) report (2003/updated 2009). This report proposes safety improvements along the Raleigh to Charlotte "Sealed Corridor" that close private road crossings where feasible and protect the remaining open private crossings with crossbucks, automatic flashers and gates, signals and/or locking gates.

NCDOT has requested that Orange County provide scoping comments consisting of any information that would be helpful for evaluating potential community and environmental impacts

for these projects, including identifying any permits and/or approvals required by the County. A response is desired by November 7, 2012 so that the County's comments can be used in the preparation of a proposed federally-funded Environmental Assessment (EA) in accordance with the National Environmental Policy Act. Provision of scoping comments is an early part of the process for development of the EA. The public involvement component of the process happens later, following the EA and development of draft plans detailing alternative access and community and environmental impacts. NCDOT has not addressed what public involvement is being planned. Staff is contacting the NCDOT Rail Division to learn more about the timetable and process, including public involvement.

Planning staff does not typically bring NC State Clearinghouse requests before the BOCC. However these three crossing closure projects have the potential for impact on a significant number of County residents and properties. Alternate connections are being reviewed by staff.

FINANCIAL IMPACT: The proposed private railway crossings are described in the State's Transportation Improvement Program (TIP) as part of various passenger rail projects comprising a private crossing safety initiative to close or enhance protection at railroad crossings between Raleigh and Charlotte. These three projects are specifically identified as P-4405I, P-4405J, and P-4405K, to be funded with Stimulus High Speed Rail Funds. The projects are to be performed during the State's FY 2012-FY2016 Work Program.

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

1) Receive the information on the NCDOT proposal to close private NCRR/NS Railway crossings at Gordon Thomas Drive, Greenbriar Drive and Byrdsville Road in Orange County; and
2) Provide any additional comments the Board may have for addition to the attached draft letter (Attachment 2) submitting scoping comments to NCDOT.

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

Beverly Eaves Perdue
Governor

Eugene A. Conti, Jr.
Secretary

September 21, 2012

Mr. Craig Benedict
Orange Co. Planning Director
PO Box 8181
Hillsborough, NC 27278

Dear Mr. Benedict:

Subject: Proposed Private Crossing Closures with the North Carolina Railroad (NCRR)/Norfolk Southern (NS) Railway at Gordon Thomas Drive (TIP No. P-4405I), Greenbriar Drive (TIP No. P-4405J), and Byrdsville Road (TIP No. P-4405K) in Orange County

The North Carolina Department of Transportation (NCDOT) proposes to close private North Carolina Railroad (NCRR)/Norfolk Southern (NS) Railway crossings at Gordon Thomas Drive, Greenbriar Drive and Byrdsville Road in Orange County (see Figure 1 for project location).

These rail crossings were identified in NCDOT's Private Crossing Safety Initiative (PCSI) report completed in October 2003 and updated in December 2009. This initiative proposes safety improvements along the Raleigh to Charlotte "Sealed Corridor" that close private crossings where feasible and protect the remaining open private crossings with crossbucks, automatic flashers and gates, signals and/or locking gates. This track is part of the Southeast High Speed Rail corridor (SEHSR), which when complete, will provide high speed passenger rail service between Washington, DC and Charlotte, NC.

We would appreciate any information you have that would be helpful in evaluating potential community and environmental impacts for this project. If applicable, please identify any permits and/or approvals required by your agency

Please note that there will be no formal interagency scoping meeting for this project. This letter constitutes solicitation for scoping comments related to the project. It is desirable that you respond by **November 7, 2012**, so that your comments can be used in the preparation of a proposed federally-funded Environmental Assessment (EA) in accordance with the National Environmental Policy Act.

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
RAIL DIVISION
1553 MAIL SERVICE CENTER
RALEIGH NC 27699-1553

TELEPHONE: 919-733-7245
FAX: 919-715-6580

WEBSITE: www.bytrain.org

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

The following describes the general features of the study area, as well as anticipated environmental impacts.

Proposed Improvements

- **Crossing #735 199Y/MP H 48.49/ Gordon Thomas Drive (P-4405I).** This crossing provides access to Old NC 10 (SR 1710) for six properties located south of the NCRR. The crossing occurs in an area where NS operates one mainline track and a passing siding. While the track section is straight at this location, it quickly enters a curved section both east and west of the crossing. The sight distance for train crews on either approach to the crossing is limited by heavy foliage on both sides of the track. The crossing is vertically humped and is protected by crossbucks. Much of the property surrounding the six parcels is owned by Duke University and is part of their School of Forestry. Alternative access to these properties will be considered using Paschall Drive west of Gordon Thomas Drive (see Figure 2). From there, drivers will be able to access Old NC 10 via Dove Creek Road (SR 1715) or Murphy School Road (SR1714).

- **Crossing #726 305F/MP H 47.62/ Greenbriar Drive (P-4405J).** This crossing serves eight residential parcels located north of the railroad and provides access to Old NC 10 (SR 1710). The crossing is located along a straight section of track. There is heavy foliage on all four approaches to the crossing. The roadway approaches are gravel, and the southbound approach is slightly humped. The crossing is protected by crossbucks. The railroad overpasses Old NC 10 approximately 550 feet east of the crossing. The Greenbrier subdivision abuts the Whispering Pines subdivision immediately to the east which has direct access to Old NC 10 without crossing the railroad. Alternative access will be considered parallel to the track to connect Greenbrier Drive to Spruce Pine Trail in the Whispering Pines subdivision. A new roadway will be studied in two locations (see Figure 2). One will be from Greenbriar Drive approximately 400 feet north of the railroad crossing to Spruce Pine Trail approximately 450 feet north of Old NC 10. The other will be from the northern end of Greenbriar Drive to Spruce Pine Trail where Spruce Pine Trail turns to the east.

- **Crossing #735 189T/MP H 43.89/Byrdsville Road (P-4405K).** This crossing serves a large subdivision of permanent and mobile homes. The crossing is protected by automatic warning devices. The approach roadway is paved and is approximately 16 feet wide. The westbound approach is curved. The crossing is slightly humped and there is heavy foliage on three of the four approaches. Approximately 70 homes are served by this crossing. Residential areas south of Byrdsville Road are surrounded on three sides by Duke University property (Duke Forest) which will most likely remain undeveloped. Alternatives will be considered for Byrdsville Road to have access to NC 86 to the west. A new roadway is proposed to connect Byrdsville Road to Walter Clark Drive (see Figure 3). From there, drivers can follow Walter Clark Drive north to NC 86. Driveway improvements will also be considered in two locations to maintain connectivity to residential areas north of Byrdsville Road.

Water Resources

All three project study areas fall within the Neuse River Basin (USGS Hydrologic Unit 03020201) (DWQ Subbasin 03-04-01). However, the Gordon Thomas Drive study area is adjacent to the Cape Fear River Basin. The Gordon Thomas Drive and Greenbriar Drive study areas are within the Eno River Water Supply Watershed. The Byrdsville Road study area is not in a water supply watershed.

Based on a review of the USGS topographic map and the National Wetland Inventory (NWI) mapping inventory, an unnamed tributary (UT) to Rhodes Creek flows adjacent to the Gordon Thomas Drive study area and through the Greenbriar Drive study area. Stony Creek is adjacent to the Byrdsville Road crossing, and a NWI wetland is partially within the study area.

A full natural resources investigation will be conducted for the project to determine if there are any impacts to natural resources including jurisdictional waters.

Federally Protected Species

Five (5) federally protected species are listed for Orange County according to the September 22, 2010 US Fish and Wildlife Service species list. The currently listed species include the following:

Common Name	***Scientific Name***	***Status****
Bald eagle	*Haliaeetus leucocephalus*	BGPA*
Red-cockaded woodpecker	*Picoides borealis*	Endangered
Dwarf wedgemussel	*Alasmidonta heterodon*	Endangered
Michaux's sumac	*Rhus michauxii*	Endangered
Smooth coneflower	*Echinacea laevigata*	Endangered

*FSC = Federal Species of Concern; BGPA = Bald and Golden Eagle Protection Act.

A natural resources investigation will be conducted to determine if any endangered or threatened species are in the project study area.

Historic Architectural and Archaeological Resources

A preliminary database search shows one property listed on the National Register of Historic Places near the study areas. The Murphy School, on the southwest corner of Old NC 10 and Murphy School Road (SR 1714), is within 0.3 mile of the Greenbriar Drive crossing but is not within the study area limits.

NCDOT will conduct appropriate studies to determine if the project will have an effect on historic or archaeological resources.

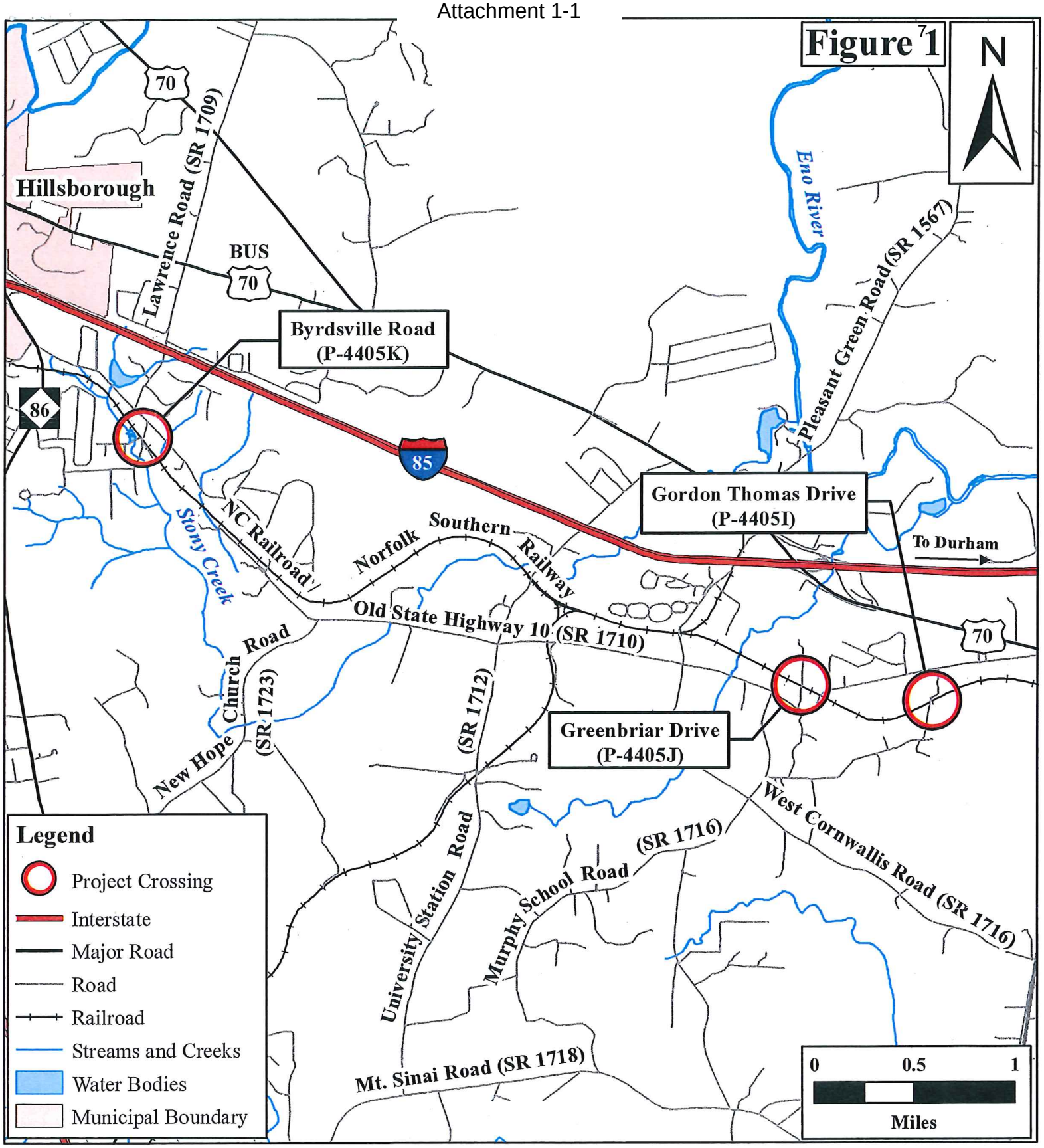
Thank you for assisting us in this study. If further information regarding the proposed action or the environmental analysis process is required, please contact me by phone at **(919) 707-4705** or by email at mhamel@ncdot.gov.

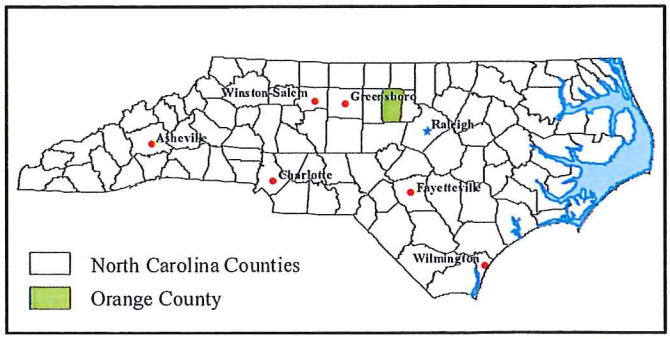
Sincerely,

Marc L. Hamel, Rail Environmental Manager

NCDOT Rail Division
Environmental and Planning Branch

MH/mlr
Attachments





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RAIL DIVISION

Project Vicinity Map
P-4405I, J, & K
Private Crossing Safety Initiative Crossings at Gordon Thomas Drive, Greenbriar Drive, & Byrdsville Road
Orange County

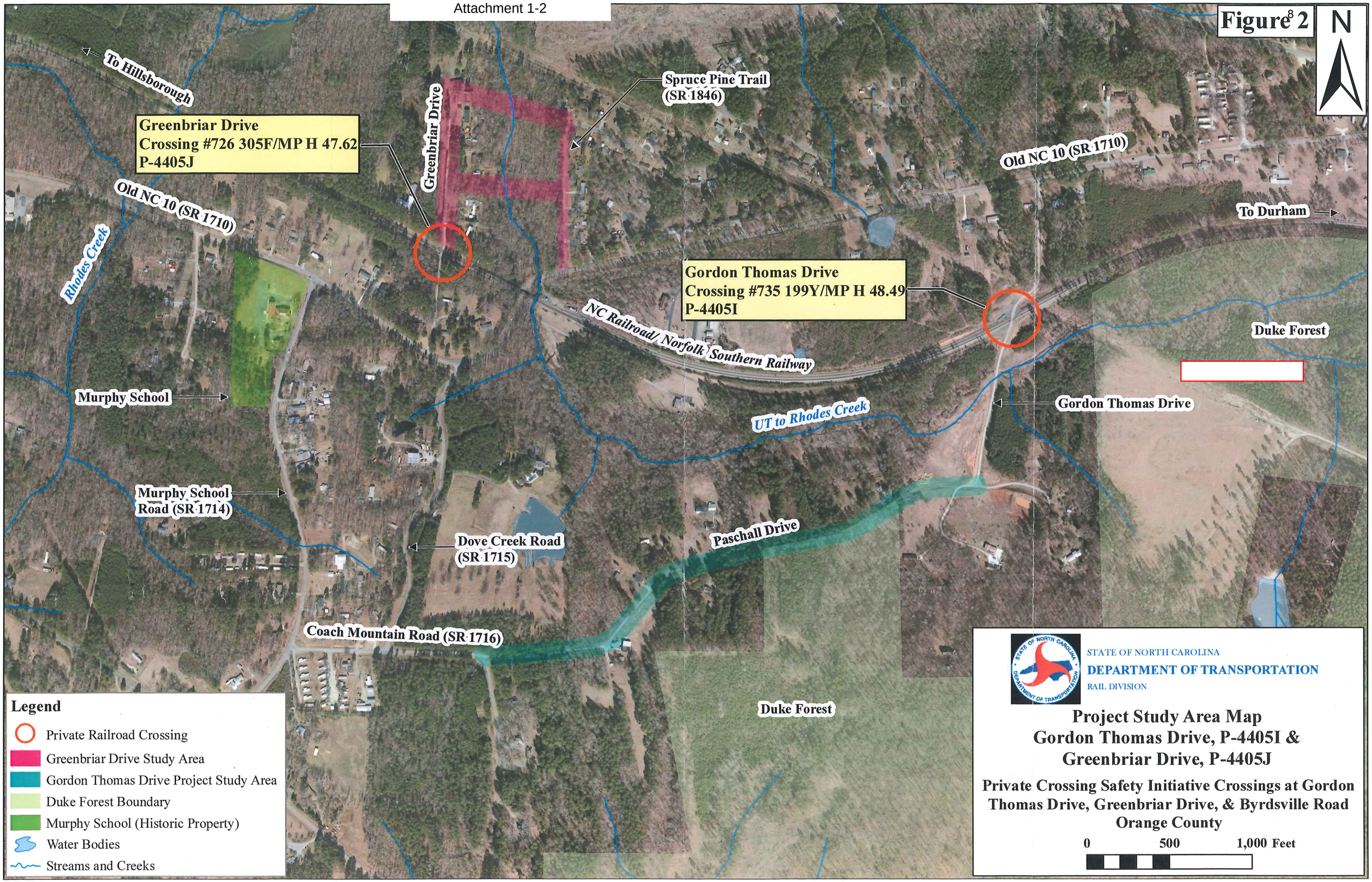


Figure 2
N
To Hillsborough
Greenbriar Drive
Crossing #726 305F/MP H 47.62
P-4405J
Greenbriar Drive
Spruce Pine Trail
(SR 1846)
Old NC 10 (SR 1710)
Rhodes Creek
Old NC 10 (SR 1710)
To Durham
Gordon Thomas Drive
Crossing #735 199Y/MP H 48.49
P-4405I
NC Railroad/ Norfolk Southern Railway
Duke Forest
Murphy School
UT to Rhodes Creek
Gordon Thomas Drive
Murphy School
Road (SR 1714)
Dove Creek Road
(SR 1715)
Paschall Drive
Coach Mountain Road (SR 1716)
Duke Forest
Legend
Private Railroad Crossing
Greenbriar Drive Study Area
Gordon Thomas Drive Project Study Area
Duke Forest Boundary
Murphy School (Historic Property)
Water Bodies
Streams and Creeks
STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RAIL DIVISION
Project Study Area Map
Gordon Thomas Drive, P-4405I &
Greenbriar Drive, P-4405J
Private Crossing Safety Initiative Crossings at Gordon
Thomas Drive, Greenbriar Drive, & Byrdsville Road
Orange County
0
500
1,000 Feet

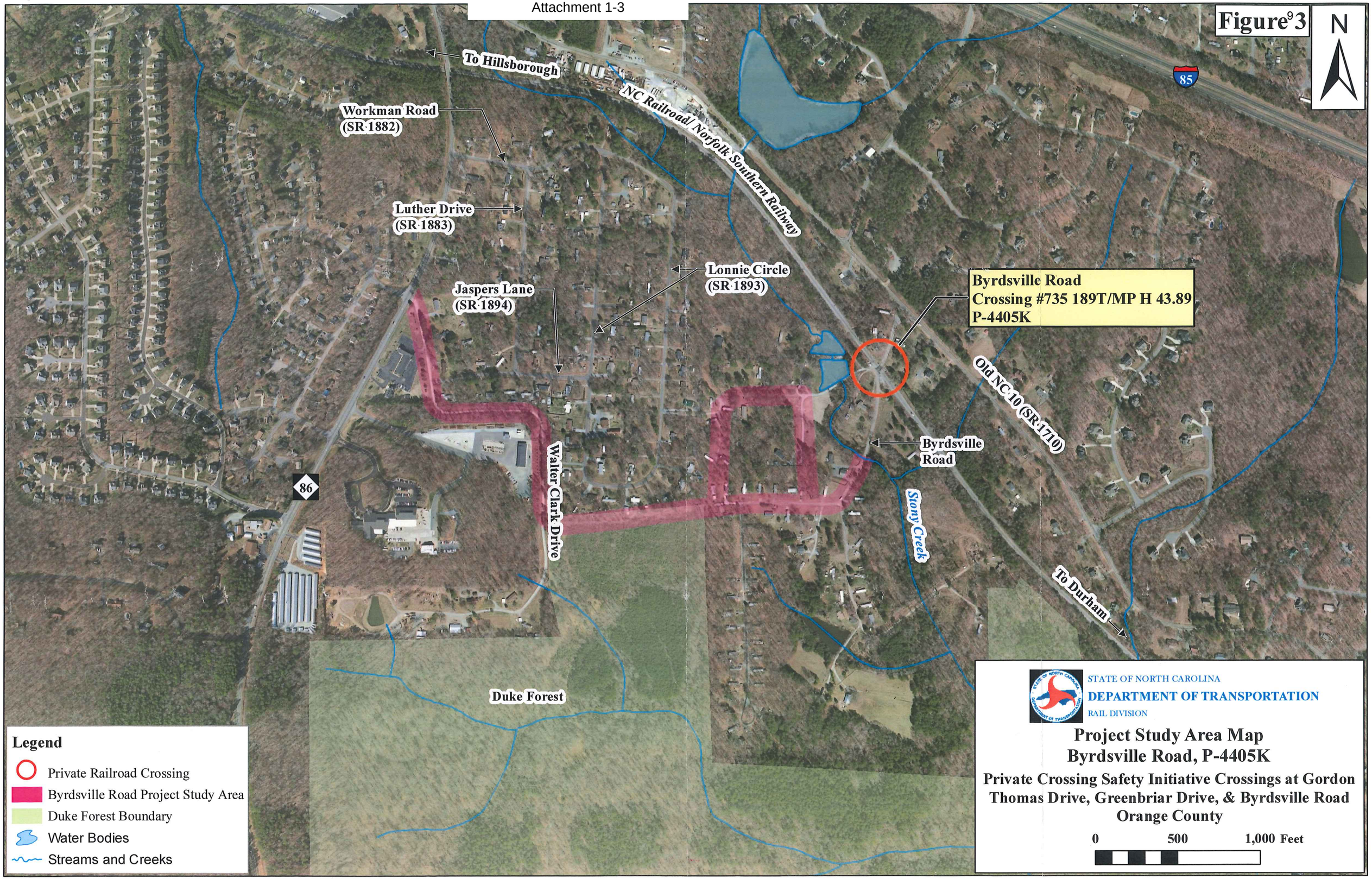


Figure 3
N
To Hillsborough
NC Railroad/ Norfolk Southern Railway
85
Workman Road
(SR 1882)
Luther Drive
(SR 1883)
Lonnie Circle
(SR 1893)
Jaspers Lane
(SR 1894)
Byrdsville Road
Crossing #735 189T/MP H 43.89
P-4405K
Old NC 10 (SR 1710)
Byrdsville
Road
Walter Clark Drive
Stony Creek
86
To Durham
Duke Forest
Legend
Private Railroad Crossing
Byrdsville Road Project Study Area
Duke Forest Boundary
Water Bodies
Streams and Creeks
STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RAIL DIVISION
Project Study Area Map
Byrdsville Road, P-4405K
Private Crossing Safety Initiative Crossings at Gordon
Thomas Drive, Greenbriar Drive, & Byrdsville Road
Orange County
0
500
1,000 Feet

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.co.orange.nc.us

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

October 8, 2012

Marc L. Hamel, Rail Environmental Manager
NC DOT Rail Division
Environmental and Planning Branch
1553 Mail Service Center
Raleigh, NC 27699-1553

Subject: Request for scoping comments related to the proposed private crossing closure with the North Carolina Railroad (NCRR)/Norfolk Southern (NS) Railway at Gorgon Thomas Drive (TIP No. P-44051), Greenbriar Drive (TIP No. P-4405J), and Byrdsville Road (TIP No. P-4405K) in Orange County

Dear Mr. Hamel:

The Orange County Planning & Inspections Department has performed a preliminary review of the three proposed private crossing closures with the NCRR/NS Railway referenced above, and offers the following scoping comments.

IN GENERAL:

1. Orange County Planning Department has had insufficient time to ascertain potential impacts of proposed road layouts. We hope that the process will allow future opportunities for a more thorough and in-depth review prior to any final rerouting decisions. Planning staff also requires additional time to coordinate its review with other County departments and the Town of Hillsborough.

2. Orange County Planning staff has had insufficient time to review the proposed private crossing closures with Police, Fire and EMS departments for concerns regarding any impacts with regard to emergency response.

3. County regulations establish thresholds for specific classification of roadways to serve parcels. Any replacement right-of-way for said existing lots will have to

comply with the provisions of Section 7.8 of the Unified Development Ordinance (UDO).

4. All proposed new roads would have to be built to the 'public' NCDOT roadway standards.

5. Any new road will have to comply with established flood damage prevention, stream buffer, stormwater management and erosion control standards enforced by the State and the County. There will also have to be demonstrated compliance with applicable impervious surface limits based on the adjoining properties presence in watershed overlay districts. Further, new right-of-ways will need to be properly denoted on appropriate plats and recorded in the Orange County Registrar of Deeds office at the appropriate time.

CROSSING #735 199Y/MP H 48.49/Gordon Thomas Drive (P-4405I)

NCDOT DESCRIBED IMPROVEMENTS

This crossing provides access to Old NC 10 (SR 1710) for six properties located south of the NCRR. The crossing occurs in an area where NS operates one mainline track and a passing siding. While the track section is straight at this location, it quickly enters a curved section both east and west of the crossing. The sight distance for train crews on either approach to the crossing is limited by heavy foliage on both sides of the track. The crossing is vertically humped and is protected by crossbucks. Much of the property surrounding the six parcels is owned by Duke University and is part of its School of Forestry. Alternative access to these properties will be considered using Paschall Drive west of Gordon Thomas Drive. From there, drivers will be able to access Old NC 10 via Dove Creek Road (SR 115) or Murphy School Road (SR 1714).

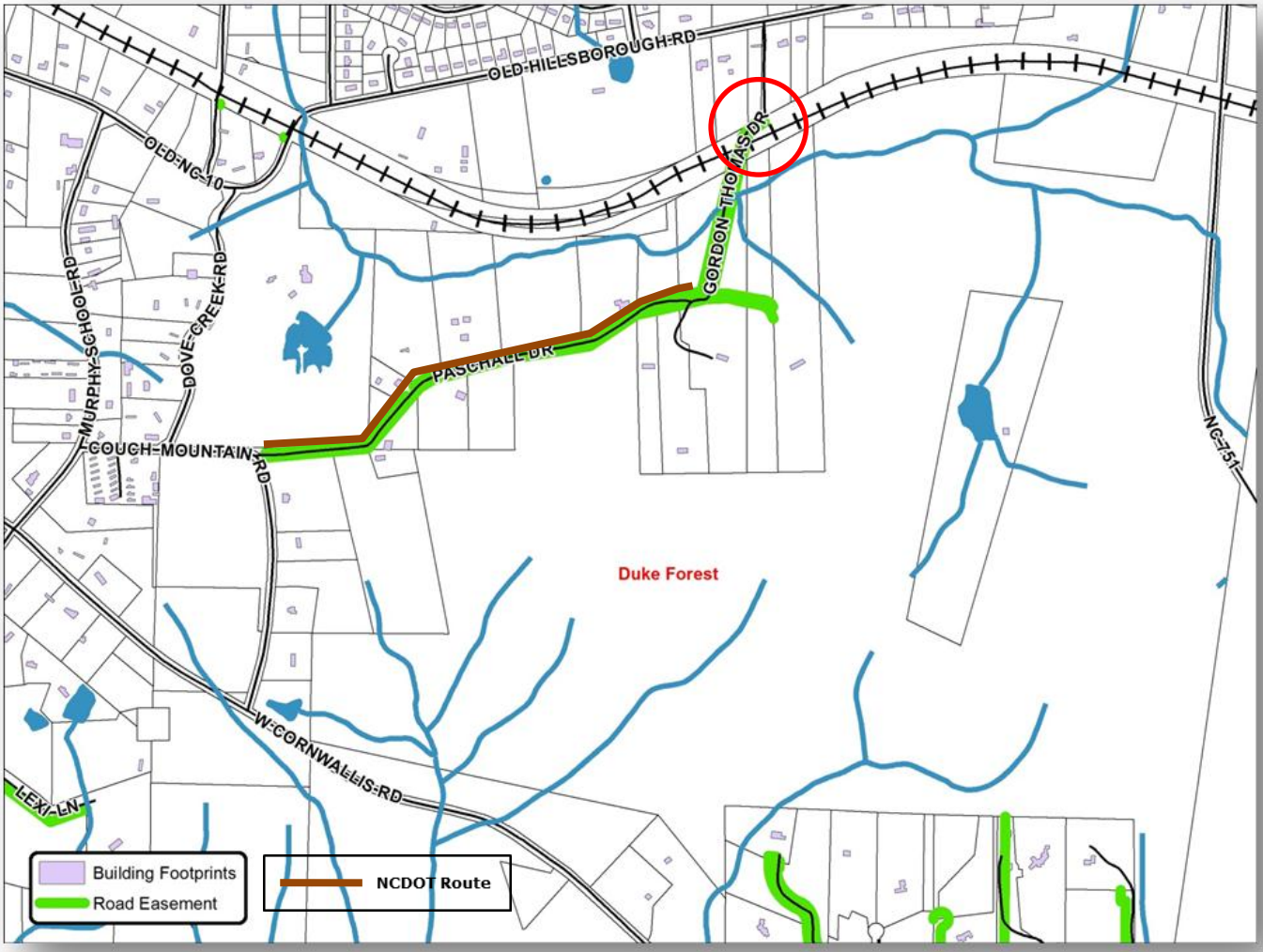
COMMENTS

1. Based on the plat and deed information we have reviewed, Paschall Drive is a private access easement only 30 feet in width. Additional property will have to be secured by fee simple transactions or condemnation to secure the necessary right-of-way.

2. Side drainage ditches will need to be constructed.

3. The development of a new road down the existing Paschall Drive access easement would have to be built to NCDOT standards, which may render some lots non-conforming with respect to local land use regulations.

4. Staff encourages a re-evaluation of the cost-benefit analysis and other alternatives for this closure as there are so few properties receiving access from the crossing vs. the significant impact to this private community.



Orange County GIS

CROSSING #726 305F/MP H 47.62/Greenbriar Drive (P-4405J)

NCDOT DESCRIBED IMPROVEMENTS

This crossing serves eight residential parcels located north of the railroad and provides access to Old NC 10 (SR 1710). It is located along a straight section of track. There is heavy foliage on all four approaches to the crossing. The roadway approaches are gravel, and the southbound approach is slightly humped. The crossing is protected by crossbucks. The railroad overpasses Old NC 10 approximately 550 feet east of the crossing. The Greenbrier subdivision abuts the Whispering Pines subdivision immediately to the east which has direct access to Old NC 10 without crossing the railroad. Alternative access is being considered parallel to the track to connect Greenbrier Drive to Spruce Pine Trail in the Whispering Pines subdivision. A new roadway will be studied in two locations: One will be from Greenbriar Drive approximately 400 feet north of the railroad crossing to Spruce Pine Trail approximately 450 feet north of Old NC 10. The other will be from the northern end of Greenbriar Drive to Spruce Pine Trial where Spruce Pine Trail turns to the east.

COMMENTS

1. The proposed NCDOT road layout includes a cross access/road mid-way on Greenbriar Drive that does not align with existing lot patterns and appears to serve no practical purpose. This cross access/road would also involve an unnecessary perennial stream crossing.

2. Existing Greenbriar Drive is not built to acceptable standards. It has substandard width and no side drainage ditches.

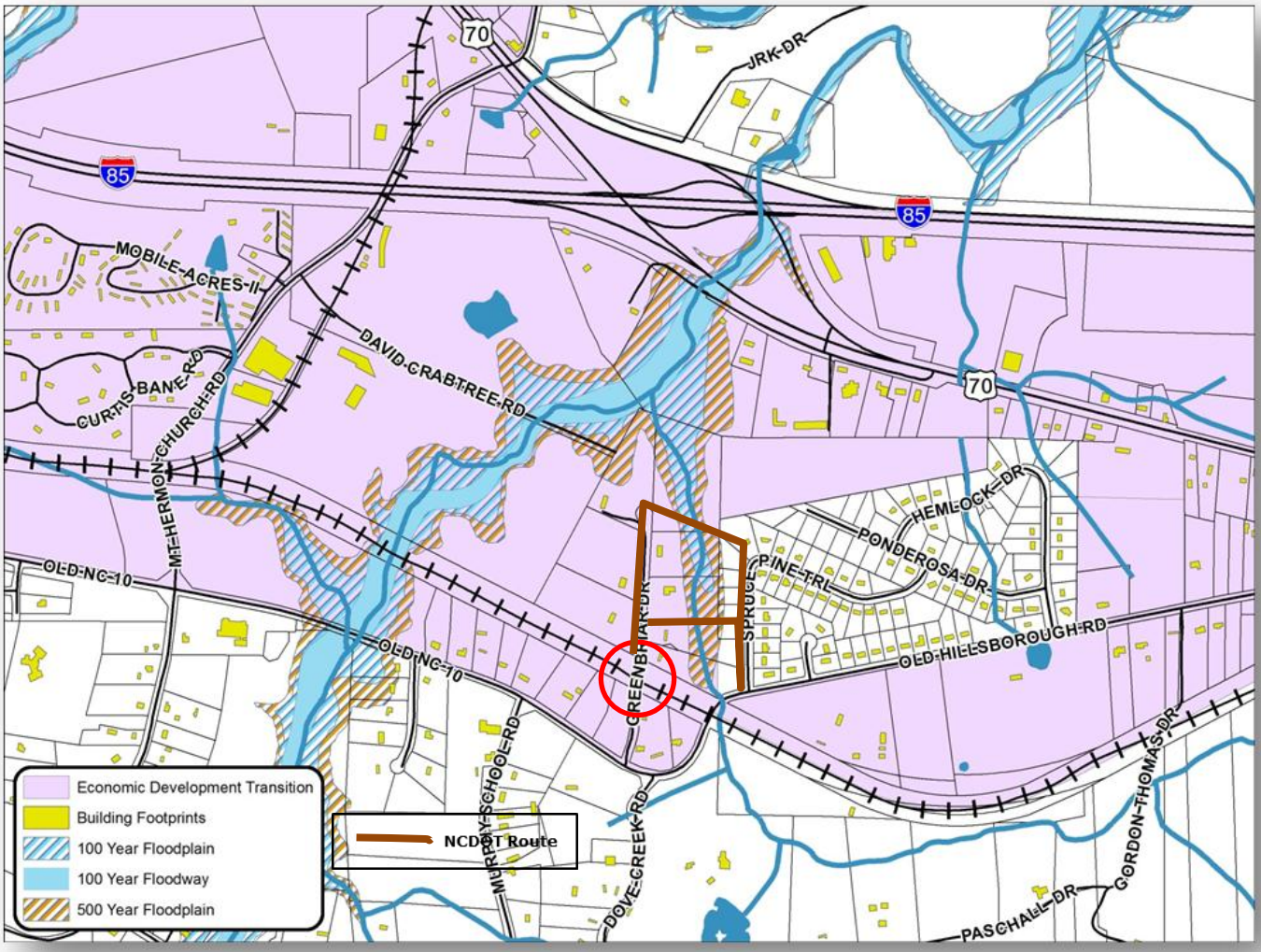
3. This proposed option could potentially involve traffic associated with adjoining non-residentially zoned property, to have ingress/egress through an established single-family residential neighborhood.

4. Either the southern or the northern end of Greenbriar Drive will need to be renamed after the closure to avoid duplicated street names.

5. Planning staff requests that more viable alternatives other than the current proposal be explored. This location is part of a County designated and zoned economic development district (EDD), and is also immediately south of an interchange with I-85 which is planned for improvements. Staff would prefer an alternative that considers the larger context of the area's access issues and

needs. Pursuing the proposed alternative could exasperate upcoming development efforts for the interchange and the EDD.

6. The proposed NCDOT road layout involves potential crossing(s) of Rhodes Creek. If there is to be a crossing of this perennial stream, with the associated environmental impacts, there should be multiple purposes for the larger EDD area.



Source: Orange County GIS

CROSSING #735 189T/MP H 43.89/Byrdsville Road (P-4405K)

NCDOT DESCRIBED IMPROVEMENTS

This crossing serves a large subdivision of permanent and mobile homes. The crossing is protected by automatic warning devices. The approach roadway is paved and is approximately 16 feet wide. The westbound approach is curved. The crossing is slightly humped and there is heavy foliage on three of the four approaches. Approximately 70 homes are served by this crossing. Residential areas south of Byrdsville Road are surrounded on three sides by Duke University property (Duke Forest) which will most likely remain undeveloped. Alternatives will be considered for Byrdsville Road to have access to NC 86 to the west. A new roadway is proposed to connect Byrdsville Road to Walter Clark Drive. From there, drivers can follow 'Walter Clark Drive' north to NC 86. Driveway improvements will also be considered in two locations to maintain connectivity to residential areas north of Byrdsville Road.

COMMENTS

1. The proposed new road layout cuts across Duke Forrest Property (PIN 9873-73-3084), behind existing single-family residential lots within the Joppa Oaks subdivision, to access an existing private driveway located on Piedmont Electric property (PIN 9873-65-7546), eventually accessing a stubbed out, unnamed, reserved 60-foot wide roadway easement. This easement, part of the Joppa Oaks development (PB 23 PG 10) accesses NC 86 near the Hillsborough Church of God property (PIN 9873-66-3261). The aforementioned easement runs behind the Church and currently affords access to a few single-family residential properties.

2. In general, all of the existing roads and easements in the study area are not to acceptable standards. Most have substandard widths, many are graveled, storm drainage pipes are rare and typically crumbling in the ground, and there are few if any side drainage ditches. Storm drainage will be important throughout the study area due to a number of perennial and intermittent streams, many which do not appear on the study area map.

3. In general, there are many utility poles throughout the study area that are situated immediately next to the graveled or paved roads. Road widening and improvements would require utility pole relocation.

4. The road which is identified as Walter Clark Drive on NCDOT's Project Study Map is a graveled 60-foot wide roadway easement. Although there is a road sign at the location identifying this as Walter Clark Drive, the County's plat shows this road as being an unnamed roadway easement.

5. The unnamed roadway easement (i.e. the road identified by NCDOT as Walter Clark Road) intersects NC 86 at an angle. The proposed road layout would create a road accessing the highway across from the primary access to the Wildwood single-family residential subdivision. Also, a short distance to the south on NC 86 is an entrance to the Becketts Ridge single-family residential subdivision. Staff has concerns regarding both the increase in the amount of traffic that would be utilizing this intersection and the increased danger associated with the angled, slightly off-set intersection that would be created. Staff believes that a traffic study would be necessary, to evaluate if this intersection should be signalized and realigned to address traffic access and congestion management issues. Additionally, some evaluation should be made as to whether north and/or south bound turn lanes would be required on NC 86.

6. Staff is aware that the Town of Hillsborough has been contacted for its comments regarding this proposed private crossing closure. The County's and Town's comments should be coordinated with regard to traffic impacts along NC 86.

7. The unnamed roadway easement (i.e. the road identified by NCDOT as Walter Clark Road) does not have an open intersection with Jaspers Lane, i.e., there is not currently any connectivity with the Joppa Oaks development. There is an earthen barricade at the terminus of Jaspers Lane. This road actually ends at the Piedmont Electric property line, where it accesses a private easement on its property.

8. The private drive access on the Piedmont Electric property is an access easement granted with the recordation of an easement agreement in the Orange County Registrar of Deeds office within Book 433 Page 641 between Piedmont and Wildwood Corporation of Hillsborough. This allows access to a property south of Piedmont Electric's, with an Orange County Parcel Identification Number (PIN) of 9873-64-6782 and a street address of 2370 NC Highway 86 South.

9. Because this access easement on Piedmont Electric's property is not a 'dedicated right-of-way', NC DOT will have to condemn the necessary property to create the required right-of-way.

10. Condemning right-of-way through Piedmont Electric's property could create ramifications on its ability to comply with established development requirements associated with an existing Special Use Permit issued by Orange County. Potential expansion and modification of existing infrastructure on the property

could be compromised as the easement is located in an area of the property slated for preservation as part of a required land use buffer.

11. The proposed new roadway layout would create reverse/double frontage lots for approximately 17 lots within the Joppa Oaks single-family residential neighborhood and the Piedmont Electric property. Section 7.7.3 (C) of the Orange County Unified Development Ordinance discourages the development of 'reverse/double frontage lots' unless considered 'desirable' by the County Staff does not consider this situation 'desirable'.

    A 'Lot, Double Frontage' is defined within Article 10 of the UDO as:

    a. *'A continuous (through) lot which is accessible from both of the streets upon which it fronts on opposite sides'*

12. The 17 lots within the Joppa Oaks single-family residential subdivision (referenced in Comment #11 above) have chain link fencing along their rear property boundaries. This fencing might be impacted with the development of a new roadway in the proposed location.

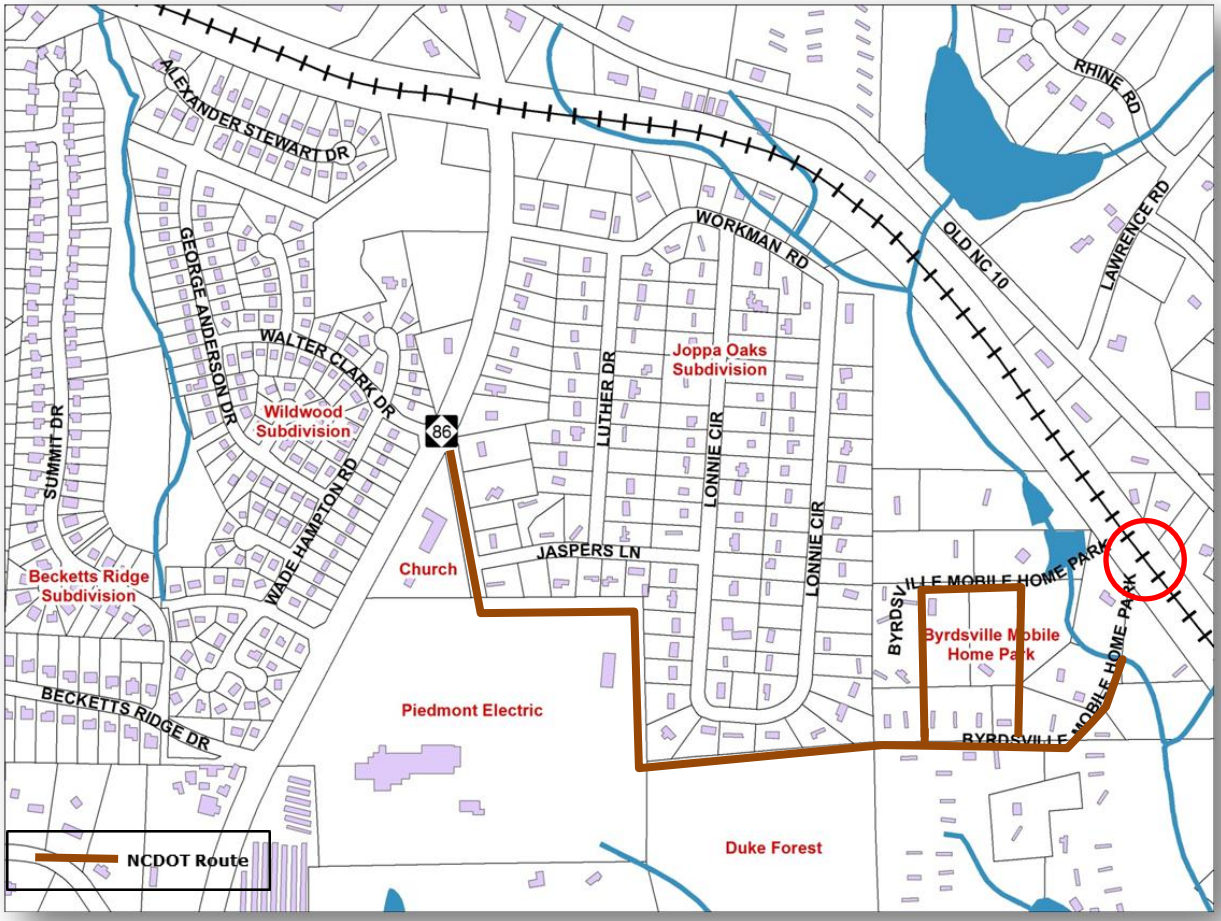
13. Easements/right-of-way will need to be secured on Duke Forrest property (PIN 9873-73-3084) because the access easement ends at Piedmont Electric's eastern property boundary.

14. The proposed access network to the west of the twin lakes and the rail crossing does not seem to recognize that there is an existing private road off of Lonnie Drive within the Joppa Oaks development. This existing private road has a sign for the 'C & J Mobile Home Park' and it currently provides access to most if not all of the properties on the western side of the 'red square' (refer to NCDOT Figure 2 Project Study Area Map). Therefore, staff is not certain that this western side of the 'red square' would be necessary.

5. Approximately 95 properties would be directly impacted by the proposed new access improvements, and the entire Joppa Oaks Subdivision, Wildwood

Subdivision, Becketts Ridge Subdivision, C & J Mobile Home Park, and the Byrdsville Mobile Home Park would be impacted by revisions to traffic patterns either in these developments to along NC 86.

6. The proposed new access improvements could potentially have significant impacts to a large number of County residents within the lower income Byrdsville community. The staff recommends consideration of alternative routes as well as measures to enhance compatibility and improve the positive aspects of the community's character.



Source: Orange County GIS

I invite you to meet with me, and/or Tom Altieri and Abigaile Pittman of my staff regarding any comments in this letter.

Sincerely,

Craig Benedict, AICP
Director of Planning and Inspections

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 8-a

SUBJECT: Environmental Responsibility in Orange County Goals Update with Performance Report

DEPARTMENT: Asset Management Services (AMS), Department of Environment, Agriculture, Parks and Recreation (DEAPR), Solid Waste Management

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
1) Environmental Responsibility in County Government Goals
2) 2005 Energy, Water, and Fuel Conservation Policies
3) Report Presentation Slides
4) Responses to Previous Board Questions

INFORMATION CONTACT:
David Stancil, DEAPR, (919) 245-2522
Jeff Thompson, AMS, (919) 245-2658
Wayne Fenton, AMS, (919) 245-2628
Alan Dorman, AMS, (919) 245-2627
Blair Pollock, Solid Waste Management, (919) 968-2885

PURPOSE: To receive a report regarding "Environmental Responsibility in County Government Goals" progress, and performance "scorecard" results for recent fiscal years.

BACKGROUND: On June 7, 2011, the Energy Conservation Team within the County's Asset Management Services Department ("AMS") presented a comprehensive report on the County's historical use of energy, water and fuel as well as a work plan for ongoing conservation and efficiency. Staff presented a set of goals in these areas and committed to annual updates on the County's performance relative to these goals.

The BOCC received this report and requested clarification and additional information on several issues. Staff responses to these issues will be addressed in this report, which is to become an annual report to the Board.

The 2011 report and presentation represent a subset of the larger body of "Environmental Responsibility in County Government" Goals adopted by the Board in December 2005 (Attachment 1).

As discussed with the Board in 2011, AMS staff is collaborating with Department of Environment, Agriculture, Parks and Recreation ("DEAPR") and the Orange County Solid Waste Management Department to broaden the performance report against these established goals in this current annual report. This collaboration will grow in future performance reports to

include other departments that are involved. The report will also discuss current and future initiatives that contribute to continuously meeting or exceeding the goals.

FINANCIAL IMPACT: There are no financial impacts directly associated with this report. Sustainable environmental practices and reduced energy, water and fuel use results in avoided costs for utilities and fuels, as well as the less obvious benefits of resource conservation, higher air and water quality, and less greenhouse gas emissions.

RECOMMENDATION(S): The Manager recommends that the Board receive the report regarding the “Environmental Responsibility in County Government Goals” progress and performance “scorecard” results for recent fiscal years and provide any feedback to staff.

ATTACHMENT 1

Environmental Responsibility in County Government

Adopted as an Orange County Goal, 12/5/05

Goal Statement:

Perform all County governmental functions, both internal and external, with a sensitivity and ethic that promotes environmental responsibility and leadership, and an understanding of the actions of government activities as they affect the natural and cultural resources of the County, region, state, nation and world.

Objectives (suggested departmental responsibility)

1. Develop a Countywide Environmental Leadership Policy, and institute a standing Orange County Environmental Action Committee as an internal mechanism to periodically monitor and assess the County's progress toward meeting the objectives of the environmental responsibility goal. (ERCD, with representatives from all departments);

2. Initiate policies and programs that conserve energy, reduce fuel/utility/resource consumption, increase the use of recycled products and renewable energy services, and minimize waste stream impacts on the environment. (Public Works, all departments);

3. Continue to aggressively pursue waste reduction/recycling efforts, including the reduction of paper. (Solid Waste, IT);

4. Continue, expand and formally adopt the use of green building standards; construct new facilities/deconstruct outdated facilities in a way that is eco-friendly, utilizes energy conserving measures, and minimizes impacts on the environment. (Purchasing, Public Works, Planning, Recreation and Parks, Solid Waste, ERCD, among others);

5. Implement programs that monitor and improve local and regional air quality by promoting public transportation options and incentives within the County that increase connectivity and decrease dependence on personal vehicles, and by selecting alternative fuel and low emission fuels/vehicles for the County's vehicle fleet. (Purchasing, Public Works, ERCD, Planning, Personnel, among others);

6. Conduct sustainable and eco-sensitive forestry practices on County-owned lands with a goal of no net loss of woodlands. Promote and encourage eco-sensitive forestry practices on privately held lands within the County. (ERCD, Soil & Water, R&P);

7. Promote the use of environmentally-sensitive chemical and materials, including a) the use of "Green Seal" chemicals and cleaning products in daily operation and maintenance of County facilities; b) utilize an IPM (Integrated Pest Management) Program for County facilities that minimizes use of chemical compounds; and c) require that County events and services (including those involving outside vendors) use eco-friendly and biodegradable materials wherever possible. (Purchasing, Public Works, R&P);

8. Consider innovative new technologies for conserving and protecting ground water, indoor air quality and wastewater, to lessen impacts on the natural environment, and promote water conservation, collection and reuse in both current and future County facilities. (Health, ERCD, Engineer);

9. Implement growth management policies and procedures within the County so that development is directed toward areas where it can be accommodated without compromising the County's goals for protecting natural and cultural resources. (Planning, ERCD); and

10. Develop an Information Services policy that promotes energy conservation through the use of electronic and alternative media of communication. (IT).

Possible Action Strategies

Each department, advisory board and/or organization should be asked to develop specific action strategies based on the 10 objectives listed above. The possible action strategies should be collated and compared for consistency and coordination, and then incorporated into the goal.

Example of an Action Strategy

Objective 5 (Implement programs to monitor and improve local and regional air quality: by promoting public transportation options and incentives within the County that increase connectivity and decrease dependence on personal vehicles, and selecting alternative fuel and low emission fuels/vehicles for the County's vehicle fleet)

Action Strategy A:
Acquire 3-5 alternative-fuel vehicles (AFV's) per year, based on evaluation of proposed vehicle purchases and the "fit" with available AFV options, as funds permit.

Attachment 2

Energy Conservation Policy

A. General

Orange County's "Environmental Responsibility in County Government" goal includes the objective: Initiate policies and programs that conserve energy, reduce fuel/utility/resource consumption…" In support of this goal, the County has adopted this Energy Conservation Policy.

Energy cost for electricity, natural gas, propane and fuel oil for County facilities is a significant County cost. Beyond this, energy consumption has significant environmental impacts. As a result, it is both necessary and beneficial for the County to adopt a policy of energy conservation and efficiency.

Water conservation and vehicle fuel conservation will be addressed in separate policies.

B. Purpose

The purpose of this policy is to reduce the County government's energy consumption, wherever possible, and improve energy efficiency for that energy that must be used throughout Orange County government buildings, consistent with the need for safe and secure County facilities.

C. Policy Goals

The policy addresses both short and long term goals.

1. Short Term (One to Two Years)

   - Establish the policy foundation of responsibilities, planning, programs, standards, performance measures and the like to manage the County government's energy use and conserve energy.

   - Manage energy and other utility consumption to minimize use to the greatest extent possible while maintaining safe and acceptable work conditions.

   - Achieve a reduction in average energy consumption per square foot annually.

2. Long Term (Three Years or More)

   - Incorporate energy conservation and efficiency systems, techniques and design in all major renovations, system replacements and new construction.

   - Support change to State utility budgeting and public utility commission policy that fosters monetary incentives to make energy conservation and efficiency efforts

economically attractive and streamline program justification requirements so that projects can be executed within a timely interval and savings quickly realized.

D. Scope

1. Facilities

   This policy applies to County owned and leased buildings, whether occupied by the County, the courts or other agencies.

2. Equipment

   This policy applies to County owned or leased equipment, including computer equipment.

3. Energy Sources

   This policy applies to use of electricity, natural gas, propane and fuel oil.

E. Responsibilities

1. Energy Conservation Task Group

   The Manager appoints an Energy Conservation Task Group that includes the:

   - County Manager
   - One County Commissioner
   - Assistant County Managers
   - Chief Information Officer
   - Cooperative Extension Director
   - County Engineer
   - Energy Conservation Manager
   - Environment and Resource Conservation Director
   - Personnel Director
   - Public Works Director
   - Purchasing and Central Services Director
   - Others as appointed by the Manager.

   The Task Group provides direction, counsel and oversight as to implementation of the Energy Conservation Policy. As necessary, the Task Group addresses questions of policy interpretation and adherence.

2. Energy Conservation Manager

   The Manager appoints an Energy Conservation Manager who provides leadership, analytical, monitoring, coordination and communication support to the energy

conservation initiative. Among other things, the Energy Conservation Manager:

- Coordinates development and implementation of the County's annual energy conservation action plan.

- Tracks and assesses the County's energy conservation performance and progress, including building data collection and analytical tools.

- Working through the departments involved, identifies and appoints a volunteer Building Energy Representative for each County facility.

- Conducts spot check energy audits after normal business hours to assess the County's adherence to policies and standards.

3. Building Energy Representatives

   The appointed volunteer Building Energy Representatives serve as:

   - A resource to building occupants about policies and responsibilities.

   - "Energy conservation champions" to support awareness of energy conservation and goal achievement.

   - Field representatives to the Energy Conservation Manager, observing and reporting to the Conservation Manager on building conformity during normal business hours with energy conservation standards such as those for heating and air conditioning thermostat settings.

4. Public Works Department

   The Public Works Department is responsible for:

   - Up fitting as authorized and maintaining County facilities in accordance with the requirements of this policy, including installation of energy conservation equipment and verification of correct equipment settings and operation.

   - Identifying situations above and beyond those envisioned in this policy that may require individual analysis and action to provide a comfortable, functional work environment.

5. Department Heads

   Department heads are responsible for:

   - Communicating the County's energy conservation goals and policies to staff, providing guidance and promoting adherence.

- Working with the Public Works Department and Energy Conservation Manager to identify energy reduction techniques or systems that can be implemented without affecting service delivery to the department's customers as well as bringing to their attention any areas that require further action to address.

6. Employees

   County employees are responsible for:

   - Becoming knowledgeable about the County's energy conservation policies and initiatives and complying with these policies.

   - Advising the supervisor of any circumstance that prevents adherence to the County's policies.

   - Bringing forward ideas and suggestions for energy conservation and efficiency that may not have been identified to them.

F. Energy Conservation Action Plan

1. The Energy Conservation Manager, in conjunction with the Energy Task Group, Public Works Department and others involved coordinates the development of an annual "Energy Conservation Action Plan."

2. This annual plan identifies specific actions to be implemented, proposed or estimated time lines and responsibilities for implementation.

3. The action plan is submitted to the Board of County Commissioners for review and approval, in coordination with the annual budget process.

4. The action plan is reviewed and updated annually along with evaluation of the previous year's performance, during the annual budget process.

G. Reporting, Benchmarking and Performance Measurement

1. Reporting

   In conjunction with the Public Works department, the Energy Conservation Manager:

   - Obtains information for all billing periods for each energy utility (electricity, natural gas, fuel oil and propane gas) to provide reports on a monthly/quarterly and annual basis assessing progress, by building and/or department where feasible as well as for the County as a whole, in reducing energy demand. This includes analysis of the information and assessment of trends.

- Presents reports to department heads and the County Manager to aid in determining if conservation efforts are meeting goals or additional efforts are required.

- Presents reports to the Board of County Commissioners to advise them of progress in conserving energy.

2. Benchmarking/Performance Measurement

   The Energy Conservation Manager uses reporting information to benchmark and measure performance:

   - From year-to-year (aggregate and by individual building) adjusted for heat and cooling degree days, humidity levels, and the like in keeping with accepted industry practices, and

   - Compared to results for organizations located in similar geographic areas.

H. Energy Use Standards

1. General

   The intent of the energy conservation policy and program is to achieve reductions in energy consumption while maintaining reasonable comfort levels for building occupants.

   Initial temperature set points were based upon ASHRAE comfort chart for 50 percent relative humidity, and employees at light work.

2. Heating and Air Conditioning Standards

   Except as otherwise noted, temperature set points are based on the standards (Attachment) of the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) and are as follows:

Cooling Season Set Points	**75° F – 78° F**
Heating Season Set Points	**68° F – 72° F**

   Occupied air conditioning temperature settings are not set below 75 degrees and heating settings are not set above 72 degree**,** except for operations which require other settings based on function such as Health Department examination rooms, medical laboratories, computer equipment rooms, library stacks, recreation rooms, animal quarters or the like.

3. Use of Windows

   Windows are to be kept closed, unless specifically authorized such as when the HVAC system is disengaged, because open windows throw the HVAC system off balance, and interfere with providing uniform heating or cooling in large buildings.

4. Auxiliary Heating and Cooling Sources

   Personal portable space heaters are not allowed because of their excessive energy consumption, fire code and safety issues. If a room is not consistently within the heating/air conditioning set-point range, Public Works should be notified so that the problem can be addressed. If building conditions are such that acceptable temperatures cannot be achieved by the HVAC system, Public works takes necessary measures to resolve/rectify. If auxiliary heating or fans are required, Public Works will provide these.

5. Night, Weekend and Holiday Temperature Set-backs

   The heating temperatures are set to 60 degrees for all buildings for periods when buildings are not normally occupied. The air conditioning temperatures are set to 80 degrees when buildings are not normally occupied. Normal occupancy for most buildings is from 7:30 a.m. to 6:00 p.m. This means that from 7:30 a.m., until 6:00 p.m., the temperature will be within the set points defined in Item H2 above.

   Note: Exceptions to the set backs are made for those functions that must remain operational during these periods such as for night meetings, Emergency Management or the Jail. Also some buildings have unique requirements for longer start up times to reach heating or cooling set points.

   If a building has complete digital control, and individual zone or office temperature control, occupants will be able to override the schedule to provide heating/cooling for their office at any time, for a limited period (typically two hour intervals).

I. Lighting Policy

1. Office and conference room lights are to be turned off whenever rooms are likely to be unoccupied for more than 15 minutes.

2. Each department or agency shall assign an employee to turn off common area lighting other than corridor lights at the end of the business day. Lights are to be turned off even if it is anticipated that custodial staff will soon be in the area.

3. Custodial staff are responsible for turning lights on as needed basis while working; that is, turning on lights only while an office or room is being cleaned, and turning lights off as soon as cleaning has been completed. Custodial staff turns off corridor and related lighting prior to leaving the building at the completion of cleaning.

4. Parking lot lights and streetlights located near buildings are typically owned by power companies such as Duke Power and are controlled by photocells or timers. Costs for this lighting are on a flat rate basis, and turning them off does not result in cost savings regardless of usage.

5. Athletic Field lights are to be operated only as needed. They should not be in operation during daylight hours. Lights generally will not be operated on weekends, except for special events.

J. Refrigerators, Microwaves, and Similar Devices

As a longer-term goal, the County will assess the use of refrigerators, microwaves and similar devices and possible replacement of less energy efficient equipment with more energy efficient equipment and approaches.

K. Computer Equipment

The Chief Information Officer assesses energy consumption of personal computers, printers and related devices and recommends to the County Manager guidelines for turning on or off and setting the “sleep” modes that reflect the technology in place. The County Manager issues guidelines for such equipment that apply to all County departments. Later as experience is gained this will be issued as policy.

L. Programs

To support the Energy Conservation Policy and initiative, the County implements a variety of programs including:

1. Employee Awareness

   The County conducts communications programs to promote employee awareness of the need for energy conservation. This includes such activities as distribution of this Energy Conservation Policy, reminders via pamphlets, e-mails, Orange Alive, coverage in new employee orientation, and opportunities at employee events to reinforce the conservation ethic.

2. Incentives

   Incentive programs will be developed to improve compliance and acceptance by County employees and other building occupants. These may include building versus building contests, department versus department contests, financial incentives, preferred parking and the like.

3. Preventive Maintenance

   Preventive Maintenance procedures are used to obtain optimal energy-efficient operation of equipment.

4. Repairs

   Repairs/replacement of equipment take into consideration the most cost effective solution over the life of the repair/equipment. Considerations shall include future maintainability, improved operation, improvements to energy efficiency, requirement for additional or reduced Preventive Maintenance, and the like.

5. Energy Efficiency Retrofits

   The County bases energy efficiency retrofitting project priorities upon the availability of capital improvements plan funds and maintenance needs such as the condition of the equipment. The County develops and maintains a priority list of retrofit needs.

6. Renovations

   Renovations to County facilities, whether major or minor, are to meet standards for energy-efficient equipment and design.

7. New Construction

   New construction is required to follow energy efficient standards as set forth by the Guidelines for Sustainable Public Facility Design and Development. Life-cycle cost analyses are required, and energy efficient designs, including Passive and Active Solar systems, natural lighting, cogeneration and thermal storage, are considered as feasible.

8. Equipment Selection

   The selection of all equipment procured for Orange County, to include computer equipment, printers, copy machines, equipment, refrigerators, and so forth is to consider carefully the anticipated energy use and available energy saving devices.

9. Automation

   With the direction and leadership of the Energy Task Group, each County department pursues automation solutions, as feasible, to replace travel-intensive, paper-intensive or other energy consuming activities.

Attachment

From American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) Standards

1. Thermal comfort is that condition of mind that expresses satisfaction with the thermal environment. There are large variations, both physiologically and psychologically, from person to person, which makes it difficult to satisfy everybody in a space. The environmental conditions required for comfort are not the same for everyone. However, extensive laboratory and field data have been collected that provide the necessary statistical data to define conditions that a specified percentage of occupants will find thermally comfortable. http://industries.bnet.com/whitepaper.aspx?scname=Plumbing+and+HVAC+Equipment&docid=114190

2. This standard specifies the combinations of indoor space environment and personal factors that will produce thermal environmental conditions acceptable to 80% or more of the occupants within a space. The environmental factors addressed are temperature, thermal radiation, humidity, and air speed; the personal factors are those of activity and clothing. http://www.constructionbook.com/xq/ASP/ProductID.3695/id.402/subID.636/qx/default2.htm

3. ASHRAE Standard 55-1992 Thermal Environmental Conditions for Human Occupancy, recommends the following acceptable temperature ranges at relative humidity (RH) of 50% and air speed less than 0.15 m/sec. (30 fpm).

Acceptable Temperatures		
Season	**Clothing**	**Temperature**
Winter	Heavy slacks, long sleeve shirt and/or sweater	20-23.5°C (68-75°F)
Summer	Light slacks and short sleeve shirt	23-26°C (73-79°F)

http://www.ccohs.ca/oshanswers/phys_agents/hot_cold.html

Water Conservation Policy For County Facilities

A. General

Orange County's "Environmental Responsibility in County Government" goal includes the objective: Initiate policies and programs that conserve energy, reduce fuel/utility/resource consumption…" In support of this goal, the County has adopted this Water Conservation Policy.

The cost for water for County facilities is a significant County cost. Beyond this, water consumption has significant environmental impacts, including direct local impacts. As a result, it is both necessary and beneficial for the County to adopt a policy of water conservation and efficiency for County government.

Energy conservation and vehicle fuel conservation are addressed in separate policies.

B. Purpose

The purpose of this policy is to reduce the County government's water consumption, wherever possible, and improve the efficiency of use for that water that must be used in Orange County government facilities.

C. Policy Goals

1. Establish the policy foundation of responsibilities, planning, programs, standards, performance measures and the like to manage the County government's water use and conserve water.

2. Manage water use to minimize use to the greatest extent possible while maintaining safe and acceptable work conditions.

3. Achieve a reduction in average water consumption per square foot annually.

4. Incorporate water conservation systems, devices, and design in renovations, replacements and new construction.

D. Scope

1. Facilities

   This policy applies to County owned and leased buildings, whether occupied by the County, the courts or other agencies.

2. Water Sources

   This policy applies to use of water from municipal sources and wells.

E. Responsibilities

1. Energy Task Group

   As provided in the County's energy conservation policy, the Manager appoints an Energy Conservation Task Group. The Task Group provides direction, counsel, and oversight as to implementation of the Water Conservation Policy. As necessary the Task Group addresses questions of policy interpretation and adherence. The Task Group also seeks input on innovative tools and techniques to support water conservation in County facilities.

2. Public Works Department

   The Public Works Department is responsible for:

   - Up fitting as authorized and maintaining County facilities in accordance with the requirements of this policy, including installation of water conserving devices and verification of correct equipment settings and operation.

   - Development of the annual Water Conservation Action Plan and identifying any associated costs, as part of the annual budget process.

3. Department Heads

   Department heads are responsible for:

   - Communicating the County's water conservation goals and policies to staff, providing guidance and promoting adherence.

4. Employees

   County employees are responsible for:

   - Becoming knowledgeable about the County's water conservation policies and initiatives and complying with these policies.

   - Advising the supervisor of any circumstance that prevents adherence to the County's policies.

   - Bringing forward ideas and suggestions for water conservation that may not have been identified to them.

F. Water Conservation Action Plan

1. The Energy Task Group, Public Works Department and others involved coordinate the development of an annual "Water Conservation Action Plan."

2. This annual plan identifies specific actions to be implemented or proposed and estimated time lines and responsibilities for implementation.

3. The action plan is submitted to the Board of County Commissioners for review and approval, in coordination with the annual budget process.

4. The action plan is reviewed and updated annually along with evaluation of the previous year's performance, during the annual budget process.

G. Reporting, Benchmarking and Performance Measurement

1. Reporting

   The Public Works department:

   - Obtains information for all billing periods for each water billing to provide reports on a monthly/quarterly and annual basis assessing progress, by building and/or department where feasible as well as for the County as a whole, in reducing water demand. This includes analysis of the information and assessment of trends.

   - Presents reports to department heads and the County Manager to aid in determining if conservation efforts are meeting goals or additional efforts are required.

   - Presents reports to the Board of County Commissioners to advise them of progress in conserving water.

2. Benchmarking/Performance Measurement

   Reporting information is used to benchmark and measure performance:

   - From year-to-year (aggregate and by individual building) in keeping with accepted industry practices, and

   - Compared to results for organizations located in similar geographic areas.

H. Water Use Standards

1. General

   The intent of the water conservation policy and program is to achieve reductions in water consumption while maintaining reasonable comfort levels for building occupants.

2. Waterless or low-flow fixtures are used for any replacement fixtures, unless technically impractical.

3. The County gives preference to drought-tolerant plants when new or replacement plants and/or trees are required for landscaping. Large areas of grass are avoided in favor of alternative plantings and landscaping techniques, whenever possible.

4. Irrigation is limited to critical needs to support survival of plants, and if allowed by local watering restrictions. Permanently installed irrigation systems are preferred to provide most efficient distribution of water.

5. Vehicle washing is performed only as permitted by local watering restrictions. If performed, it is done only with water conserving spraying devices rather than an open garden hose. Rain collection for vehicle washing is pursued as feasible.

I. Programs

To support the Water Conservation Policy and initiative, the County implements a variety of programs including:

1. Employee Awareness/Public Awareness

   The County conducts communications programs to promote employee awareness of the need for water conservation. This includes such activities as distribution of this Water Conservation Policy, reminders via pamphlets, e-mails, Orange Alive, coverage in new employee orientation, and opportunities at employee events to reinforce the conservation ethic.

   As appropriate, the County also informs the public of water conservation measures in use such in County restrooms or in grounds care activities.

2. Incentives

   Incentive programs will be developed to improve compliance and acceptance by County employees and other building occupants. These may include building versus building contests, department versus department contests, financial incentives, preferred parking, recognition of employees who demonstrate the conservation ethic and the like.

3. Preventive Maintenance

   Preventive maintenance procedures are used to eliminate water loss through drips and leaks

4. Repairs

   Repairs/replacement of equipment take into consideration the most cost effective solution over the life of the repair/equipment. Such consideration includes improvements to water efficiency.

5. Low Demand Retrofits

   The County determines priority needs and pursues water conserving system retrofitting, based on the availability of funds and maintenance needs such as the condition of the equipment.

6. New Construction

   New construction is required to follow water efficiency standards as set forth by the Guidelines for Sustainable Public Facility Design and Development. Consideration is given to the feasibility of rainwater collection for non-potable uses

Vehicle Fuel Conservation Policy

A. General

Orange County's "Environmental Responsibility in County Government" goal includes the objective: "Initiate policies and programs that conserve energy, reduce fuel/utility/resource consumption…" In support of this goal, the County has adopted this Vehicle Fuel Conservation Policy.

Costs for gasoline and diesel fuel for County vehicles and motorized equipment are significant. Beyond this, fuel consumption for vehicles and motorized equipment has significant environmental impacts. As a result, it is both necessary and beneficial for the County to adopt a policy of fuel conservation and efficiency.

Water conservation and energy conservation for County buildings are addressed in separate policies.

B. Purpose

The purpose of this policy is to reduce the County government's vehicle fuel consumption, wherever possible; improve fuel efficiency; and maximize the use of alternative fuels for that fuel that must be used to operate Orange County vehicles and motorized equipment, consistent with the need for safe, and reliable County vehicles and motorized equipment.

C. Policy Goals

1. Establish the policy foundation of responsibilities, planning, programs, standards, performance measures and the like to manage the County government's vehicle fuel use and conserve fuel.

2. Manage vehicle and motorized equipment fuel consumption to minimize use to the greatest extent possible while maintaining safe and reliable vehicles and motorized equipment.

3. Provide for the use of alternative fuel (which may include compressed natural gas, bio-diesel, hybrid gas/electric, or the like) vehicles and motorized equipment, unless service needs cannot be met with an alternative fuel vehicle or motorized equipment – as determined by the County Manager.

4. Purchase vehicles and motorized equipment that meet service delivery needs with the greatest fuel efficiency possible whether alternative or traditional fuel.

5. Achieve a reduction in average fuel consumption per mile annually for vehicles and per hour of operation for motorized equipment.

6. Support change to State agency policies that fosters monetary incentives to make fuel efficiency and alternative fuel efforts economically attractive and to streamline program justification requirements so that projects can be executed within a timely interval, and savings quickly realized.

D. Scope

This policy applies to all County owned and leased vehicles and motorized equipment and the operators of these vehicles and equipment.

E. Responsibilities

1. Energy Conservation Task Group

   As provided in the County's Energy Conservation Policy, the Manager appoints an Energy Conservation Task Group. The Task Group provides direction, counsel and oversight as to implementation of the Vehicle Fuel Conservation Policy. As necessary, the Task Group addresses questions of policy interpretation and adherence.

2. Purchasing and Central Services Director

   The Purchasing and Central Services Director manages the vehicle acquisition or replacement process as provided in this policy.

3. County Manager

   The County Manager's advance approval is required for purchase of any new or replacement vehicle or motorized equipment.

4. Public Works Department

   The Public Works Department is responsible for:

   - Performing preventive and corrective maintenance for County vehicles and motorized equipment to ensure maximum fuel efficiency is achieved.

   - Preparing the annual vehicle replacement report.

5. Department Heads

   Department Heads are responsible for:

   - Communicating the County's fuel conservation goals and policies to staff, providing guidance and promoting adherence.

   - The assignment of departmental vehicles to departmental staff.

- For vehicles not assigned to a single individual, designating one operator and one backup operator to monitor use and schedule preventive maintenance service as needed.

- Communicating and justifying any request for new and replacement vehicles and motorized equipment as part of the annual budget process.

- Monitoring employee conformance with requirements for vehicle and motorized equipment maintenance, including scheduling of preventive maintenance service.

6. Employees

   Employees who operate County vehicles and motorized equipment are responsible for ensuring that:

   - Tire and fluid inspections for vehicles are performed (by self, or by Motor Pool staff) according to published directions from the Public Works Department.

   - The assigned vehicle is scheduled and delivered to Public Works for preventive maintenance service within time and/or mileage intervals identified by Public Works.

   - Corrective maintenance is scheduled with Public Works as soon as possible when a problem with the vehicle is encountered or identified.

   - Vehicles are operated according to all applicable laws and rules of the road. This increases fuel conservation and safety.

   - Information about fuel transactions other than those through the automated fuel system are reported to Public Works as provided by Public Works procedures.

F. Vehicle Operation

1. Vehicles are to be operated in keeping with manufacturers recommendations and specifications, and applicable County policy.

2. To maximize fuel efficiency, vehicles are to be serviced at intervals identified by the Public Works Department.

3. To meet department specific service levels while achieving the highest fuel economy, departments, where applicable, use geographic information systems (GIS) or other industry tools and standards to design and implement vehicular routes/schedules and deployment strategies/schedules.

G. Fuel Conservation Action Plan

1. Public Works, in consultation with the Energy Task Group and others involved, coordinates the development of an annual “Vehicle Fuel Conservation Action Plan.”

The annual action plan includes recommended charge back rates to departments for vehicle operation costs and recommendations for the annual "Vehicle Replacement Report."

2. The annual plan identifies specific actions to be implemented, proposed and estimated time lines and responsibilities for implementation.

3. The action plan is submitted to the Board of Commissioners for review and approval, in coordination with the annual budget process.

4. The action plan is reviewed and updated annually along with evaluation of the previous year's performance during the annual budget process.

H. Charge Back Rates

As part of the annual budget process, vehicle cost charge back rates to departments are set each year. Among other things, these take account of fuel and repair costs and are designed to promote the use of alternatively fueled and fuel efficient vehicles.

I. Vehicle Acquisition

1. The Purchasing and Central Services Director develops, communicates and maintains a written process for the systematic consideration of vehicle acquisition needs (whether new or replacement) and the decision-making as to the type of vehicle to be purchased, including whether it is an alternative fuel vehicle (which may include compressed natural gas, bio-diesel, hybrid gas/electric, etc.). Among other things, this process provides for the following:

   - Determination as to whether the vehicle needs to be acquired or replaced.

   - Determination as to whether an alternative fuel vehicle will meet the service needs.

   - Whether an alternative fuel vehicle that will meet the needs is available on State contract; or if not available on State contract otherwise available; or whether a retrofit of a standard fuel vehicle is an option.

   - Analysis of the costs of the alternative vehicle versus standard fuel vehicle

   - Report and recommendation to the County Manager on vehicle acquisition and replacement.

   - County Manager decision as to the specific vehicle to be acquired.

2. As part of the Item I1process, Public Works prepares an annual "Vehicle Replacement Report" which includes recommended priorities for vehicle replacement. This report considers the following factors in prioritizing vehicle replacements:

- Miles driven to date (odometer reading).
- Mileage (miles per gallon) compared to baseline/industry standards for comparable vehicle.
- Repair and maintenance cost per mile for most recent 12 months, compared to baseline/industry standards for comparable vehicles.
- Vehicle use (front-line emergency response vehicle versus Motor Pool fleet vehicle).
- Overall mechanical assessment by Public Works staff.

3. Vehicles identified for replacement are removed from service within one month of the replacement being placed in service, except with the written approval of the County Manager for the vehicle to continue in service.

J. Monitoring and Reporting

1. The Public Works automated fuel system provides records of most fuel transactions. Public Works obtains information regarding fuel received at other locations (UNC Chapel Hill, Town of Chapel Hill, etc.) and adjusts the transactions database accordingly. These data are used to create performance reports.

2. Information is used to benchmark performance:

   - From year-to-year for total miles driven and average miles per gallon.
   - Compare to results for similar vehicles/vehicle use in other local governments.

   In addition to actual vehicle fuel performance, the County reviews other benchmarks such as reducing reliance on fossil fuel vehicles.

K. Programs

To support the vehicle fuel conservation, the County implements a variety of programs including:

1. Employee Awareness

   The County conducts communications programs to promote employee awareness of the need for fuel conservation. This includes activities such as distribution of the Vehicle Fuel Conservation Policy, reminders via pamphlets, e-mails, Orange Alive, coverage in new employee orientation, and opportunities at employee events to reinforce the conservation ethic.

2. Incentives

   Incentive programs will be developed to improve compliance and acceptance by employees who operate County vehicles. These may include department versus department contests, financial incentives, preferred parking and the like.

3. Preventive Maintenance

   Preventive Maintenance procedures are used to obtain optimal fuel-efficient operation of all equipment.

4. Repairs

   Repairs/replacement of all vehicles and motorized equipment take into consideration the most cost-effective solution over the life of the repair/equipment. This includes future maintainability, improved operation, improvements to fuel efficiency, requirement for additional or reduced preventive maintenance, and the like.

5. Innovative Strategies

   The County considers and pursues innovative strategies that may reduce the need for gasoline consumption such as video conferencing, “smart travel” with other departments and County car pooling, including educating employees about these.

Environmental Responsibility in Orange County Government

Annual Update

Board of County Commissioners

October 16, 2012

Purpose

- Establish Annual Report on “Environmental Responsibility Goal” accomplishments
- Report on performance
- Current and future year initiatives
- Response to Commissioner requests from June 2011 Utility and Fuel report

Background

- November 2004 – Environmental Responsibility Goals brainstorming session.
- December 2005 - Board adopted goals and policies:
  - Environmental Responsibility in County Government Goal
  - Energy Policy
  - Water Policy
  - Fuel Policy
- February 2006 – Environmental Stewardship Action Committee (ESAC) established
- November 2009/May 2010 – Environmental Responsibility Goal (ERG) status report
- June 2011 – Inaugural Utility and Fuel Conservation Report

Department of Environment, Agriculture, Parks & Recreation (DEAPR)

DEAPR - Objectives

- No Net Loss of Woodlands / Roadside Habitat
- Orange WellNet / Groundwater Guardian
- Energy Efficiency and Renewable Energy Options at Parks, Rec Centers (new)
- Action Committee / ERG Working Team?

DEAPR – Current Initiatives

- ESAC Initiatives
  - Best Workplaces for Commuters
  - ERG Action Strategies – Prioritization
- Determine Viability of Qualitative Scorecard
- DELTA Intern - GHG Inventory and Forecast Next Steps
- Environmental Education Efforts

DEAPR – Results

- Groundwater Guardian Program – 10th Year
- GWG Green Sites – 2 Parks
- Roadside Habitat Proposal Presented
- Implemented:
  - Forest Management Policy (No Net Loss of Woodlands +)
  - Forest Management Plans / Wildlife Enhancement Project

DEAPR – Results

- Added 4 wells to Orange WellNet (lost 1)
- Properly-abandoned Old Wells - Future Parks
- Stream corridor protection at future Northeast Park (state grant)
- Stormwater and Water Reuse – Stanford Middle School (saving $100,000/year)

DEAPR – New Initiatives

- New Water Reuse and Conservation Projects
- Renewable Energy Options for Parks report
- Create New Forest Management Plans
- The “10% Campaign” (with EDC, CES)
- New Environmental Education Efforts
- Expand Paperless Agendas (CFE, PRC)

DEAPR – Horizon

- State of the Environment 2013 (Jan 2014)
  - Environment or Sustainability Report Card?
- Pursue Groundwater Guardian Green Sites for Additional Parks / “Green Map”
- Continue to Grow Orange WellNet
- New S&W Water Reuse Project with School?
- Determine GHG Next Steps (outreach)

Solid Waste Department

Solid Waste Objectives

- Reduce Waste Landfilled by 61% per capita
- Maximize recycling and waste reduction opportunities in Orange County
- Continued exploration of alternatives to landfilling of waste

Solid Waste Goal & Results

FY 2010/11		
Category	State	Orange Cty
Reduction goal	40%	61%
Reduction achieved (1991-92 baseline)	-8%	56%
Curbside recyclables/hh (lbs.)	249	416
Recycling per capita (lbs.)	80	268

Solid Waste Current Initiatives

- Conversion to single stream recycling
- Cart based recycling ~ 1/3 of rural customers - 2012-13
- Walnut Grove Ch. Rd. solid waste convenience center - 2012-13
- Concept plan for second convenience center - 2013
- Closure of lined landfill - June 30, 2013
- Municipal solid waste to Durham Transfer Station for 2013-14
- Establish additional internal goals for waste reduction/recycling for 2013

Solid Waste Future Initiatives

- Urban curbside to roll carts in 2013-14
- Next ~ 1/3 of rural curbside recycling to carts 2014
- Continue modernization of Solid Waste Convenience Centers
- Consider alternatives to Durham City Transfer Station
- Evaluate commercial recycling expansion 2013-14
- Develop ‘buy recycled’ policy; paper use reduction goal for County government
- Achieve 61% waste reduction goal and set new higher goal.

Asset Management Services

Objectives

- Presentation
  - Revisiting Department Objectives
  - Response to Commissioner requests
  - Utility and Fuel Scorecard FY 11 and FY 12
  - Current and Future Initiatives
- Department
  - Monitoring utility use
  - Continuously managing efficiency
  - Communicating results
  - FY 12-13 Initiatives; 5 year horizon

Energy Scorecard

Energy Use (MMBTU/ 1,000 Sq. FT of Occupied Space)				
	Goals		Actuals	
	MMBTU/ 1,000 Sq. Ft.	% Change from Baseline	MMBTU/ 1,000 Sq. Ft.	% Change from Baseline
FY 10 (Baseline)	96.2		96.2	
FY 11	92.4	4%	91.4	5.0%
FY 12	88.5	8%	83.5	13.2%
FY 13	84.7	12%		
FY 14	80.8	16%		
FY 15	77.0	20%		
FY 16	72.2	25%		
FY 17	67.3	30%		

Energy reduction goal:

20% *cumulative through FY15;* ***additional 10%*** *cumulative through FY17*

Water Scorecard

Water Consumption (Total Gallons)				
	Goals		Actuals	
	Gallons/ Sq. FT.	% Change From Baseline	Gallons/ Sq. FT.	% Change From Baseline
FY 10 (Baseline)	15.93		15.93	
FY 11	15.82	0.7%	13.03	18.2%
FY 12	15.71	1.4%	15.19	4.6%
FY 13	15.59	2.1%		
FY 14	15.48	2.9%		
FY 15	15.36	3.8%		
FY 16	15.25	4.3%		
FY 17	15.13	5.0%		

Water reduction goal:

5% *cumulative through FY17*

Fuel Scorecard

	Fuel Consumption (Total Gallons)				Fuel Efficiency (MPG)			
	Goals		Actuals		Goals		Actuals	
	Gallons	% Change From Baseline	Gallons	% Change From Baseline	MPG	% Change From Baseline	MPG	% Change From Baseline
FY 10 (Baseline)	240,813		240,813		12.82		12.82	
FY 11	235,997	2%	251,382	-4.4%	13.07	2%	12.83	0.1%
FY 12	231,180	4%	252,708	-4.9%	13.33	4%	12.14	-5.3%
FY 13	226,364	6%			13.59	6%		
FY 14	221,548	8%			13.84	8%		
FY 15	216,732	10%			14.10	10%		
FY 16	210,711	12%			14.42	12%		
FY 17	204,691	15%			14.74	15%		

- Increased fuel use: attributed to increased law enforcement miles
- Slightly less efficient MPG: Aging fleet

- ***Solution: Active vehicle replacement program; higher fuel efficiency standards***

Fuel reduction goal:

10% *cumulative through FY15;* ***additional 5%*** *cumulative through FY17*

Current Year Initiatives

- Continued growth in geo-thermal – downtown Hillsborough
- Building control improvements
- Continued lighting improvements
- Sale/retirement of older facilities
- Asset improvements (roofs, doors, windows, solar film, vehicles)
- Employee education and outreach

For More Information:

Orange County Utility and Fuel Use and Conservation Initiatives -Inaugural Report

located at:

http://orangecountync.gov/AssetMgmt/documents/AttachmentA-Conservation_Report-final.pdf

Attachment 4

Orange County
Department of Asset Management Services

DATE:	October 8, 2012
TO:	Board of County Commissioners Frank Clifton, County Manager
FROM:	Alan Dorman, Management Analyst, Wayne Fenton, Sustainability Manager Jeff Thompson, Value Engineer
RE:	Responses to Questions from June 7, 2011 Energy, Water & Fuel Conservation Presentation to Board of County Commissioners

Following a presentation to the Board of County Commissioners at its June 7, 2011 meeting regarding energy, water and fuel use, several Board members posed questions regarding the presentation and related information. The questions were:

- What energy, water and fuel reduction goals do neighboring communities have?
- What can be done regarding "instant on" devices such as the flat panel displays in the BOCC meeting room at Southern Human Services Center?
- What can be done regarding the outside lights remaining on during daylight hours at the Library?
- What actions are being taken regarding waste reduction and recycling in County operations?
- What was the Energy Conservation Task Group referenced in the Energy Conservation Policy, adopted in December 2005?
- What is the dollar value of reductions in energy used?

Energy, Water and Fuel reduction goals of neighboring communities

Information was obtained from the Town of Chapel Hill, the Town of Carrboro, the City of Durham and Durham County regarding conservation related policies, with specific requests for information regarding goals or targets established by the individual communities. The following summary information was obtained from these communities:

- Town of Chapel Hill
  - Carbon reduction program – goal 60% by 2050 with milestones
  - LEED-Based Energy Ordinance (adopted 2004)
  - Energy bank – internal loan program for Town facilities
  - Green Fleets policy
  - Additional detail available at: http://www.townofchapelhill.org/index.aspx?page=237

- Town of Carrboro

P.O. Box 8181 * 131 West Margaret Lane~Suite 301* Hillsborough, North Carolina 27278
Telephone: Area Code 919 245-2657
Fax: 644-3001

    - Carbon reduction program – 2009 resolution
    - Energy Bank – revolving loan program for community
    - Additional detail available at: http://www.ci.carrboro.nc.us/ecd/EERLF.htm

- Durham City/County
    - Greenhouse Gas Emissions Reduction Plan – goal 50% by 2030
    - Idle reduction policies
    - County green building policy
    - City preferred purchasing policy
    - Fuel-efficient vehicles policy
    - Additional detail available at: http://durhamnc.gov/ich/cmo/sustainability/Pages/Documents-and-Policies.aspx

Instant on devices and outdoor lighting

Action was taken shortly after the June 7, 2011 meeting to install switches to control power to the receptacles for the flat panel screens in the BOCC meeting room at Southern Human Services Center. Asset Management Services (AMS) has ensured installation of switches for monitors in other locations, and continues to monitor for future locations. In a similar vein, AMS has installed "Vending Misers" on soda vending machines in County buildings to shut of display lighting and minimize cycling of the compressors in these machines.

The exterior lighting at the Library is operated by a lighting control panel. Periodically, this panel requires some adjustments to ensure that it has proper time codes for seasonal changes, and minor fluctuations in electrical service. Most other exterior lighting at County facilities is leased from Duke Energy and is charged on a flat, monthly rate basis. AMS staff reported to Duke Energy both lights that are not on during nighttime periods, and lights that remain on during the daytime.

Energy Conservation Task Group – Energy Conservation Policy – December 2005

Additional information regarding proposed modifications to the Energy, Water and Fuel Conservation Policies adopted by the Board in December 2005 will be brought to the Board at its November 13, 2012 work session.

Use of Recycled Products/Waste Stream Reduction

The report being presented to the Board at its October 16, 2012 meeting includes information from the County's Solid Waste Department regarding waste reduction, reuse and recycling. Additional information regarding waste reduction, and other goal, is contemplated for inclusion in future annual updates on the Environmental Responsibility Goal.

Energy Reductions from Energy Efficiency

While a reduction in energy used per occupied square foot, compared to FY 2010, was achieved in FY 2011 and FY 2012, the unit cost for energy was higher in FY 2011 and FY2012 than the baseline year. As such, the value of energy savings are presented here, to represent the additional cost the County would have incurred had these reductions not been realized. The report being presented to the Board at its October 16, 2012 meeting provides additional information regarding the energy reductions achieved.

Energy Costs Saved for FY 2011 & FY 2012			
	FY 10	**FY 11**	**FY 12**
Cost Per Occupied Sq. FT.	**$1.55**	**$1.46**	**$1.49**
Estimated Cost Avoided		**$51,712**	**$34,148**

The Energy, Water and Fuel Conservation Team will continue its work to reduce the amount of energy, water and fuel used in County operations, and will continue to report outcomes each year to the Board of County Commissioners.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 8-b

SUBJECT: Tax Collector's Monthly Report

DEPARTMENT: Tax Administration

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
Spreadsheets

INFORMATION CONTACT:
Dwane Brinson, Tax Administrator,
(919) 245-2109

PURPOSE: To present a monthly report to the Board showing the amount collected on each year's taxes charged during settlement, remaining uncollected, and steps being taken to collect the uncollected amount.

BACKGROUND: North Carolina General Statute 105 – 350 contains a list of requirements imposed on County Tax Collectors. One duty is to submit a report to the governing body at each of its regular meetings showing the (1) amount collected on each year's taxes charged during annual settlement, (2) amount remaining uncollected, and (3) steps being taken to encourage or enforce payment of uncollected taxes. Tax Administration's report will transcend basic statutory requirements as it will provide an updated current year collection percentage and juxtapose last year's performance with the current year's through the same time period. However, while timing of payments between July and January, especially from large taxpayers, may raise concerns on the surface, the Orange County Tax Collector will research anomalies and provide explanations as needed to the BOCC.

A foremost goal of this statutory duty is to provide transparency to the BOCC and public regarding tax collection efforts, and to retain a firm grasp on the efficacy of budgeted property tax revenues. The Orange County Tax Collector submits these reports in good faith, and final reconciliation of tax collection numbers will be performed annually after fiscal year end in preparation for settlement and audits.

FINANCIAL IMPACT: There is no financial impact associated with receiving this report.

RECOMMENDATION(S): The Manager recommends the Board receive the Tax Collector's Monthly Report.

Effective Date of Report: October 1, 2012

Tax Year 2012	Amount Charged in FY 12 - 13	Amount Collected	Balance	Amount Budgeted in FY 12 - 13	Remaining Budget	% of Budget Collected
Current Year Taxes	$ 135,068,463.00	$ 13,405,936.56	$ 117,839,119.54	$ 135,068,463.00	$ 121,662,526.44	9.93%
Prior Year Taxes	$ 4,026,736.27	$ 788,236.41	$ 2,983,855.86	$ 994,130.00	$ 205,893.59	79.29%
Total	$ 139,095,199.27	$ 14,194,172.97	$ 120,822,975.40	$ 136,062,593.00	$ 121,868,420.03	**10.43%**

Tax Year 2011	Amount Charged in FY 11 - 12	Amount Collected	Balance	Amount Budgeted in FY 12 - 13	Remaining Budget	% of Budget Collected
Current Year Taxes	$ 131,785,329.00	$ 11,628,567.62	$ 118,561,548.26	$ 131,785,329.00	$ 120,156,761.38	8.82%
Prior Year Taxes	$ 3,553,341.59	$ 589,173.82	$ 2,877,000.96	$ 843,846.00	$ 254,672.18	69.82%
Total	$ 135,338,670.59	$ 12,217,741.44	$ 121,438,549.22	$ 132,629,175.00	$ 120,411,433.56	**9.21%**

Current Year Overall Collection Percentage Tax Year 2012	10.21%
Current Year Overall Collection Percentage Tax Year 2011	9.09%

	September	YTD
Number of wage garnishments	51	182
Number of bank attachments	6	50
Number of certifications	3	3
Number of rent attachments	-	2
Number of DMV blocks	6,475	14,411
Number of levies	40	40
Number of foreclosures initiated	3	12
Amount collected through NC Debt Setoff	$ -	$ 566.36

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda
Item No. 11-a

SUBJECT: Adult Care Home Community Advisory Committee – Appointment

DEPARTMENT: Board of Commissioners **PUBLIC HEARING: (Y/N)** No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Letter Of Recommendation
Application(s)/Resume(s) of Person(s) for Consideration
Applicant Interest List
Application(s)/Resume(s) of Person(s) on the Interest List

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making an appointment to the Adult Care Home Community Advisory Committee.

BACKGROUND: The following appointment is for Board consideration:

- Appointment to a one-year training term for Dr. Anthony John Vogt. If appointed Dr. Vogt will be serving a one-year training term expiring 10/30/2013

Position Number	Special Representation	Expiration Date
3 Dr. Anthony John Vogt	At-Large	10/30/2013

FINANCIAL IMPACT: None

RECOMMENDATION(S): The Board will consider making a new appointment to the Adult Care Home Community Advisory Committee.

Board and Commission Members

And Vacant Positions

Adult Care Home Community Advisory Committee

Meeting Times: 3:30 p.m. - 5:00 p.m. Bi-monthly | Terms: 3 | Contact Person: Charlotte Terwilliger

Meeting Place: Adult | Positions: 12 | Length: 2 years | Contact Phone: 919-558-9401

Description: Members are appointed by the Board of Commissioners to at-large positions. There is an initial one-year training term with subsequent eligibility for three additional two-year terms. This committee works to maintain the intent of the Adult Care Home Residents' Bill of Rights for those residing in licensed adult care homes. The members of this committee also promote community involvement and cooperation with these homes to ensure quality care for the elderly and disabled adults.

1 **Dr. Mario Battigelli**
1307 Wildwood Drive
Chapel Hill NC 27514

Day Phone: 919-942-5756
Evening Phone:
FAX:
E-mail: mcbattigelli@gmail.com

Sex: Male
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 04/19/2011
Current Appointment: 03/22/2012
Expiration: 03/31/2014
Number of Terms: 1

2 **Mr. Daniel Hatley**
Chair
317 W. University
Chapel Hill NC 27516

Day Phone: 919-200-0822
Evening Phone: 309-252-1169
FAX: 888-514-4878
E-mail: dan@hatleylawoffice.com

Sex: Male
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 08/17/2010
Current Appointment: 08/23/2011
Expiration: 10/31/2013
Number of Terms: 1

3 **Ms. Deborah Rider**
2314 Red Oak CT.
Hillsborough NC 27278

Day Phone: 919-818-6489
Evening Phone: 919-732-9476
FAX:
E-mail: drider1736@gmail.com

Sex: Female
Race: Caucasian
Township: Hillsborough
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 06/19/2012
Current Appointment: 06/19/2012
Expiration: 06/30/2013
Number of Terms:

4 **Mr. Max Mason**
Vice-Chair
821 Tinkerbell Rd.
Chapel Hill NC 27517

Day Phone: 9196497937
Evening Phone:
FAX:
E-mail: maxomason@yahoo.com

Sex: Male
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 06/07/2011
Current Appointment: 06/19/2012
Expiration: 06/30/2015
Number of Terms: 1

5 **VACANT**

Day Phone:
Evening Phone:
FAX:
E-mail:

Sex:
Race:
Township:
Resid/Spec Req: At-Large
Special Repr:

First Appointed:
Current Appointment:
Expiration: 10/30/2013
Number of Terms:

Board and Commission Members

And Vacant Positions

Adult Care Home Community Advisory Committee

Meeting Times: 3:30 p.m. - 5:00 p.m. Bi-monthly | Terms: 3 | Contact Person: Charlotte Terwilliger

Meeting Place: Adult | Positions: 12 | Length: 2 years | Contact Phone: 919-558-9401

Description: Members are appointed by the Board of Commissioners to at-large positions. There is an initial one-year training term with subsequent eligibility for three additional two-year terms. This committee works to maintain the intent of the Adult Care Home Residents' Bill of Rights for those residing in licensed adult care homes. The members of this committee also promote community involvement and cooperation with these homes to ensure quality care for the elderly and disabled adults.

6 **Mr Richard Gross**
3006 Joshua Dr
Hillsborough NC 27278

Day Phone: 644-0157
Evening Phone: same
FAX: na
E-mail: na

Sex: Male
Race: Caucasian
Township: Eno
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 10/06/2009
Current Appointment: 08/23/2011
Expiration: 10/30/2013
Number of Terms: 2

7 **VACANT**

Day Phone:
Evening Phone:
FAX:
E-mail:

Sex:
Race:
Township:
Resid/Spec Req: At-Large
Special Repr:

First Appointed:
Current Appointment:
Expiration: 10/30/2011
Number of Terms:

8 **Dr. Mary Fraser**
1901 N. Hawick Ct.
Chapel Hill NC 27516

Day Phone: 919-942-1657
Evening Phone: 919-942-1657
FAX:
E-mail: mefraser@unc.edu

Sex: Female
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 03/16/2010
Current Appointment: 04/19/2011
Expiration: 03/31/2013
Number of Terms: 1

9 **Ms. T. L. Crews**
4921 Guess Rd
Rougmeont NC 27572

Day Phone: 919 732-6974
Evening Phone: 919 732-6974
FAX:
E-mail: crewsez@aol.com

Sex: Female
Race: African American
Township: Little River
Resid/Spec Req: At-Large
Special Repr: At-Large

First Appointed: 03/22/2012
Current Appointment: 03/22/2012
Expiration: 03/31/2013
Number of Terms:

10 **Ms. Teri J. Driscoll**
Secretary
815 US Hwy 70A East, Apt. 323
Hillsborough NC 27278

Day Phone: 919-245-1127
Evening Phone:
FAX:
E-mail: teristarr@centurylink.net

Sex: Female
Race: Caucasian
Township: Hillsborough
Resid/Spec Req: At-Large
Special Repr: At-Large

First Appointed: 09/18/2012
Current Appointment: 09/18/2012
Expiration: 09/30/2013
Number of Terms:

Board and Commission Members

And Vacant Positions

Adult Care Home Community Advisory Committee

Meeting Times: 3:30 p.m. - 5:00 p.m. Bi-monthly
Terms: 3
Contact Person: Charlotte Terwilliger
Meeting Place: Adult
Positions: 12
Length: 2 years
Contact Phone: 919-558-9401

Description: Members are appointed by the Board of Commissioners to at-large positions. There is an initial one-year training term with subsequent eligibility for three additional two-year terms. This committee works to maintain the intent of the Adult Care Home Residents' Bill of Rights for those residing in licensed adult care homes. The members of this committee also promote community involvement and cooperation with these homes to ensure quality care for the elderly and disabled adults.

11	VACANT	Day Phone:	Sex:	First Appointed:	
		Evening Phone:	Race:	Current Appointment:	
		FAX:	Township:	Expiration:	12/31/2007
		E-mail:	Resid/Spec Req: At-Large	Number of Terms:	
			Special Repr: At-Large		
12	VACANT	Day Phone:	Sex:	First Appointed:	
		Evening Phone:	Race:	Current Appointment:	
		FAX:	Township:	Expiration:	03/31/2011
		E-mail:	Resid/Spec Req: At-Large	Number of Terms:	
			Special Repr: At-Large		

Jeanette Jones

From: Charlotte Terwilliger <cterwilliger@tjcog.org>
Sent: Friday, September 21, 2012 7:50 AM
To: Jeanette Jones
Subject: ACH Committee Appointment Recommendation

Dear Jeanette,

The Adult Care Home Community Advisory Committee would like to recommend Dr. Anthony John Vogt for a one year training term. Dr. Vogt has a passion for senior living as well as a genuine love for older adults. For six years he served on the Nursing Home Community Advisory Committee so he is very familiar with resident rights and long term care issues. Dr. Vogt has a strong interest in improving the quality of life for Orange County residents living in long term care facilities and he would be a valuable advocate.

Please let me know if you need additional information to move this recommendation forward.
Thank you.

Sincerely,
Charlotte

Charlotte Terwilliger
Ombudsman – Orange and Chatham Counties
Area Agency on Aging
Triangle J Council of Governments
PO Box 12276 / RTP, NC 27709
(o) 919-558-9401 / (f) 919-998-8101
cterwilliger@tjcog.org / www.tjcog.org

Street Address:
4307 Emperor Blvd., Suite 110, Durham, NC 27703

E-Mail correspondence to and from this address is subject to the North Carolina Public Records Act and may be disclosed to third parties unless made confidential under applicable law.

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Dr. Anthony John Vogt
Name Called:
Home Address: 713 W. Barbee Chapel Road
Chapel Hill NC 27517
Phone (Day): 919-929-8646
Phone (Evening): 919-929-8646
Phone (Cell):
Email: ajvogt@earthlink.net

Place of Employment: Retired -School of Government, UNC-CH
Job Title: Adjunct Professor
Year of OC Residence: 1973
Township of Residence: Chapel Hill
Zone of Residence: Does not apply
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Adult Care Home Community Advisory Committee

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I currently serve on the Human Relations Commission and wish to continue serving on that Commission. I've been on the HRC for several years now and feel I'm making a contribution. I've recently retired to Adjunct Professor status at the School of Government of UNC. Because of this, I have more time to devote to volunteer work and can serve on a second county committee. In the past, I served on the Nursing Home Committee, found the experience to be rewarding, and feel that I made a valuable contribution. I would like to serve on either the Adult Care Home Committee or return to the Nursing Home Committee. My first choice is the Adcult Care Home committee. It has more vacancies, and there is less regulation than for nursing homes; this makes service on the adult care home committee to be potentially useful. 08/20/2012 UPDATE: Faculty, School of Government, UNC-CH 1973 - 2009; Budget Analyst, State Budget Office, Wisconsin 1968-1972

Volunteer Experience: Nursing Home Community Advisory Committee (2000-2006). Served about five years, including as chair of the committee for one year or so. Human Relations Commission: (2006-2012). UNC Health Care, ACC, (2011-2012); Kindred Nursing Home (2011-2012)

Education: Ph.D., Cornell University, 1973; Court work at Cornell l968-1970
MPIA, University of Pittsburgh, 1965
B. S., Georgetown University, 1963

Other Comments:

The residents of adult care and nursing homes are too often neglected. Care in such facilities too often falls short of acceptable standards. Since leaving the Nursing Home Advisory Committee several years ago, I have continued to visit one or two friends. 08/20/2012: I have interest that is strong in care for elderly. Served as Chair of Nursing Home Committee for a year or two. STAFF COMMENTS: Reapplied 7/3/2005 for HRC Adult Care Home Community Advisory Committee and OPC Area Board. App. 1/12/2000 for Innovation and Efficiency Committee; REAOPPLIED FOR ADULT CARE COME COMMUNITY ADVISORY COMMITTEE 08/20/2012. ADDRESS VERIFICATION: 713 W. Barbee Chapel Road is Chapel Hill Jurisdiction; Chapel Hill Town Limits. Previous address-402 Yorktown Drive Chapel Hill.

This application was current on: 8/20/2012 **Date Printed:** 10/1/2012

Applicant Interest Listing

by Board Name and by Applicant Name

Adult Care Home Community Advisory Committee

Contact Person: Charlotte Terwilliger
Contact Phone: 919-558-9401

Ms Linda Bareham
201 westbrook dr B1
carrboro NC 27510

Day Phone: 919-259-1078
Evening Phone: 919-923-9263
Cell Phone:
E-mail: lindaanntoll@gmail.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Date Applied: 03/25/2011

Skills:
Also Serves On:

Ms Joyce Jefferies
4820 NC Hwy 54 West
Chapel Hill NC 27516

Day Phone: (919)425-3597
Evening Phone: (919)720-6115
Cell Phone:
E-mail: joyce_jefferies@dentistry.unc.edu

Sex: Female
Race: African American
Township: Chapel Hill
Date Applied: 11/03/2010

Skills:
Also Serves On:
Skills: Administrative Assistant
Also Serves On:

Ms Sarah Lowman
316 Standish Drive
Chapel Hill NC 27517

Day Phone: 919-259-0053
Evening Phone: same
Cell Phone:
E-mail: lowmanster@gmail.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Date Applied: 11/05/2009

Skills: Community Educator
Also Serves On: Nursing Home Community Advisory Committee
Skills: Crisis Line Advocate
Skills: Hospital Counselor

Miss Danielle Mosley
476 Melanie Court
Chapel Hill NC 27514

Day Phone: 919-309-5685
Evening Phone:
Cell Phone:
E-mail: Dlynnm26@gmail.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Date Applied: 06/26/2012

Skills: Club Nova
Also Serves On:

Dr. Anthony John Vogt
713 W. Barbee Chapel Road
Chapel Hill NC 27517

Day Phone: 919-929-8646
Evening Phone: 919-929-8646
Cell Phone:
E-mail: ajvogt@earthlink.net

Sex: Male
Race: Caucasian
Township: Chapel Hill
Date Applied: 08/20/2012

Skills: Budget Analysis
Also Serves On:
Skills: Professor
Also Serves On:

Applicant Interest Listing

by Board Name and by Applicant Name

Adult Care Home Community Advisory Committee

Contact Person: Charlotte Terwilliger
Contact Phone: 919-558-9401

Ms. Tiki Windley
119 Cynthia Drive
Chapel Hill NC 27514

Day Phone: 919-969-8583
Evening Phone: 919-942-4392
Cell Phone:
E-mail: tiki_windley@yahoo.com

Sex: Female
Race: African American
Township: Chapel Hill
Date Applied: 05/27/2010

Skills: Financial Advisor
Also Serves On:

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Ms Linda Bareham
Name Called:	
Home Address:	201 westbrook dr B1 carrboro NC 27510
Phone (Day):	919-259-1078
Phone (Evening):	919-923-9263
Phone (Cell):	
Email:	lindaanntoll@gmail.com
Place of Employment:	Prescription Music
Job Title:	asst. director
Year of OC Residence:	2009
Township of Residence:	Chapel Hill
Zone of Residence:	Does not apply
Sex:	Female
Ethnic Background:	Caucasian

Boards/Commissions applied for:

Adult Care Home Community Advisory Committee

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I have been working with seniors at all levels of health for the past twelve years.

Education: BA, professional certifications

Other Comments:

STAFF COMMENTS: Originally applied for Adult Care Home Community Advisory Committee, 3/25/2011. ADDRESS VERIFICATION: 201 Westbrook Dr., B1 is in Carrboro Jurisdication, Chapel Hill Township.

This application was current on: 3/25/2011 2:19:20 PM **Date Printed:** 10/1/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms Joyce Jefferies
Name Called:
Home Address: 4820 NC Hwy 54 West
Chapel Hill NC 27516
Phone (Day): (919)425-3597
Phone (Evening): (919)720-6115
Phone (Cell):
Email: joyce_jefferies@dentistry.unc.edu

Place of Employment: UNC School of Dentistry
Job Title: Administrative Assistant
Year of OC Residence:
Township of Residence: Chapel Hill
Zone of Residence: Does not apply
Sex: Female
Ethnic Background: African American

Boards/Commissions applied for:

Adult Care Home Community Advisory Committee

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Employed by UNC Hospitals and UNC-Chapel Hill since 1973 first as a dietary assistant now an Administrative Assistant in Dentistry where I perform a variety of functions including accounting, billing, preparing check requests to pay bills, arranging travel, coordinating meetings, preparing meeting agendas, ordering supplies, budgeting, preparing reports, drafting letters, etc. I would like to serve on the Advisory Boards because I am experiencing first-hand, in regards to my elderly mother, in trying to find an affordable assisted-living facility in good standard that really uphold the care and the best interest of their residents. Also the assurance of knowing that these facilities are being governed by guidelines, rules and regulations that they have to adhere to and that there are committees to visit these faciliteis to ensure that these guidelines are being carry out. It is difficult enough to have to place our elderly family members in a facility but having the reassurance in knowing that they are being well taken care of makes this transition a lot more bearable.

Volunteer Experience: I volunteer at my church, Hospitality- serving guests of the Pastor and greeting members as they enter the church, Sisters of Jubilee- visiting the Women prisons in Raleigh, organizing birthday parties, prayer and fellowship, visiting the sick and shut in.

Education: I received my GED from Durham Technical Institute and enrolled in the Business Administration Associate Degree Program, also at Durham Tech.

Other Comments:

I feel that I am at the place in my life mentally, physically and spiritually where I have a lot to offer in reaching out and assisting others through community involvement, etc. I look at volunteering as a personal committment just as rewarding to me as to the area that I am volunteering in. I get a joy in being able to be a contributor and not just to try and make a difference. I enjoy working with others in like causes and like minds, even though having different approaches but seeking to reach the same goal. STAFF COMMENTS: Originally applied 11-3-2010 for Adult Care Home Community Advisory Committee, Nursing Home Community Advisory Committee, Advisory Board on Aging. ADDRESS VERIFICATION: 4820 NC Highway 54 West is in Bingham Township and Orange County Jurisdiction.

This application was current on: 11/3/2010 2:36:29 PM **Date Printed:** 10/1/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms Sarah Lowman
Name Called:
Home Address: 316 Standish Drive
Chapel Hill NC 27517
Phone (Day): 919-259-0053
Phone (Evening): same
Phone (Cell):
Email: lowmanster@gmail.com

Place of Employment: UNC Chapel Hill, School of Medicine
Job Title: Project Coordinator
Year of OC Residence: 1994
Township of Residence: Chapel Hill
Zone of Residence: . . .
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Advisory Board on Aging

Adult Care Home Community Advisory Committee

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: 2006- : Project Coordinator, UNC Center for Aging & Health

2003-2005: Editor, Kyiv Post newspaper, Kyiv, Ukraine

Volunteer Experience: 2005-2006: Crisis Line Advocate, Hospital Counselor and Community Educator - Durham Crisis Response Center

Education: MPH, UNC-CH, Dept of Health Behavior & Health Education, 2008

BA, Vassar College

Other Comments:
I have worked in aging research, education and program planning for nearly five years. Through that work, I have collaborated on projects focused on community-dwelling and institutionalized older adults. Now, I would be honored to utilize my skills and knowledge to serve nursing home residents, and their families, in my community. STAFF COMMENTS: Originally applied for Nursing Home Community Advisory Committee, Advisory Board on Aging & Adult Care Home Community Advisory Committee 11/5/09.

ADDRESS VERIFICATION: 316 Standish Drive, Chapel Hill, NC is Chapel Hill township, CH jurisdiction.

This application was current on: 11/5/2009 9:53:25 PM **Date Printed:** 10/1/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Miss Danielle Mosley
Name Called:
Home Address: 476 Melanie Court
Chapel Hill NC 27514
Phone (Day): 919-309-5685
Phone (Evening):
Phone (Cell):
Email: Dlynnm26@gmail.com
Place of Employment:
Job Title:
Year of OC Residence: 2011
Township of Residence: Chapel Hill
Zone of Residence: C.H. City Limits
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Adult Care Home Community Advisory Committee

Board of Health

Agricultural Preservation Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Club Nova

Volunteer Experience: Club Nova

Education: Attending school for ged

Other Comments:
STAFF COMMENTS: Applied for Adult Care Home Community Advisory Committee, Board of Health, and Agricultural preservation Board on 06/26/2012. ADDRESS VERIFICATION: Melanie Court is Chapel Hill Township, Chapel Hill Town Limits.

This application was current on: 6/26/2012 11:06:45 AM **Date Printed:** 10/1/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms. Tiki Windley
Name Called:
Home Address: 119 Cynthia Drive
Chapel Hill NC 27514
Phone (Day): 919-969-8583
Phone (Evening): 919-942-4392
Phone (Cell):
Email: tiki_windley@yahoo.com

Place of Employment: MDC, inc.
Job Title: Program Manager
Year of OC Residence: 2007
Township of Residence: Chapel Hill
Zone of Residence: . . .
Sex: Female
Ethnic Background: African American

Boards/Commissions applied for:

Board of Social Services

Nursing Home Community Advisory Committee

Adult Care Home Community Advisory Committee

Human Relations Commission

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: MDC, Inc. 2006 to Present Program Manager whose duties include meeting facilitation, training, free tax preparation, asset-building and making presentations. Prior experience includes teaching financial literacy to high school students and their families, housing counseling, working with ex-offenders and community engagement and organization. Current experience includes meeting facilitation, training, oral presentations, community engagement and organization.

Prior experience includes teaching financial literacy to high school students, asset education, free tax preparation an housing counseling.

Volunteer Experience: Meeting facilitation, event planning, volunteer supervision Site coordinator for free tax preparation site
Escort for Project Homeless Connect (Orange County)
Smith Middle School School Improvement Team

Triangle United Way Orange Accountability Committee
Triangle United Way Regional Initiative Task Force
NC Indian Economic Development Initiative Project G-7
Steering Committee
Assets Educator: Community Success Initiative
NC Second Chance Alliance Escort, Project Homeless Connect (Orange County) 2009
Chairman, Guest Outreach, Project Homeless Connect, 2010
Triangle United Way Orange Accountability Committee
Triangle United Way Regional Task Force Initiative
Assets educator, Community Success Initiative
Project G-7 Steering Committee, NC Indian Economic Development
NC Second Chance Alliance
NC Assets Alliance Escort, Project Homeless Connect (Orange County) 2009
Chairman, Guest Outreach, Project Homeless Connect, 2010
Triangle United Way Orange Accountability Committee
Triangle United Way Regional Task Force Initiative
Assets educator, Community Success Initiative
Project G-7 Steering Committee, NC Indian Economic Development
NC Second Chance Alliance
NC Assets Alliance

Escort, Project Homeless Connect (Orange County) 2009
Chairman, Guest Outreach, Project Homeless Connect, 2010
Triangle United Way Orange Accountability Committee
Triangle United Way Regional Task Force Initiative
Assets educator, Community Success Initiative
Project G-7 Steering Committee, NC Indian Economic Development
NC Second Chance Alliance
NC Assets Alliance

Education: Bachelor of Science, Elizabeth City State University 1997
Master of Public Administration, NC Central University, 2010
Elizabeth City State University, 1997

Master in Public Administration
NC Central University, December 2010

Other Comments:

I would like to provide a voice for those citizens who feel they are unheard in our community. STAFF COMMENTS: Originally applied for Commission for Women, Board of Social Services & Adult Care Home Community Advisory Committee 10/6/09. Applied for Human Relations Commission, Board of Social Services, & Nursing Home Community Advisory Committee 05/27/2010. ADDRESS VERIFICATION: 119 Cynthia Drive, Chapel Hill is Chapel Hill township, CH jurisdiction.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 11-b

SUBJECT: Affordable Housing Advisory Board — Appointments

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Recommendation/Attendance
Application(s)/Resume(s) of Person(s) for Consideration
Interest List
Application(s)/Resume(s) of Person(s) on the Interest List

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making appointments to the Affordable Housing Advisory Board.

BACKGROUND: The following appointments are for Board consideration:

- Appointment to a first partial term for Ms. Teri Driscoll. If appointed Ms. Driscoll will be serving a first partial term expiring 09/30/2013.
- Appointment to a first full term for Mr. Andrew Shannon, Jr. If appointed Mr. Shannon will be serving a first full term expiring 06/30/2015.
- Appointment to a first full term for Mrs. Dee Jackola. If appointed Mrs. Jackola will be serving a first full term expiring 06/30/2015.
- Appointment to a first full term for Mr. Christopher Wehrman. If appointed Mr. Wehrman will be serving a first full term expiring 06/30/2015.

POSITION NUMBER	SPECIAL REPRESENTATION	EXPIRATION DATE
1 – Ms. Teri J. Driscoll	At-Large	09/30/2013
3 – Mr. Andrew Shannon, Jr.	At-Large	06/30/2015
6 – Mrs. Dee Jackola	At-Large	06/30/2015
9 – Mr. Christopher Wehrman	At-Large	06/30/2015

.

FINANCIAL IMPACT: None.

RECOMMENDATION(S): The Board will consider making appointments to the Affordable Housing Advisory Board.

Board and Commission Members

And Vacant Positions

Affordable Housing Advisory Board

Meeting Times: 6:00 p.m. Second Tuesday | Terms: 2 | Contact Person: Tara Fikes

Meeting Place: | Positions: 15 | Length: 3 years | Contact Phone: 919-245-2490

Description: All members are appointed by the Board of County Commissioners. The Board will prioritize affordable housing needs, assess and monitor project proposals and local housing programs. It will publicize County housing objectives and assist the implementation of recommended strategies in the FY 2001 CAHTF (Commissioners' Affordable Housing Task Force) Report. The Board will also explore new funding opportunities, assist in the investigation of County residential segregation patterns, and assist with other housing-related items as identified by the Board of County Commissioners.

1	VACANT	Day Phone:		Sex:		First Appointed:	
		Evening Phone:		Race:		Current Appointment:	
		FAX:		Township:		Expiration:	09/30/2013
		E-mail:		Resid/Spec Req:	At-Large	Number of Terms:	
				Special Repr:			
2	Ms. Katherine Doom-Patel	Day Phone:	606-224-3713	Sex:	Female	First Appointed:	11/15/2011
		Evening Phone:	606-224-3713	Race:	Caucasian	Current Appointment:	11/15/2011
	519 Forrest St.	FAX:		Township:	Hillsborough	Expiration:	09/30/2014
	Hillsborough NC 27278	E-mail:	sunnydoom@hotmail.com	Resid/Spec Req:	At-Large	Number of Terms:	1
				Special Repr:			
3	VACANT	Day Phone:		Sex:		First Appointed:	
		Evening Phone:		Race:		Current Appointment:	
		FAX:		Township:		Expiration:	06/30/2012
		E-mail:		Resid/Spec Req:	At-Large	Number of Terms:	
				Special Repr:			
4	VACANT	Day Phone:		Sex:		First Appointed:	
		Evening Phone:		Race:		Current Appointment:	
		FAX:		Township:		Expiration:	06/30/2013
		E-mail:		Resid/Spec Req:	At-Large	Number of Terms:	
				Special Repr:			
5	Ms. Nannie M. Richmond	Day Phone:	919-732-7884	Sex:	Female	First Appointed:	01/27/2009
		Evening Phone:	919-732-7884	Race:	African American	Current Appointment:	06/07/2011
	202 W. Union St.	FAX:		Township:	Hillsborough	Expiration:	06/30/2014
	Hillsborough NC 27278	E-mail:	ncnurse02@aol.com	Resid/Spec Req:	At-Large	Number of Terms:	2
				Special Repr:			

Board and Commission Members

And Vacant Positions

Affordable Housing Advisory Board

Meeting Times: 6:00 p.m. Second Tuesday | Terms: 2 | Contact Person: Tara Fikes

Meeting Place: | Positions: 15 | Length: 3 years | Contact Phone: 919-245-2490

Description: All members are appointed by the Board of County Commissioners. The Board will prioritize affordable housing needs, assess and monitor project proposals and local housing programs. It will publicize County housing objectives and assist the implementation of recommended strategies in the FY 2001 CAHTF (Commissioners' Affordable Housing Task Force) Report. The Board will also explore new funding opportunities, assist in the investigation of County residential segregation patterns, and assist with other housing-related items as identified by the Board of County Commissioners.

6	VACANT	Day Phone:		Sex:		First Appointed:	
		Evening Phone:		Race:		Current Appointment:	
		FAX:		Township:		Expiration:	06/30/2015
		E-mail:		Resid/Spec Req:	At-Large	Number of Terms:	
				Special Repr:			
7	Ms. JonZetta Bailey-Pridham Vice-Chair 800 Pritchard Ave. Ext. Apt. A12 Chapel Hill NC 27516	Day Phone:	919-923-6931	Sex:	Female	First Appointed:	02/15/2011
		Evening Phone:	same as above	Race:	Caucasian	Current Appointment:	02/15/2011
		FAX:	n/a	Township:	Chapel Hill	Expiration:	09/30/2013
		E-mail:	zuguru02@yahoo.com	Resid/Spec Req:	At-Large	Number of Terms:	1
				Special Repr:			
8	Ms. Patsy Barbee Chair 817 Oakdale Drive Hillsborough NC 27278	Day Phone:	919-732-9223	Sex:	Female	First Appointed:	03/24/2009
		Evening Phone:	919-732-5904	Race:	African American	Current Appointment:	06/07/2011
		FAX:		Township:	Hillsborough	Expiration:	06/30/2014
		E-mail:	msdivapat@yahoo.com	Resid/Spec Req:	At-Large	Number of Terms:	2
				Special Repr:			
9	VACANT	Day Phone:		Sex:		First Appointed:	
		Evening Phone:		Race:		Current Appointment:	
		FAX:		Township:		Expiration:	06/30/2012
		E-mail:		Resid/Spec Req:	At-Large	Number of Terms:	
				Special Repr:			
10	Ms. Diane Beecham 218 Turtleback Crossing Drive Chapel Hill NC 27516	Day Phone:	919-918-4075	Sex:	Female	First Appointed:	02/15/2011
		Evening Phone:	same	Race:	Caucasian	Current Appointment:	02/15/2011
		FAX:		Township:	Chapel Hill	Expiration:	06/30/2013
		E-mail:	ddbeecham@gmail.com	Resid/Spec Req:	At-Large	Number of Terms:	1
				Special Repr:			

Board and Commission Members

And Vacant Positions

Affordable Housing Advisory Board

Meeting Times: 6:00 p.m. Second Tuesday | Terms: 2 | Contact Person: Tara Fikes

Meeting Place: | Positions: 15 | Length: 3 years | Contact Phone: 919-245-2490

Description: All members are appointed by the Board of County Commissioners. The Board will prioritize affordable housing needs, assess and monitor project proposals and local housing programs. It will publicize County housing objectives and assist the implementation of recommended strategies in the FY 2001 CAHTF (Commissioners' Affordable Housing Task Force) Report. The Board will also explore new funding opportunities, assist in the investigation of County residential segregation patterns, and assist with other housing-related items as identified by the Board of County Commissioners.

11	Mr Mark Jonson 210 Old Barn Lane Chapel Hill NC 27517	Day Phone: 919-338-9257 Evening Phone: 919-338-9257 FAX: E-mail: aten46@gmail.com	Sex: Male Race: African American Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 02/15/2011 Current Appointment: 06/07/2011 Expiration: 06/30/2014 Number of Terms: 1		
12	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: At-Large Special Repr:	First Appointed: Current Appointment: Expiration: 06/30/2012 Number of Terms:		
13	Mr. James R. Stroud 7904 Rogers Rd Chapel Hill NC 27516	Day Phone: 919-680-8871 Evening Phone: 919-971-7063 FAX: E-mail: jrstroud2@yahoo.com	Sex: Male Race: African American Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 02/15/2011 Current Appointment: 02/15/2011 Expiration: 06/30/2013 Number of Terms: 1		
14	Mr. Arthur Sprinczeles 610 Churton Grove Blvd Hillsborough NC 27278	Day Phone: 919-452-2757 Evening Phone: 919-241-3531 FAX: 919-732-3373 E-mail: asprinczeles@encore-marketing.com	Sex: Male Race: Caucasian Township: Hillsborough Resid/Spec Req: At-Large Special Repr:	First Appointed: 11/15/2011 Current Appointment: 11/15/2011 Expiration: 06/30/2014 Number of Terms: 1		
15	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: At-Large Special Repr:	First Appointed: Current Appointment: Expiration: 09/30/2006 Number of Terms:		

Jeanette Jones

From: Tara L. Fikes
Sent: Tuesday, October 02, 2012 3:54 PM
To: Jeanette Jones
Subject: FW: AHAB

And Teri Driscoll. Thanks.

From: Tara L. Fikes
Sent: Tuesday, October 02, 2012 2:20 PM
To: Jeanette Jones
Subject: AHAB

Jeanette:

The Affordable Housing Advisory Board would like to recommend to the BOCC the appointment of Dee Jackola, Andrew Shannon, and Christopher Wehrman to their Board.

Let me know if you need more information.

Thanks, Tara

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms. Teri J. Driscoll
Name Called:
Home Address: 815 US Hwy 70A East, Apt. 323
Hillsborough NC 27278
Phone (Day): 919-245-1127
Phone (Evening):
Phone (Cell):
Email: teristarr@centurylink.net
Place of Employment: Retired
Job Title:
Year of OC Residence: 2012
Township of Residence: Hillsborough
Zone of Residence:
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Affordable Housing Advisory Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Legal Secretary - 22 years; Brookdale Sr. Living/High Point Place - Office Manager - 5 years.

Volunteer Experience: Duke Hospice, Orange Co. RSVP; Piedmong of the Triad Hospice, Winston-Salem Hospice, 18 years volunteering in public schools and holding various offices - fundraising.

Education: High School, Secretarial School, Activity Director Certification for Assisted Living Communities, Notary Public in NC.

Other Comments:

As Business Office Manager of AL Community I had contact with many adult home care volunteers and thought I would like to do this when I retired; also, I live at Eno Haven, an affordable senior housing complex. I am interested in becoming more involved with issues pertaining to Orange County. STAF COMMENTS: Applied for Adult Care Home Community Advisory Council and Affordable Housing Advisory Board 07/29/2012. ADDRESS VERIFICATION: 815 US Hwy 70A East, Apt. 323 is Hillsborough Jurisdiction and Hillsborough Town Limits.

This application was current on: 7/29/2012 **Date Printed:** 10/3/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Andrew Shannon Jr.
Name Called:
Home Address: 119 Old Larkspur Way
Chapel Hill NC 27516-3414
Phone (Day): 919-931-1558
Phone (Evening): 919-933-1796
Phone (Cell):
Email: andrewshannonjr@yahoo.com

Place of Employment: Self employed
Job Title: Consultant
Year of OC Residence: 2004
Township of Residence: Chapel Hill
Zone of Residence: C.H. City Limits
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Affordable Housing Advisory Board

Orange County Planning Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Contract Business Consultant (Current) Cisco - 1999-2011 (RTP 2004-2011) Director of Global Sales. Managed over 250 people world wide with revenue responsibility of over $1B.

Volunteer Experience: Church Council 2001 - 2004; Habitat for Humanity - Corporate sponsored builds Food Bank of Central and Eastern North Carolina

Education: BS Engineering; MBA- Entrepreneurship

Other Comments:

I am a seasoned global sales executive who has experienced and appreciates a variety of cultures around the world and celebrates and promotes these differences. I believe that the Affordable Housing Program is an important element of our community responsibility. Having lived in a neighborhood with a significant population of Community Trust Homes, I believe the program is not well understood or branded in a positive light. I believe the people of Orange County want this program to thrive and are willing to contribute to the ongoing success of the program if the vision, strategy and action items are understood and communicated in a transparent and accountable fashion. My

successful business leadership experience will add a proven problem solving and organizational dimension to the board. I have the ability to assess problems, identify and prioritize needs, develop simple and actionable plans and align the efforts of the organizations around the common goals. STAFF COMMENTS: Applied for Affordable Housing Advisory Board and Oange County Planning Board 08/08/2012. ADDRESS VERIFICATION: 119 Old Larkspur Way is Chapel Hill Jurisdiction, Chapel Hill Township, and Chapel Hill Town Limits.

This application was current on: 8/24/2012 **Date Printed:** 10/3/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mrs. Dee Jackola
Name Called:	
Home Address:	3218 Gibbs Lane Hillsborough NC 27278
Phone (Day):	919-632-7091
Phone (Evening):	919-241-4245
Phone (Cell):	
Email:	djackola@fmrealty.com
Place of Employment:	Fonville Morisey Realty
Job Title:	Real Estate Broker
Year of OC Residence:	1988
Township of Residence:	Eno
Zone of Residence:	Orange County
Sex:	Female
Ethnic Background:	Caucasian

Boards/Commissions applied for:

Affordable Housing Advisory Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Fonville Morisey Realty 9/2005 - Present; REALTOR at Beazer Homes; 9/2004 - 5/2005 New Home Sales; BCBSNC 8/7/1989 - 10/31/2004 Methods & Standards Analyst, Business and Reporting Analyst; Orange Co. Temp; 1989 Clerical Personnel Dept.; Tecan US Temp 1989 Clerical; Pennsylvania House Furniture 12/1984 - 10/1988 Industrial Engineer; Comar Industries 11/1979 - 12/1984 Industrial Engineer.

Volunteer Experience: PTO Cameron Park Elementary; Band Booster Parent Orange High; Athletic Booster Parent Orange High; Various volunteer experience at Abundant Life Church, Hillsborough over 20+ years.

Education: Wingate University, Wingate, NC 1976 - 1979 B.S. Business Administration; UNCC Charlotte NC 1975-1976, 1983; Durham Technical College 1990, 2005 Real Estate Sales superior School of Real Estate, 2005 Real Estate Broker; Various Work-related Realt Estate Classes since 2004.

Other Comments:

Now that my 2 sons are in college, I need to give more to my community and since I'm already in real estate and really care about individuals and families having adequate housing that they can consider their home , this opportunity seems to be a good fit.

STAFF COMMENTS: Applied for Affordable Housing Advisory Baord and Orange County Housing Authority 08/2012. ADDRESS VERIFICATION: 3218 Gibbs Lane, Hillsborough is Orange County Jurisdiction, Agricultural Residential.

This application was current on: 8/3/2012 6:59:22 PM **Date Printed:** 10/3/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr. Christopher Wehrman
Name Called:	
Home Address:	2212 Becketts Ridge Drive Hillsborough NC 27278
Phone (Day):	215-806-8615
Phone (Evening):	
Phone (Cell):	
Email:	cwadesigns@nc.rr.com
Place of Employment:	Self-employed
Job Title:	
Year of OC Residence:	2011
Township of Residence:	Hillsborough
Zone of Residence:	Hillsborough Town Limits
Sex:	Male
Ethnic Background:	Caucasian

Boards/Commissions applied for:

Affordable Housing Advisory Board

Arts Commission

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Over 25 years of experience in architectural designs, planning, and project management for health care, educational, residential, and mixed-use facilities.

Volunteer Experience: Candlelight Home Tour, Hillsborough, NC, 2011.

Education: Bachelor of Architecture, 2000
Drexel University, Philadelphia, PA

Other Comments:

I have enjoyed living in Hillsborough and everything it has to offer. I'd like to get more involved with the County and use my knowledge and skills to help enhance the quality of life for all residents. STAFF COMMENTS: Applied 04/27/2012 for Affordable Housing Advisory Board and Arts Commission. ADDRESS VERIFICATION: 2212 Becketts Ridge Drive is Hillsborough Township, Hillsborough Town Limits.

This application was current on: 4/27/2012 6:19:18 AM **Date Printed:** 10/3/2012

Applicant Interest Listing

by Board Name and by Applicant Name

Affordable Housing Advisory Board

Contact Person: Tara Fikes
Contact Phone: 919-245-2490

Ms. Teri J. Driscoll

815 US Hwy 70A East, Apt. 323
Hillsborough NC 27278

Day Phone: 919-245-1127
Evening Phone:
Cell Phone:
E-mail: teristarr@centurylink.net

Sex: Female
Race: Caucasian
Township: Hillsborough
Date Applied: 07/29/2012

Skills: Office Manager
Skills: Secretary

Also Serves On: Adult Care Home Community Advisory Committee

Mrs. Dee Jackola

3218 Gibbs Lane
Hillsborough NC 27278

Day Phone: 919-632-7091
Evening Phone: 919-241-4245
Cell Phone:
E-mail: djackola@fmrealty.com

Sex: Female
Race: Caucasian
Township: Eno
Date Applied: 08/03/2012

Skills: Business Administration
Skills: Real Estate

Also Serves On: Orange County Housing Authority

Mr. Andrew Shannon Jr.

119 Old Larkspur Way
Chapel Hill NC 27516-3414

Day Phone: 919-931-1558
Evening Phone: 919-933-1796
Cell Phone:
E-mail: andrewshannonjr@yahoo.com

Sex: Male
Race: Caucasian
Township: Chapel Hill
Date Applied: 08/24/2012

Skills: Consultant
Skills: Sales

Also Serves On:
Also Serves On:

Mr. Christopher Wehrman

2212 Becketts Ridge Drive
Hillsborough NC 27278

Day Phone: 215-806-8615
Evening Phone:
Cell Phone:
E-mail: cwadesigns@nc.rr.com

Sex: Male
Race: Caucasian
Township: Hillsborough
Date Applied: 04/27/2012

Skills:
Skills: Architect

Also Serves On:
Also Serves On:

Mr. Michael O Young, Jr.

Apt 302 C Umstead Dr
Chapel Hill NC 27516

Day Phone: 919-358-6926
Evening Phone: 919-358-6926
Cell Phone:
E-mail: moyoung@email.unc.edu

Sex: Male
Race: African American
Township: Chapel Hill
Date Applied: 04/21/2011

Skills: Housing Advocate
Skills: Law Student
Skills: Student

Also Serves On:
Also Serves On:
Also Serves On:

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Michael O Young, Jr.
Name Called:
Home Address: Apt 302 C Umstead Dr
Chapel Hill NC 27516
Phone (Day): 919-358-6926
Phone (Evening): 919-358-6926
Phone (Cell):
Email: moyoung@email.unc.edu
Place of Employment: Student
Job Title:
Year of OC Residence:
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: African American

Boards/Commissions applied for:

Durham Technical Community College Board of Directors

Affordable Housing Advisory Board

Workforce Development Board - Regional Partnership

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I am a law and government graduate student focused on using my skills to make meaningful contributions to my community.

Volunteer Experience: I have extensive volunteer experience, please see resume.

Education: I will graduate with a J.D. and Masters of Public Admin. in 2010; see resume.

Other Comments:
I have significant volunteer and educational experience in the areas I am interested in serving with. STAFF COMMENTS: Originally applied for Durham Technical Community College Board of Directors, Affordable Housing, Affordable Housing Advisory Board and Workforce Development Board - Regional Partnership 10/16/08. 04/21/2011 updated application for AHAB Interest. ADDRESS VERIFICATION: 500 Umstead Dr is Chapel Hill township, CHPL jurisdiction.

This application was current on: 4/21/2011 **Date Printed:** 10/3/2012

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 11-c

SUBJECT: Hillsborough Planning Board – Appointment

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Resolution/Attendance Confirmation
Application(s)/Resume(s) of Person(s) Recommended
Applicant Interest List
Applications on Interest List

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making an appointment to the Hillsborough Planning Board.

BACKGROUND: The following appointment is for Board consideration:

- Appointment to a second term for Mr. John Bemis. If appointed Mr. Bemis will be serving a second term expiring 10/31/2015.

POSITION NUMBER	SPECIAL REPRESENTATION	EXPIRATION DATE
3	County	10/31/2015

FINANCIAL IMPACT: None.

RECOMMENDATION(S): Consider making one second term appointment to the Hillsborough Planning Board.

Board and Commission Members

And Vacant Positions

Hillsborough Planning Board

Meeting Times: 7:00 p.m. first Tuesday of each month
Terms: 2
Contact Person: Margaret Hauth, Planning Director,

Meeting Place: the Hillsborough Barn
Positions: 3
Length: 3 years
Contact Phone: 919-732-1270 x 73

Description: The Board of Commissioners appoints three County residents to positions on this board. Applicants to this board should reside in Hillsborough Township. The board acquires and maintains information in order to understand past trends, prepare and amend the comprehensive plan for the development of the area, and prepare and recommend ordinances promoting orderly development. One In-Town seat is a Liaison from the Hillsborough Board of Adjustment and floats.

1 **Ms. Erin Eckert**
1811 Rams Way
Hillsborough NC 27278

Day Phone: 919-768-3155
Evening Phone: 919-245-3777
FAX:
E-mail: elm.eckert@gmail.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req: Hillsb. ETJ
Special Repr: County

First Appointed: 10/19/2010
Current Appointment: 10/19/2010
Expiration: 06/30/2013
Number of Terms:

2 **Mr. John Bemis**
125 Tuscarora Drive
Hillsborough NC 27278

Day Phone: 919-644-7478
Evening Phone:
FAX:
E-mail: john@johnclaudebemis.com

Sex: Male
Race: Caucasian
Township: Hillsborough
Resid/Spec Req: Hillsb. ETJ
Special Repr: County

First Appointed: 11/17/2009
Current Appointment: 11/17/2009
Expiration: 10/31/2012
Number of Terms:

3 **Ms. Janie Morris**
1318 Farmview Road
Hillsborough NC 27278

Day Phone: 919-732-7125
Evening Phone:
FAX:
E-mail: librper@netzero.net

Sex: Female
Race: Caucasian
Township: Hillsborough
Resid/Spec Req: Hillsb. ETJ
Special Repr: County

First Appointed: 05/03/2011
Current Appointment: 05/03/2011
Expiration: 05/31/2014
Number of Terms: 1

RESOLUTION REQUESTING TWO APPOINTMENTS
TO EXTRATERRITORIAL JURISDICTION SEATS
ON THE HILLSBOROUGH PLANNING BOARD

WHEREAS, as a result of the end of a term, it is necessary to reappoint a volunteer to seats reserved on the Hillsborough Planning Board for persons residing within the town's extraterritorial planning jurisdiction; and

WHEREAS, by state statute and town ordinance, the Orange County Board of Commissioners initially has the authority and responsibility to appoint ETJ members to the town's Planning Board; and

WHEREAS, the current volunteer is willing to serve another term and has an acceptable attendance record,

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH RESOLVES:

Section 1. The Orange County Board of Commissioners is respectfully requested to reappoint the following individual to an ETJ seat on the Hillsborough Planning Board, whose term would expire October 31, 2012:

Mr. John Bemis
125 Tuscarora Ave
Hillsborough, NC 27278

Section 2. If the Orange County Board of Commissioners fails to appoint persons willing to serve in the capacity described above within 90 days after receiving this resolution, then the Hillsborough Town Board may make this appointment.

Section 3. The Town Clerk shall send a copy of this resolution to the Orange County Manager.

Section 4. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 8th day of October, 2012.

Ayes:
Notes:
Absent or excused:

I, Donna F. Armbrister, Town Clerk of the Town of Hillsborough, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Hillsborough Town Board of Commissioners on October 8th, 2012.

Donna F. Armbrister

Donna F. Armbrister
Town Clerk

TOWN OF HILLSBOROUGH

Board of Commissioners

Agenda Abstract Form

Meeting Date: October 8, 2012
Department: Planning
Public Hearing: ☐ Yes ☒ No
Date of Public Hearing: NA

For Clerk's Use Only
AGENDA ITEM #

Consent Agenda	*Regular Agenda*	*Closed Session*

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Consideration of a resolution recommending the Orange County Board of Commissioners reappoint John Bemis to a second full term on the Hillsborough Planning Board

Attachment(s):

Application and draft resolutions of recommendation

Brief Summary:

Mr. Bemis was appointed to the Planning Board in 2009. He has attended 22 of 33 meetings during that time and never missed more than 2 consecutive meetings. He is willing and excited to serve a second term.

Action Requested:

Consider approving resolution requesting appointment by Orange County Board of Commissioners

ISSUE OVERVIEW

Background Information & Issue Summary:

Financial Impacts:

Staff Recommendations/Comments:

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. John Bemis
Name Called:
Home Address: 125 Tuscarora Drive
Hillsborough NC 27278
Phone (Day): 919-644-7478
Phone (Evening):
Phone (Cell):
Email: john@johnclaudebemis.com
Place of Employment: Self-employed
Job Title: Novelist
Year of OC Residence:
Township of Residence: Hillsborough
Zone of Residence: Hillsborough Twnshp - Outside city lmts
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: 12 years teaching 4th and 5th grade, as well as working as a gifted education resource teacher (7 years at Cameron Park Elementary)

Volunteer Experience: PTGO (Parent Teacher Governance Organization) at Cameron Park Elementary Advisory board member for SCBWI (Society for Children's Book Writers and Illustrators)

Education: BA Elementary Education/Art History M.Ed Literacy

Other Comments:
I love the community of Hillsborough and would enjoy the opportunity to give back through public service. As a resident who lives close to downtown but not within the city limits, I am interested in how our town grows. APPLICATION FORWARDED FROM TOWN OF HILLSBOROUGH. ADDRESS VERIFICATION: Hillsborough Township, HI ETJ.

This application was current on: 11/8/2009 **Date Printed:** 10/10/2012

Applicant Interest Listing

by Board Name and by Applicant Name

Hillsborough Planning Board

Contact Person: Margaret Hauth, Planning Direc
Contact Phone: 919-732-1270 x 73

Mr. Mark Anderson

2310 Stagecoach Dr.
Hillsborough NC 27278

Day Phone: 919-259-1295
Evening Phone: 919-423-6081
Cell Phone:
E-mail: mark.g.anderson@us.pwc.com

Sex: Male
Race: Caucasian
Township: Eno
Date Applied: 08/24/2012

Skills: Web Site Advisor
Also Serves On:

Mr. Charles Coates

1311 Lawrence Road
Hillsborough NC 27278

Day Phone: 919-732-5441
Evening Phone: 919-732-5441
Cell Phone:
E-mail: joecoates@yahoo.com

Sex: Male
Race: Caucasian
Township: Eno
Date Applied: 01/21/2009

Skills: Engineering
Also Serves On:
Skills: Habitat for Humanity
Also Serves On:
Skills: Management
Also Serves On:

Ms. Katherine Doom-Patel

519 Forrest St.
Hillsborough NC 27278

Day Phone: 606-224-3713
Evening Phone: 606-224-3713
Cell Phone:
E-mail: sunnydoom@hotmail.com

Sex: Female
Race: Caucasian
Township: Hillsborough
Date Applied: 02/14/2011

Skills: Event Coordinator
Also Serves On: Affordable Housing Advisory Board
Also Serves On: Animal Services Advisory Board
Skills: Grant Writer
Also Serves On: Affordable Housing Advisory Board
Also Serves On: Animal Services Advisory Board

Ms Christy Mangum

1323 St Marys Rd
Hillsborough NC 27278

Day Phone: 919-265-9313
Evening Phone:
Cell Phone:
E-mail: cmangum_jazzer@yahoo.com

Sex: Female
Race: Native American
Township: Hillsborough
Date Applied: 01/24/2008

Skills: American Cancer Society
Also Serves On:
Skills: American Heart Association
Also Serves On:
Skills: Tax Preparation
Also Serves On:

Mr. Lester Mebane Sr.

204 Tinnin Road
Efland NC 27243

Day Phone: 919 563 0466
Evening Phone:
Cell Phone:
E-mail: mosesmebane@aol.com

Sex: Male
Race: African American
Township: Hillsborough
Date Applied: 04/21/2012

Skills:
Also Serves On:

Applicant Interest Listing

by Board Name and by Applicant Name

Hillsborough Planning Board

Contact Person: Margaret Hauth, Planning Direc
Contact Phone: 919-732-1270 x 73

Mrs. Karen Merrill

1519 Pleasant Green Rd
Durham NC 27705

Day Phone: 919-452-3936
Evening Phone: 919-382-9168
Cell Phone:
E-mail: karenmerrillrealtor@gmail.com

Sex: Female
Race: Caucasian
Township: Eno
Date Applied: 09/10/2012

Skills: Realtor
Also Serves On:

Mr. Gerald Ponder

2 Winnawa Walk
Hillsborough NC 27278

Day Phone: 919.732.8576
Evening Phone: 919.732.8576
Cell Phone:
E-mail: Gaponder@gmail.com

Sex: Male
Race: Caucasian
Township: Hillsborough
Date Applied: 08/08/2012

Skills: Associate Dean
Also Serves On:
Skills: Teacher
Also Serves On:
Skills: University Administration
Also Serves On:

Mrs Pamela Wilson

1019 Lipscomb Grove Church Rd
Hillsborough NC 27278

Day Phone: 9197322771
Evening Phone: 9196726899
Cell Phone:
E-mail: pwilson42@embarqmail.com

Sex: Female
Race: Other
Township: Eno
Date Applied: 04/05/2010

Skills: Fund-Raising
Also Serves On:

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr. Mark Anderson
Name Called:	
Home Address:	2310 Stagecoach Dr. Hillsborough NC 27278
Phone (Day):	919-259-1295
Phone (Evening):	919-423-6081
Phone (Cell):	
Email:	mark.g.anderson@us.pwc.com
Place of Employment:	PricewaterhouseCoopers LLP
Job Title:	Manager
Year of OC Residence:	2006
Township of Residence:	Eno
Zone of Residence:	Does not apply
Sex:	Male
Ethnic Background:	Caucasian

Boards/Commissions applied for:

Orange County Planning Board

Orange County Parks and Recreation Council

Hillsborough Planning Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I have over 18 years of experience dedicated to managing the design of web applications. I specializes in User Experience (UX) Design and have experience in functional and technical roles within the UX context. These include Usability, User Interface Design, Usability Evaluation, Usability Testing, Accessibility Evaluation and Information Architecture. I have performed multiple design and consulting roles during my career including Designer, Design Manager, Creative Director, Usability Engineer and Production Manager.

Volunteer Experience: Architecture Review Board Chairman, Auburn Neighborhoods, Durham 2003-2006

Education: Ohio State University Columbus OH, Graduate work in Geographic Information Systems design 1991-1993; Tongji University Shanghai, The People's Republic of China Grad Study Abroad Program Summer 1993; Purdue University West Lafayette IN Bachelor of Science (graduated with highest distinction) 1991; US Army 1984 - 1987, US Army Honorable Discharge 5/1987

St. Francis College Ft. Wayne IN Commercial Art and Design 1979-1981.

Other Comments:

STAFF COMMENTS: 05/02/2011 - Originally applied for Orange County Planning Board, Orange County Parks and Recreation Council, and Hillsborough Planning Board. UPDATED APPLICATION 02/13/2012 FOR OC PLANNING BOARD. ADDRESS VERIFICATION: 2310 Stagecoach Dr., Hillsborough is Orange County Jurisdiction and Eno Township.

This application was current on: 8/24/2012 **Date Printed:** 10/10/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Charles Coates
Name Called:
Home Address: 1311 Lawrence Road
Hillsborough NC 27278
Phone (Day): 919-732-5441
Phone (Evening): 919-732-5441
Phone (Cell):
Email: joecoates@yahoo.com
Place of Employment: self employed
Job Title:
Year of OC Residence:
Township of Residence: Eno
Zone of Residence: -
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:
Hillsborough Planning Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Engineering management, 4 years
Owned and managed Trail Shop in Chapel Hill for 33 years

Volunteer Experience: Habitat for Humanity

Education: B.S.M.E Duke University 1972

Other Comments:
STAFF COMMENTS: Originally applied for Hillsborough Planning Board 1/21/2009.
ADDRESS VERIFICATION: 1311 Lawrence Road is Eno township, OC jurisdiction.

This application was current on: 1/21/2009 2:15:20 PM **Date Printed:** 10/10/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Ms. Katherine Doom-Patel
Name Called:	
Home Address:	519 Forrest St. Hillsborough NC 27278
Phone (Day):	606-224-3713
Phone (Evening):	606-224-3713
Phone (Cell):	
Email:	sunnydoom@hotmail.com
Place of Employment:	MDC Inc.
Job Title:	Program Associate
Year of OC Residence:	2006
Township of Residence:	Hillsborough
Zone of Residence:	Hillsborough Town Limits
Sex:	Female
Ethnic Background:	Caucasian

Boards/Commissions applied for:

Hillsborough Planning Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I am a program associate for MDC in Chapel Hill and work for a community college initiative that involves over 130 community colleges around the country. MDC is a social justice non-profit that demonstrates how programs and practices can bridge the gap between opportunity and those left behind by the changing economy. I have experience in writing and judging grant proposals and applications as well as planning and overseeing peer-learning events (conferences and summits) as small as 20 professionals in attendance and as large as 1,400. Prior to my work at MDC, I was a fundraising director for a campaign for the Florida State House.

Volunteer Experience: Most recently I've fostered dogs. Through 2002 I volunteered for Girl Scouts and worked with young girls as well as young women. Since my arrival in North Carolina in 2006, health reasons have kept me from volunteering, but I'm better now and would like to be more active in my community.

Education: I have a bachelors degree from Guilford College in Greensboro, NC. I majored in political science and international studies and studied in Guadalajara, Mexico for a year. In 2002-03, I was the President of Guilford's Student Union and organized and carried out a variety of events for the student body. I was also a representative for two years while at Guilford to the Student Senate. I expect to go back to school for a masters in public administration in the next few years.

Other Comments:

I bought my home in November 2007 at the age of 24 and have been settling in since. I'm a young professional love Hillsborough and now that I am in good health, I'm looking to volunteer my time and expertise to the town and my neighbors. I have a passion for animals and am an expert organizer and planner in any field. I adopted one canine family member from a pound when I was living in Florida and adopted two canine family members from local foster families. STAFF COMMENTS: Originally applied for Animal Services Advisory Board, Affordable Housing Advisory Board, and Hillsborough Planning Board 02/14/2011. ADDRESS JURISDICTION: 519 Forrest St. is in Hillsborough Jurisdiction, Hillsborough Township.

This application was current on: 2/14/2011 7:55:34 PM **Date Printed:** 10/10/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms Christy Mangum
Name Called:
Home Address: 1323 St Marys Rd
Hillsborough NC 27278
Phone (Day): 919-265-9313
Phone (Evening):
Phone (Cell):
Email: cmangum_jazzer@yahoo.com
Place of Employment: HR Block
Job Title: Regional Marketing Coordinator
Year of OC Residence:
Township of Residence: Hillsborough
Zone of Residence: Does not apply
Sex: Female
Ethnic Background: Native American

Boards/Commissions applied for:

Hillsborough Planning Board

Commission for the Environment

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Tax Operations
Regional Marketing CoordinatorH&R Block, Holly Springs, NC August 2007 – present
Plan, schedule, and follow-up of tax professional presentations, grand openings, public relations, and seminars for staff, to increase individual tax pro business and retain prior clients. Support the new H&R Block marketing plan by facilitating building the business courses and promoting referral and discount programs for local non-profit organizations and businesses.

Assistant District ManagerH&R Block, Lakeland, FL January 1997 – April 2003
Responsible for assisting the District Manager maintain thirteen tax offices for Orlando South District. Duties included: monitoring and submitting accounts payable with Quicken software to assist in budgeting; telephone setup and coordination for all locations; HR: recruiting, interviewing, training, and disciplining all associates within the district; assisting with corporate reports during regular tax season and tax school season; overseeing all offices and maintaining standards set by franchise; POM (Peace of Mind insurance) claims and communication; district and regional public relations and local

advertising; special occasion planning and other tasks determined by District Manager. Other job titles prior to ADM include: Tax Preparer, Tax Operations Instructor, Administrative Assistant, participant - Accelerated Management Program.

Other Employment:
Harcourt School Publishers, Orlando, FL April 2004 - July 2007
Attractions Guide/Internship, Disney-MGM Studios, Orlando, FL June 1991 – Dec. 1993
Fitness Instructor Jazzercise, Inc.February 2007 – present
Merchandise Event StaffOuiVend, Inc.September 2006 – Aug. 2007
Secretary/Office ManagerAmity EntertainmentMay 1994 – Nov. 2001
Staff WriterECU Campus News1989 – 1991

Volunteer Experience: Over 20 years of volunteer and community involvement experience with a variety of non-profit organizations. To name a few:
Leukemia & Lymphoma Society
Junior Achievement
Big Brothers Big Sister of Orlando
Juvenile Diabetes
American Heart Association
American Cancer Society
Shared Our Strength

Education: East Carolina University, Bachelor of Science, Communication, 1992
Dale Carnegie Leadership Graduate
HR Block Continuing Tax Education

Other Comments:

My grandfather, James A. Mangum, was heavily involved in the community also, along with my dad and uncle, specifically building up and participating in the Hillsborough community. Recently relocating back home to Hillsborough, I am available to assist in the planning and development, fundraising, and preservation of my hometown. I look forward to the opportunity! STAFF COMMENTS: Originally applied for Adult Care Home Community Advisory Commmittee, Hillsborough Planning Board, Commission for the Environment on 1/24/2008. ADDRESS VERIFICATION: 1323 St. Marys Rd, Hillsborough, NC is Hillsborough Township, HIPL OCPL jurisdiction.

This application was current on: 1/24/2008 9:15:52 AM **Date Printed:** 10/10/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr. Lester Mebane Sr.
Name Called:	
Home Address:	204 Tinnin Road Efland NC 27243
Phone (Day):	919 563 0466
Phone (Evening):	
Phone (Cell):	
Email:	mosesmebane@aol.com
Place of Employment:	Retired
Job Title:	na
Year of OC Residence:	1948
Township of Residence:	Hillsborough
Zone of Residence:	JPA (Joint Planning Area)
Sex:	Male
Ethnic Background:	African American

Boards/Commissions applied for:

Hillsborough Planning Board

Orange Water & Sewer Authority Board of Directors

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Department of Public Works
Private duty health care provider
Deveroux adult care provider
American Express

Volunteer Experience: Community Cleanup
Walk for hunger(through the Church)
Crop walk(through the church)

Other Comments:

STAFF COMMENTS: Originally applied 1/13/2010 for Hillsborough Planning Board and OWASA Board of Directors. 05/01/2011 updated OWASA Interest. UPDATED OWASA INTEREST 04/21/2012. ADDRESS VERIFICATION: 204 Tinnin Road, Efland, NC 27243 is in Cheeks Township and Orange county Jurisdiction.

This application was current on: 4/21/2012 **Date Printed:** 10/10/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mrs. Karen Merrill
Name Called:
Home Address: 1519 Pleasant Green Rd
Durham NC 27705
Phone (Day): 919-452-3936
Phone (Evening): 919-382-9168
Phone (Cell):
Email: karenmerrillrealtor@gmail.com

Place of Employment: Self Employed, work from home
Job Title: Realtor/ Broker
Year of OC Residence: 2000
Township of Residence: Eno
Zone of Residence: Orange County
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Hillsborough Planning Board

I am passionate about preserving the unique charm of Hillsborough, and building a livable, economically strong community while protecting our natural resources for the enjoyment of future generations. I am a results-driven professional with a long history of community involvement, stemming from my active participation in my childrens education. I have deep roots in Hillsborough, my ancestors are buried in the cemetary of my church. I am a successful and established licensed Realtor in Hillsborough, with 23 years of experience both here and in California. I have had the pleasure of selling Orange County, NC to the hundreds of families who I have worked with over the last 12 years when they are choosing Hillsborough as a place to call home. I own a farm in Eastern Orange County, where we have raised our children in Hillsborough schools. We also own a rental property on Union St. in the Historic District. Our eldest daughter and grand daughter live in Hillsborough as well. It is important to me that Orange County growth is managed in a responsible way.

Community Activities/Organizational Memberships:

Member of Pleasant Green United Methodist Church
Member of American Quilting Society
Member of Durham Board of Realtors
Member of Triangle Multiple Listing Service
Member National Association of Realtors

Past Service on Orange County Advisory Boards:

N/A

Other Comments:

STAFF COMMENTS: Applied for Hillsborough Planning Board 09/10/2012. ADDRESS VERIFICATION: 1519 Pleasant Green Road is Orange County Jurisdiction, Eno Township, Agri-Residential.

This application was current on: 9/10/2012 4:29:39 PM **Date Printed:** 10/10/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Gerald Ponder
Name Called:
Home Address: 2 Winnawa Walk
Hillsborough NC 27278
Phone (Day): 919.732.8576
Phone (Evening): 919.732.8576
Phone (Cell):
Email: Gaponder@gmail.com
Place of Employment: Retired (7/1/12) from NCSU
Job Title: Associate Dean, College of Education
Year of OC Residence: 2005
Township of Residence: Hillsborough
Zone of Residence: Hillsborough ETJ
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Human Relations Commission

Hillsborough Planning Board

Durham Technical Community College Board of Directors

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: 42 years in K-12 and higher education, including HS teacher, university faculty member, and administrator (most recently dept. head at UNCG and Associate Dean at NC State).

Volunteer Experience: 6 years (two terms) on school board in Denton, TX, Kiwanis, community foundation (Greensboro), Early College planning committee (Wake County) church finance and other committees

Education: BA, MA, University of Arkansas
PhD, University of Texas at Austin

Other Comments:
I have recently retired and hope to use knowledge, skills, and experience in purposeful community service. I also am disabled (mobility) from MS and would like to contribute in areas of accessibility and disability rights and support. Human Relations Council, especially, seems most aligned with my interests. STAFF COMMENTS: Originally

applied for Human Relations Commission, Hillsborough Planning Board, and Durham Technical Community College Board of Directors 08/08/2012. ADDRESS VERIFICATION: 2 Winnawa Walk is Hillsboough Jurisdiction, Hillsborough Township, and Hillsborough ETJ.

This application was current on: 8/8/2012 10:22:50 AM **Date Printed:** 10/10/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mrs Pamela Wilson
Name Called:	
Home Address:	1019 Lipscomb Grove Church Rd Hillsborough NC 27278
Phone (Day):	9197322771
Phone (Evening):	9196726899
Phone (Cell):	
Email:	pwilson42@embarqmail.com
Place of Employment:	Farm
Job Title:	Farmer
Year of OC Residence:	1980
Township of Residence:	Eno
Zone of Residence:	Does not apply
Sex:	Female
Ethnic Background:	Other

Boards/Commissions applied for:

Animal Services Advisory Board

Hillsborough Board of Adjustment

Hillsborough Planning Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Serve as Program Committee Chair Northern Orange Black Voters Alliance. Former President of North Carolina Central University Alumni Chapter of Orange County; Volunteer at Little River Senior Center of Durham, NC; Member of NCAE and Phi Theta Lambda National Honor Society active member; Undergraduate from NCCU in Business Administration and Mgmt. with minor in Hospitality and Tourism Mgmt. Currently seeking Graduate Degree in Special Education for Children with Mild to Moderate Disabilities at NCCU.

Volunteer Experience: Volunteer at several leadership conferences and served as committee member. Volunteer fundraiser for non-profit organizations, i.e. NAACP, NOBVA, NCCUAC, Lipscomb Grove Baptist Church Mission; Durham Rescue Mission, Central Childrens Home in Oxford, NC, and other local charities.

Education: B.A. - Business Administration
B.A. - Hospitality and Tourism Mgmt.
Seeking Graduate degree in Special Ed.

Other Comments:

STAFF COMMENTS: Applied for Animal Services Baord, Hillsborough Board of Adjustment, & Hillsborough Planning Board on 04/05/2010. ADDRESS VERIFICATION: 1019 Lipscomb Grove Church is in Eno Township, Orange County Jurisdiction.

This application was current on: 4/5/2010 11:48:58 PM **Date Printed:** 10/10/2012

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda Item No. 11-d

SUBJECT: Orange County Parks and Recreation Council – Appointment

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Letter of Recommendation

Application(s)/Resume(s) of Person(s) Recommended
Interest List
Application(s)/Resume(s) of Person(s) on Interest List

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making an appointment to the Orange County Parks and Recreation Council.

BACKGROUND: The following appointment is for Board consideration:

- Appointment to a first full term for Mrs. Betty Khan. If appointed Mrs. Khan will be serving a first full term for Cedar Grove Township ending 03/31/2015.

Position Number	Representation	Expiration Date
3 Mrs. Betty Kahn	Cedar Grove Township	03/31/2015

FINANCIAL IMPACT: None

RECOMMENDATION(S): Consider making an appointment to the Orange County Parks and Recreation Council.

Board and Commission Members

And Vacant Positions

Orange County Parks and Recreation Council

Meeting Times: 6:30 pm first Wednesday of each month | Terms: 2 | Contact Person: David Stancil

Meeting Place: Recreation and Parks Building, Area II | Positions: 12 | Length: 3 years | Contact Phone: 919-245-2510

Description: Each member of the Council shall be a County resident appointed by the Orange County Board of Commissioners. This council consults with and advises the Department of Environment, Agriculture, Parks and Recreation, and the Board of County Commissioners on matters affecting recreation policies, programs, personnel, finances, and the acquisition and disposal of lands and properties related to the total community recreation program, and to its long-range planning for recreation.

1	Mr. Eric Roeder 504 Cates Farm Rd Chapel Hill NC 27514	Day Phone: 919-425-6465 Evening Phone: 919-260-3480 FAX: E-mail: leroeder@gmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: Carrboro City Limits Special Repr:	First Appointed: 11/15/2011 Current Appointment: 03/22/2012 Expiration: 03/31/2015 Number of Terms: 1		
2	Mr. Bryant Kelly Warren Jr. 109 Holt Street Hillsborough NC 27278	Day Phone: 919-280-3611 Evening Phone: 919-732-1115 FAX: E-mail: bkwarrenjr@gmail.com	Sex: Male Race: Caucasian Township: Hillsborough Resid/Spec Req: Hillsbr. Township Special Repr: Hillsbr. Township	First Appointed: 09/20/2011 Current Appointment: 09/20/2011 Expiration: 03/31/2013 Number of Terms: 1		
3	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Cedar Grove Twnsp. Special Repr: Cedar Grove Twnsp.	First Appointed: Current Appointment: Expiration: 03/31/2012 Number of Terms:		
4	Mr. Joel Bulkley 123 barclay rd. chapel hill NC 27516-1402	Day Phone: 968-8741 Evening Phone: same FAX: same E-mail: Joelb13@earthlink.net	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: C.Hill City Limits Special Repr:	First Appointed: 11/15/2011 Current Appointment: 11/15/2011 Expiration: 03/31/2014 Number of Terms: 1		
5	Mr. Keith Bagby Sr. Co-Chair 902 Savannah Court Hillsborough NC 27278	Day Phone: 919-765-4292 Evening Phone: (919) 245-3814 FAX: E-mail: keith.bagby@bcbsnc.com	Sex: Male Race: African American Township: Hillsborough Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 03/21/2006 Current Appointment: 09/21/2010 Expiration: 03/31/2013 Number of Terms: 3		

Board and Commission Members

And Vacant Positions

Orange County Parks and Recreation Council

Meeting Times: 6:30 pm first Wednesday of each month | Terms: 2 | Contact Person: David Stancil

Meeting Place: Recreation and Parks Building, Area II | Positions: 12 | Length: 3 years | Contact Phone: 919-245-2510

Description: Each member of the Council shall be a County resident appointed by the Orange County Board of Commissioners. This council consults with and advises the Department of Environment, Agriculture, Parks and Recreation, and the Board of County Commissioners on matters affecting recreation policies, programs, personnel, finances, and the acquisition and disposal of lands and properties related to the total community recreation program, and to its long-range planning for recreation.

6	Ms. Vanessa de Nijs 404 Mace Road Mebane NC 27302	Day Phone: (919)271-7197 Evening Phone: FAX: E-mail: vanessa.de.nijs@monsanto.com	Sex: Female Race: Caucasian Township: Cheeks Resid/Spec Req: Cheeks Twnsp Special Repr: Cheeks Township	First Appointed: 04/07/2009 Current Appointment: 03/22/2012 Expiration: 03/31/2015 Number of Terms: 2		
7	Mr. Neal Bench 397 Lakeshore Lane Chapel Hill NC 27514	Day Phone: 919-260-9058 Evening Phone: 919-942-4050 FAX: E-mail: nj397bench@gmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: Chapel Hill Twnsp Special Repr: Chapel Hil Township	First Appointed: 11/15/2011 Current Appointment: 11/15/2011 Expiration: 03/31/2014 Number of Terms: 1		
8	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Little River Townshi Special Repr: Little River Township	First Appointed: Current Appointment: Expiration: 03/31/2011 Number of Terms:		
9	Mr. Allan Green 5604 Dairyland Road Hillsborough NC 27278	Day Phone: 919-933-5105 Evening Phone: 919-933-5105 FAX: E-mail: allan@woodcrestfarmnc.com	Sex: Male Race: Caucasian Township: Bingham Resid/Spec Req: Bingham Township Special Repr: Bingham Township	First Appointed: 12/14/2010 Current Appointment: 09/20/2011 Expiration: 03/31/2014 Number of Terms: 1		
10	Ms. Denise Dickinson Co-Chair 225 W. Margaret Lane Hillsborough NC 27278	Day Phone: 265-2638 Evening Phone: 644-1364 FAX: E-mail: ddickinson@pire.org	Sex: Female Race: Caucasian Township: Hillsborough Resid/Spec Req: Hillsbr. Town Limits Special Repr:	First Appointed: 09/13/2005 Current Appointment: 09/21/2010 Expiration: 03/31/2013 Number of Terms: 2		

Board and Commission Members

And Vacant Positions

Orange County Parks and Recreation Council

Meeting Times: 6:30 pm first Wednesday of each month
Terms: 2
Contact Person: David Stancil
Meeting Place: Recreation and Parks Building, Area II
Positions: 12
Length: 3 years
Contact Phone: 919-245-2510

Description: Each member of the Council shall be a County resident appointed by the Orange County Board of Commissioners. This council consults with and advises the Department of Environment, Agriculture, Parks and Recreation, and the Board of County Commissioners on matters affecting recreation policies, programs, personnel, finances, and the acquisition and disposal of lands and properties related to the total community recreation program, and to its long-range planning for recreation.

11 Mr James E. Carter

400 Dumont Drive
Hillsborough NC 27278

Day Phone: 732-2358
Evening Phone: 618-0482
FAX:
E-mail: jemmitt66@earthlink.net

Sex: Male
Race: African American
Township: Eno
Resid/Spec Req: Eno Township
Special Repr: Eno Township

First Appointed: 09/21/2010
Current Appointment: 09/21/2010
Expiration: 12/31/2012
Number of Terms: 1

12 Mr. Chuck Hobgood

2009 Efland Cedar Grove Road
Efland NC 27243

Day Phone: 919-361-1133
Evening Phone: 919-732-1956
FAX:
E-mail: chuck.hobgood@ncsports.org

Sex: Male
Race: Caucasian
Township: Cheeks
Resid/Spec Req: At-Large
Special Repr: At-Large

First Appointed: 03/21/2006
Current Appointment: 09/21/2010
Expiration: 03/31/2013
Number of Terms: 2

Orange County Parks and Recreation Council

PO Box 8181, 306-A Revere Road, Hillsborough, NC (919) 245-2510

September 6, 2012

Bernadette Pelissier, Chair
Board of County Commissioners
PO Box 8181
Hillsborough, NC 27278

Re: Recommended Appointment

Dear Chair Pelissier:

The Orange County Parks and Recreation Council (PRC) currently has vacancies for a Cedar Grove Township representative and at-large positions. On September 5, the PRC unanimously recommended that applicant Betty McDade Khan be appointed to fill the Cedar Grove Township position. The Council plans to work with staff to further solicit applications for the at-large positions toward a future recommendation.

Ms. McDade Khan has a strong background in parks and tourism, and worked for the County Recreation and Parks department many years ago. The Council feels her interests and background coincide with current and future needs.

Thank you for consideration of this appointment.

Sincerely,

David Stancil
Director, Department of Environment, Agriculture, Parks and Recreation

Cc: Keith Bagby and Denise Dickinson, PRC Co-Chairs

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mrs. Betty Khan
Name Called:
Home Address: 6023 Efland-Cedar Grove road
PO Box 185
Cedar Grove NC 27231
Phone (Day):
Phone (Evening): 919-732-8251
Phone (Cell):
Email: BKSKTX@aol.com
Place of Employment: Solty Adult Day Health Svcs
Job Title: Activity Director
Year of OC Residence: 2009
Township of Residence: Cedar Grove
Zone of Residence: Cedar Grove Twnsp
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:
Orange County Parks and Recreation Council

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: 7 Years at Orange County Parks and Recreation; 7 Years at Fort Wayne Parks and Recreation; Executive Director for the Savannah Maritime Festival, Program Coordinator at TWU Lifeling Learning Office, Denton, Texas

Volunteer Experience: Board for the Carrollton, Texas Charistmas Parade, Volunteer for the Orange County Animal Shelter, Board of the 3 Rivers Festival in Fort Wayne, Ind.

Education: BS Degree from East Carolina University in Parks, Recreation, Conseration

Other Comments:
I worked with the Orange County P&R Advisory Board while working for Orange County P&R Dept. and I have worked with many Boards, both Advisory and Policy Making. STAFF COMMENTS: Applied for Orange County P&R Board 08/16/2012. ADDRESS VERIFICATION: 6023 Efland-Cedar Grove Road is Orange County Jurisdiction, Cedar Grove Township and AR Zoning.

This application was current on: 8/16/2012 **Date Printed:** 10/5/2012

Applicant Interest Listing

by Board Name and by Applicant Name

Orange County Parks and Recreation Council

Contact Person: David Stancil
Contact Phone: 919-245-2510

Mr. Mark Anderson

2310 Stagecoach Dr.
Hillsborough NC 27278

Day Phone: 919-259-1295
Evening Phone: 919-423-6081
Cell Phone:
E-mail: mark.g.anderson@us.pwc.com

Sex: Male
Race: Caucasian
Township: Eno
Date Applied: 08/24/2012

Skills: Web Site Advisor
Also Serves On:

Mr. Rob Gray

205 Norwich Ct
Efland NC 27243

Day Phone: 919-684-0730
Evening Phone: 919-2750134
Cell Phone:
E-mail: rob.gray@duke.edu

Sex: Male
Race: Caucasian
Township: Cheeks
Date Applied: 04/30/2008

Skills: Financial Analyst
Also Serves On:
Skills: Physical Therapist
Also Serves On:

Mrs. Betty Khan

6023 Efland-Cedar Grove road
PO Box 185
Cedar Grove NC 27231

Day Phone:
Evening Phone: 919-732-8251
Cell Phone:
E-mail: BKSKTX@aol.com

Sex: Female
Race: Caucasian
Township: Cedar Grove
Date Applied: 08/16/2012

Skills:
Also Serves On:
Skills: Animal Shelter Volunteer
Also Serves On:
Skills: Recreation and Parks Employee
Also Serves On:

Mr. Brian Rowe

3235 Rigsbee Road N
Chapel Hill NC 27514

Day Phone: 919-389-2331
Evening Phone:
Cell Phone:
E-mail: bsrowe67@aol.com

Sex: Male
Race: Caucasian
Township: Chapel Hill
Date Applied: 01/12/2012

Skills: Accounting Experience
Also Serves On:
Skills: Insurance
Also Serves On:

Mr Michael Stewart

3303 Highland Farm Rd
Hillsborough NC 27278

Day Phone: 919=644=0499
Evening Phone: 919=644=0499
Cell Phone:
E-mail: mikestewartnc@gmail.com

Sex: Male
Race: Caucasian
Township: Cheeks
Date Applied: 04/09/2011

Skills: Coach
Also Serves On: Animal Services Advisory Board
Skills: Teacher

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr. Mark Anderson
Name Called:	
Home Address:	2310 Stagecoach Dr. Hillsborough NC 27278
Phone (Day):	919-259-1295
Phone (Evening):	919-423-6081
Phone (Cell):	
Email:	mark.g.anderson@us.pwc.com
Place of Employment:	PricewaterhouseCoopers LLP
Job Title:	Manager
Year of OC Residence:	2006
Township of Residence:	Eno
Zone of Residence:	Does not apply
Sex:	Male
Ethnic Background:	Caucasian

Boards/Commissions applied for:

Orange County Planning Board

Orange County Parks and Recreation Council

Hillsborough Planning Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I have over 18 years of experience dedicated to managing the design of web applications. I specializes in User Experience (UX) Design and have experience in functional and technical roles within the UX context. These include Usability, User Interface Design, Usability Evaluation, Usability Testing, Accessibility Evaluation and Information Architecture. I have performed multiple design and consulting roles during my career including Designer, Design Manager, Creative Director, Usability Engineer and Production Manager.

Volunteer Experience: Architecture Review Board Chairman, Auburn Neighborhoods, Durham 2003-2006

Education: Ohio State University Columbus OH, Graduate work in Geographic Information Systems design 1991-1993; Tongji University Shanghai, The People's Republic of China Grad Study Abroad Program Summer 1993; Purdue University West Lafayette IN Bachelor of Science (graduated with highest distinction) 1991; US Army 1984 - 1987, US Army Honorable Discharge 5/1987

St. Francis College Ft. Wayne IN Commercial Art and Design 1979-1981.

Other Comments:

STAFF COMMENTS: 05/02/2011 - Originally applied for Orange County Planning Board, Orange County Parks and Recreation Council, and Hillsborough Planning Board. UPDATED APPLICATION 02/13/2012 FOR OC PLANNING BOARD. ADDRESS VERIFICATION: 2310 Stagecoach Dr., Hillsborough is Orange County Jurisdiction and Eno Township.

This application was current on: 8/24/2012 **Date Printed:** 10/5/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Rob Gray
Name Called:
Home Address: 205 Norwich Ct
Efland NC 27243
Phone (Day): 919-684-0730
Phone (Evening): 919-2750134
Phone (Cell):
Email: rob.gray@duke.edu

Place of Employment: Duke University Health Systems
Job Title: Financial Manager
Year of OC Residence:
Township of Residence: Cheeks
Zone of Residence: Cheeks Twnsp
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange County Parks and Recreation Council

Efland-Mebane SAP Implementation Focus Group

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: PROFESSIONAL EXPERIENCE

March 2008 to Present
Duke University Health Systems
Financial Manger, Duke Cardiology Site Based Research

May 2005 to March 2008
Duke University Health Systems
Exercise Physiologist, Human Performance Lab

- Assist in the day to day management and administrative duties of the Human Performance Lab.
- Collect data, analyze and prepare financial reports based on the lab's fiscal period revenues.
- Assist in the monitoring of lab supplies, providing insight for cost savings where appropriate and observing cost trends.
- Technology Administrator for the lab, using MS Excel and Access enhance lab productivity and to support the department's

balanced scorecard goals.
- Responsible for the proposal and marketing of a newly developed revenue producer for the lab.
- Former Internship Coordinator for the HPL. Recruited, educated and supervised interns throughout the internship experience.

June 2002 to May 2005
Durham Regional Hospital
Exercise Specialist
- Collected and analyzed program data for quality improvement and benchmarking purposes. Prepared monthly and annual reports for department staff and management.
- Supported the department's balanced scorecard goals for financial performance by auditing all documentation and billing procedures with program and department managers.
- Ensured that all programming was in compliance with state, federal, and AACVPR guidelines.

RELATED SKILLS

Proficient and a quick learner of most software programs and a highly experienced user of Microsoft Word, Excel, Access, PowerPoint, Outlook, and Publisher. Some experience with Quicken, MS Accounting, and Visio.

Volunteer Experience: HONORS AND ACTIVITIES

- American Heart Association: Raise money and lead teams annually.
- United Way: Department Coordinator for United Way Support
- Member of the Phi Kappa Phi National Honor Society
- Member of Beta Gamma Sigma, an International Honor Society for Business Students.
- North Carolina Scholar
- ECU Chancellor's List
- ECU Dean's List
- Delta Chi Fraternity, Former Treasurer, Vice President, and current Board of Trustees member.
- Published author in the "American Journal of Physiology."

Professional interests include technology and decision science applications in relation to financial analysis and business performance.

Education: EDUCATION

December 2007East Carolina University College of Business
Master of Business Administration
GPA: 3.9/4.0, graduated with honors

May 2002East Carolina University Health and Human Performance
Master of Arts, Exercise Physiolo

Other Comments:

I have been fortunate enough to be fairly successful in my education and professional life. Furthermore, I have been lucky enough to move my family to Orange County, a place that feels like home and will be our home for a long time to come.
With that said, I'd like to give back to my community and to development a network within our county. Serving on a board seems like the best way to accomplish my goals and to help our fine county. STAFF COMMENTS: Originally applied for Recreation and Parks Advisory Council, Animal Services Advisory Board, & Economic Development Commission 3/30/08. Originally applied for OC Planning Board and Efland-Mebane SAP on 4/30/08. ADDRESS VERIFICATION: 205 Norwich Ct is in Cheeks township, OCPL jurisdiction.

This application was current on: 4/30/2008 11:47:05 AM **Date Printed:** 10/5/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Brian Rowe
Name Called:
Home Address: 3235 Rigsbee Road N
Chapel Hill NC 27514
Phone (Day): 919-389-2331
Phone (Evening):
Phone (Cell):
Email: bsrowe67@aol.com
Place of Employment: OE Enterprises, Inc.
Job Title: Accounting Manager
Year of OC Residence: 2011
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange County Emergency Services Work Group (CURRENTLY NOT A

Orange County Parks and Recreation Council

Chapel Hill/Orange County Visitors Bureau

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: OE Enterprises, Inc. - Hillsborough, NC; NC Mutual Life Insurance Company - Durham, NC; Builders Mutual Life Insurance Company - Raleigh, NC

Volunteer Experience: American Red Cross; Jimmy V Celebrity Golf Classic; Special Olympics

Education: Bryant College - Smithfield, RI; BS/BA '89 - Concentration in Finance & Accounting

Other Comments:
I have recently relocated to Orange County from Wake County and have an interest in contributing to my community through volunteer opportunities throughout the county. STAFF COMMENTS: Originally applied (1/12/2012) for Orange County Emergency Services Work Group, Orange County Parks and Recreation Council, and Chapel Hill/Orange County Visitors Bureau. ADDRESS VERIFICATION: Rigsbee Road N is Orange County Jurisdiction, Eno Fire Tax, and Chapel Hill Township.

This application was current on: 1/12/2012 9:22:12 PM **Date Printed:** 10/5/2012

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr Michael Stewart
Name Called:	
Home Address:	3303 Highland Farm Rd Hillsborough NC 27278
Phone (Day):	919=644=0499
Phone (Evening):	919=644=0499
Phone (Cell):	
Email:	mikestewartnc@gmail.com
Place of Employment:	Retired
Job Title:	Teacher & Coach
Year of OC Residence:	1997
Township of Residence:	Cheeks
Zone of Residence:	Does not apply
Sex:	Male
Ethnic Background:	Caucasian

Boards/Commissions applied for:

Orange County Parks and Recreation Council

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: 30 years as a teacher and coach in NC high schools and 5 years as an assistant coach in college football.

Volunteer Experience: Volunteered at schools in Orange County and the VA in Durham

Education: Graduate of North Davidson High School
Graduate of Guilford College w/ BS in Health and Physical Education

Other Comments:

STAFF COMMENTS: Originally applied for Orange County Parks and Recreation Council, Human Relations Commission, and Animal Services Advisory Board 04/09/2011. ADDRESS VERIFICATION: 3303 Highland Farm Road is Orange County Jurisdiction and Cheeks Township.

This application was current on: 4/9/2011 12:48:27 PM **Date Printed:** 10/5/2012

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 16, 2012

Action Agenda
Item No. 11-e

SUBJECT: Upper Neuse River Basin Association

DEPARTMENT: Board of Commissioners **PUBLIC HEARING: (Y/N)** No

ATTACHMENT(S): Under Separate Cover
Board Members
Member Jurisdictions
Mission Statement
By-Laws

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making an appointment to the Upper Neuse River Basin Association.

BACKGROUND: The Upper Neuse River Basin Association was formed in 1996 to provide an ongoing forum for cooperation on water quality protection and water resource planning and management within the 770-square-mile watershed. Seven (of the 8) municipalities, 6 counties, and local Soil and Water Conservation Districts in the watershed voluntarily formed the Association. Each of the thirteen jurisdictions in the watershed, the six county Soil and Water Conservation Districts collectively, and South Granville Water and Sewer Authority elect one Director and one Alternate Director to the UNRBA Board of Directions.

The following appointment is for Board consideration:

- Appointment of a board member (Pam Hemminger). If appointed Ms. Hemminger will be serving a three-year term.

Position Number	Special Representation	Expiration Date
Pam Hemminger	Orange County	11/30/2015

FINANCIAL IMPACT: None

RECOMMENDATION(S): Consider making an appointment to the Upper Neuse River Basin Association.

Upper Neuse River Basin Association

Board Members

Jurisdiction	Name	Position
City of Creedmoor	Jimmy Minor	Director
City of Creedmoor	Rick Flowe	Alternate
City of Durham	Cora Cole-McFadden, Vice-Chair	Director
City of Durham	Reginald Hicks	Alternate
City of Raleigh	Randall Stagner	Director
City of Raleigh	Kenneth Waldroup	Alternate
Durham County	Ellen Reckhow	Director
Durham County	Drew Cummings	Alternate
Durham County Soil and Water Conservation District	Danielle Adams, Ex Officio	Director
Durham County Soil and Water Conservation District	(vacant), Ex Officio	Alternate
Franklin County	Harry Foy	Director
Franklin County	Scott Hammerbacher	Alternate
Granville County	Edgar Smoak	Director
Granville County	Barry Baker	Alternate
Orange County	Pam Hemminger, Chair	Director
Orange County	Tom Davis	Alternate
Person County	Jimmy Clayton, Treasurer	Director
Person County	Sybil Tate	Alternate
South Granville Water and Sewer Authority	Lindsay Mize	Director
South Granville Water and Sewer Authority	Fred Dancy	Alternate
Town of Butner	Bill McKellar	Director
Town of Butner	Thomas Marrow	Alternate
Town of Hillsborough	Mike Gering	Director
Town of Hillsborough	Margaret Hauth	Alternate
Town of Stem	Nancy Alford	Director
Town of Stem	(vacant)	Alternate
Town of Wake Forest	Scott Miles	Director
Town of Wake Forest	Margaret Stinnett	Alternate
Wake County	Ervin Portman	Director
Wake County	Melinda Clark	Alternate

Local Governments in the Watershed

The jurisdictions within the watershed are:

Jurisdiction
City of Creedmoor
City of Durham
City of Raleigh
Durham County
Durham County Soil and Water Conservation District
Franklin County
Granville County
Orange County
Person County
South Granville Water and Sewer Authority
Town of Butner
Town of Hillsborough
Town of Stem
Town of Wake Forest
Wake County

Mission

The Mission of the UNRBA is to preserve the water quality of the Upper Neuse River Basin through innovative and cost-effective pollution reduction strategies, and to constitute a forum to cooperate on water supply issues within the Upper Neuse River Basin by:

1. Forming a coalition of units of local government, public and private agencies, and other interested and affected communities, organizations, businesses and individuals to secure and pool financial resources and expertise;
2. Collecting and analyzing information and data and developing, evaluating and implementing strategies to reduce, control and manage pollutant discharge; and
3. Providing accurate technical, management, regulatory and legal recommendations regarding the implementation of strategies and appropriate effluent limitations on discharges into the Upper Neuse River Basin.

UPPER NEUSE RIVER BASIN ASSOCIATION, INC. BYLAWS

ARTICLE I – IDENTITY

These are the Bylaws of the Upper Neuse River Basin Association, Inc. ("Bylaws"), a North Carolina non-profit corporation hereinafter referred to as the "Association", the Articles of Incorporation ("Articles") of which have been filed with the North Carolina Secretary of State. The Upper Neuse River Basin Association, Inc. also operates under the assumed name of the Falls Lake Watershed Association.

ARTICLE II – OFFICES

The initial principal office of the Association shall be located at 4307 Emperor Boulevard, Suite 100, Durham, North Carolina 27703. The Association may have such other offices, either within or without the State of North Carolina, as the Board of Directors may designate or as the business of the Association may require from time to time.

The registered office of the Association required by the North Carolina Nonprofit Corporation Act (the "Nonprofit Act") to be maintained in the State of North Carolina may be, but need not be, identical with the principal office of the Association, and the address of the registered office may be changed from time to time by the Association.

ARTICLE III – ORGANIZATION

The Association shall be a nonprofit organization (i) established and operated in accordance with the provisions of 26 U.S.C. (the "Internal Revenue Code") Section 501(c)(3) and the regulations thereunder, and (ii) incorporated under the Nonprofit Act. The Association shall be an independent and autonomous organization. Its period of duration shall be perpetual unless terminated in accordance with Article XIII below.

ARTICLE IV – PURPOSES

The purposes for which the Association is established and shall operate are as follows:

1. The Association is organized and shall be operated exclusively for purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code; provided, however, that no part of the net earnings thereof shall inure to the benefit of any private shareholder or individual. Notwithstanding any other provision of these Bylaws, the Association shall not carry on any activities not permitted to be carried on by an organization described in Internal Revenue Code Sections 501(c)(3).

2. The Association is organized and shall operate exclusively as a non-profit corporation to assist its member local governments in their efforts to jointly address issues of concern to the member local governments relating to water quality and waste water management in the Upper Neuse River Basin and the Falls Lake Watershed. As set out in North Carolina General Statutes §§77-119 through 77-121, the purposes of the Association include, but are not limited to: (a) providing a forum for sharing information in order to assist local governments in complying with State and Federal laws that pertain to the water quality in the Falls Lake Watershed; (b) providing a mechanism for

participating local governments to coordinate and fund common technical resources; (c) planning for and conducting water quality monitoring in the Falls Lake Watershed in coordination with the Department of Environment and Natural Resources; (d) coordinating with the Department of Environment and Natural Resources in the development of a transparent and accessible system for recording and maintaining nutrient offsets and credits that complies with any rules adopted to protect and restore water quality in the Falls Lake Watershed; (e) providing a public forum to review and discuss innovative approaches to restore, protect, and maintain water quality in the Falls Lake Watershed; and (f) conducting and evaluating scientific research that describes or predicts conditions related to or affecting water quality in the Falls Lake Watershed, including the reservoir.

In addition, the Association, as directed by its board of directors, may advocate on behalf of its members for changes in legislation, rules, or administrative policy related to or affecting the Falls Lake Watershed, may engage in other activities otherwise allowed by law that relate in any way to water quality and wastewater management in the Falls Lake Watershed, and may conduct and exercise all powers, rights and privileges granted to non-profit corporations under the Nonprofit Act; provided, however, that the Association shall not engage in any activity authorized by this provision that would jeopardize the federal income tax exemption of the Association under Section 501(c)(3) of the Internal Revenue Code.

3. The Association is organized and shall operate exclusively for the aforesaid purposes, and in connection therewith its scope of activities shall include accepting, buying, selling, owning, holding, operating, mortgaging, insuring, pledging, assigning, transferring or otherwise receiving or disposing of real and personal property; provided, however, that the Association shall not engage in any activity authorized by this provision that would jeopardize the federal income tax exemption of the Association under Section 501(c)(3) of the Internal Revenue Code.

4. The Board of Directors may authorize, amend or restate operating guidelines, plans, practices, procedures, and rules and regulations from time to time in order to effectively implement the purposes of the Association.

ARTICLE V – FINANCES

The Association shall raise funds by the collection and receipt of membership dues, gifts of money and property, grants, contributions, donations, bequests, and receipts for services performed; provided, however, that all such funds must be accepted by the Board of Directors on behalf of the Association.

All funds collected and received by the Association, together with the income therefrom shall be deposited, held, retained, managed and conserved in a capital fund (or funds) and administered, used and applied by the Association in the sole discretion of the Board of Directors in accordance with the purposes described in Article IV of these Bylaws and the Articles and as provided in Article VI. The Board of Directors may accept revenues and properties that are qualified, conditioned, limited or restricted in their use; provided, however, that such qualifications, conditions, limitations and restrictions shall not conflict with the purposes of the Association set forth in these Bylaws and the Articles. Unless otherwise specifically required, such restricted revenues and/or property may be mingled with other funds of the Association.

Membership dues for services provided shall be determined as follows:

1. Dues. Members shall pay annually to the Association an amount in accordance with the current dues formula attached as Appendix A.

2. Dues Proration for New Members. New Members joining after July 1 of any year shall pay prorated dues for their first year of membership based on the number of quarters of such year in which they were a Member.

3. Dues Changes. The Board of Directors shall determine what, if any, changes shall be made in the dues formula effective as of July 1 during subsequent years. Any changes made to the dues schedule will be reflected in Appendix A.

Special assessments may be made for undertaking special initiatives or projects from time to time subject to approval of the Directors. No special assessment will be due and payable for 180 days unless it is approved unanimously by all of the Directors in attendance at a properly noticed and called meeting at which a quorum of the Directors is present.

The fiscal year of the Association shall end on June 30 of each calendar year unless otherwise determined by the Board of Directors.

ARTICLE VI – APPLICATION AND USE OF FUNDS

Revenues received by the Association shall be held in an account (or accounts) in the name of the Association in such location(s) as may be designated by the Board of Directors. The Association shall hold, manage, invest and reinvest its funds in accordance with the investment policies of the Association and shall collect and receive the income therefrom. After deducting all necessary expenses incident to the operation and administration of the Association, such funds shall be utilized in accordance with the purposes set forth in these Bylaws and the Articles. The Board of Directors may establish a committee of Directors for the purpose of supervising and managing investments. All such revenues received and held by the Association shall be distributed to such persons and in such amounts as the Board of Directors of the Association shall deem appropriate in keeping with the purposes of the Association.

The Association shall be solely responsible for the application and use of its assets, including payment of its expenses in accordance with such operating guidelines as may be established by the Board of Directors, and shall operate as an independent and autonomous entity for the purposes of meeting its financial obligations.

Notwithstanding any other provision of these Bylaws, no expenditure shall be made in any manner or for any purpose whatsoever that may jeopardize the status of the Association as an organization under Section 501(c)(3) of the Internal Revenue Code and the regulations thereunder.

ARTICLE VII – BOARD OF DIRECTORS

7.1. General Powers. The business and affairs of the Association shall be managed under the direction of its Board of Directors, which is vested with the powers and authority to do and perform all

acts and functions not inconsistent with law, the Articles and these Bylaws.

The Board of Directors shall be responsible for attainment of the objectives specified in the Articles and the Bylaws. Specifically, the Board of Directors shall be responsible for the governance, maintenance, operation, and conduct of the affairs of the Association, and the financial oversight of the Association, including, but not limited to, the preparation and implementation of an annual budget and a long-term capital expenditure plan.

In addition to its general management responsibilities, and without limitation, the Board of Directors shall perform the following specific duties:

(a) establish annual organizational goals;

(b) manage the Association's finances, including approving the annual budget and recommending an appropriate dues structure to the membership;

(c) allocate the Association's resources;

(d) approve programs and activities of the Association's committees, including any studies to be conducted by such committees, and provide oversight of such committees;

(e) adopt organizational positions and-policy statements;

(f) manage the Association's activities;

(g) establish relationships with other organizations, provided, that such relationships shall be in the interest of the Association;

(h) hire or contract with such persons, firms, or entities as the Directors may determine to provide services for or on behalf of the Association;

(i) authorize participation in litigation to protect the Association's interests; provided, however, that the Association shall not initiate or join in any litigation as an amicus or in a similar capacity without the approval of 3/4 of the Directors in attendance at a properly noticed and called meeting at which a quorum of the Directors is present;

(j) authorize participation in lobbying to protect the Association's interests; provided, however, that the Association shall not engage in any lobbying without the approval of 3/4 of the Directors in attendance at a properly noticed and called meeting at which a quorum of the Directors is present; and

(k) ensure orderly long-range planning for the organization.

7.2. Number, Tenure and Qualifications. The Board of Directors shall consist of one Director appointed by each Member as described below. In addition, each Member shall appoint one alternate who shall have full voting authority in the absence of the appointing Member's regular Director. Each Director shall serve for a three-year term until said Director's resignation, retirement, removal,

disqualification or until said Director's successor is appointed and qualified.

7.3. Ex Officio Directors. The Soil and Water Districts located in whole or in part in the Falls Lake Watershed jointly shall designate an individual to serve as an ex officio director and another individual to serve as an alternate ex officio director. In addition, the Board of Directors may, by majority vote, create other ex officio director and ex officio alternate director seats. Ex officio directors may participate in all discussions held in open meetings but shall not have a vote on any matter. Ex officio directors shall not participate in closed sessions.

7.4 Annual Meeting. Annual meetings of the Board of Directors shall be held in the month of January each year, beginning in 2012, or at any reasonable time thereafter at the discretion of the Board of Directors, at a time and place to be determined by the Board of Directors, for the purpose of electing directors and for the transaction of such other business as may come before the meeting. The secretary shall give notice of each ratified resolution to any Director who was not present at the time it was adopted. No further notice of an annual meeting need be given.

7.5. Regular Meetings. Regular meetings of the Board of Directors shall be held at such times and places, within or without the State of North Carolina, as the Board of Directors may, by resolution, determine. The Secretary shall give notice of each ratified resolution to any Director who was not present at the time it was adopted. No further notice of a regular meeting need be given. All resolutions adopting regular meeting schedules shall filed with the Secretary at least seven days before the first meeting held pursuant to the revised schedule pursuant to N.C. Gen. Stat. §143-318.12(a)(4). The schedule of regular meetings shall also be posted to the Association's website, if any, in accordance with N.C. Gen. Stat. §143-318.12(d).

7.6. Special and Emergency Meetings: Special and emergency meetings may be called in accordance with Article 33C, Chapter 143 of the North Carolina General Statutes.

7.7. Notice of Meetings. Except as set out in Section 7.5 above, no notice need be given of regular meetings of the Board of Directors. Notice of special and emergency meetings of the Board of Directors shall be given in accordance with Article 33C, Chapter 143 of the North Carolina General Statutes.

7.8. Quorum; Voting. A majority of the number of Directors presently comprising the Board of Directors shall constitute a quorum for the transaction of business at a meeting of such Board. If quorum is present when a vote is taken, the affirmative vote of a majority of the Directors present is the act of the Board of Directors unless these bylaws specifically require a supermajority vote. A Director who is present at a meeting of the Board of Directors or a committee of the Board of Directors when corporate action is taken is deemed to have assented to the action taken unless that Director votes against the action taken or is excused from voting by the Board. The Board may excuse a Director from voting, but only upon questions involving the Director's own financial interest or official conduct or on matters on which the Director is prohibited from voting under G.S. 14-234.

7.9. Telephonic Meetings. The Board of Directors may permit any or all Directors to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all directors participating may simultaneously hear each other during the meeting in accordance with Article 33C, Chapter 143 of the North Carolina General Statutes.

7.10. Compensation. No director shall be entitled to any compensation for his services as a Director; provided, however, that a Director may be reimbursed for expenses incurred by him in performing services requested by the Board of Directors.

7.11. Removal; Vacancies. Any Director may be removed from office at any time, with or without cause, by the Member that appointed said Director. If a Member's membership interest is terminated pursuant to §9.7 of these Bylaws, then such termination shall also serve to remove any Director appointed by said Member from the Board of Directors.

ARTICLE VIII – COMMITTEES

8.1. Board Committees. To assist the Board in its management, the Board may appoint Board committees and assign Directors thereto from among the Directors and shall designate the chairperson and vice chairperson of such committees from among such Directors. The Board may also appoint ex officio directors and non-directors to serve on Board Committees in a non-voting capacity.

8.2. Authority of Board Committees. To the extent specified by the Board of Directors, each Board committee may exercise the authority of the Board of Directors, except that a Board committee may not: (i) approve or recommend to Members action that is required by law to be approved by Members; (ii) fill vacancies on the Board of Directors or on any of its committees; (iii) amend or restate the Articles; (iv) adopt, amend, or repeal these Bylaws; (v) adopt a plan of merger or consolidation with another corporation; (vi) elect, appoint or remove any member of any such committee or any Director or Officer of the Association; or (vii) take any other action prohibited by the Nonprofit Act. The creation of, delegation of authority to, or action by a Board committee does not alone constitute compliance by a Director with the standards of conduct required of a Director.

8.3. Tenure. Board committee members shall serve for one-year terms and may be reappointed without limitation.

8.4. Oversight. The Board of Directors shall ensure that Board committees perform in accordance with the basic goals of the Association and any specific goals and objectives approved by the Board of Directors for each Board committee, and shall oversee Board committee utilization of resources.

8.5. Special Committees. In addition to Board committees, the Board of Directors, in its judgment, may create such special committees as will facilitate the efforts of the Association in achieving its basic goals. The Board of Directors shall appoint the members of such special committees from among representatives of the Members or outside agencies and shall designate a chairperson and vice chairperson of each such special committee.

The Board of Directors may also establish one or more subcommittees of any special committee as necessary to further the goals of the Association. The Board of Directors may delegate the selection of subcommittee or special committee members to any such subcommittee or to the chairperson of a special committee.

8.6. Special Committee Programs and Reports. Upon request of the Board of Directors, each special committee shall submit to the Board of Directors following the annual meeting its program and

agenda for the next year, and upon request shall report in writing on its activities, including any recommendations the special committee may have for the Board of Directors' consideration.

8.7. Committee Meetings; Miscellaneous. The provisions of these Bylaws governing meetings, action without meetings, notice and waiver of notice, and quorum and voting requirements of the Board of Directors shall apply with equal force to committees of directors and their members as well.

ARTICLE IX – MEMBERSHIP

9.1. General Membership Provisions. Any local government located in whole or in part within the Falls Lake Watershed may become a member of the Association on the terms and conditions designated herein. For the purposes hereof, a "local government" means a county, city, town, or incorporated village that is located in whole or in part with the Falls Lake Watershed. Local government also includes any water or sewer authority that is created pursuant to Article 1 of Chapter 162A of the North Carolina General Statutes that provides service within the Falls Lake Watershed. Local governments that are members in good standing of the Upper Neuse River Basin Association, Inc. at the time of adoption of these By-laws shall remain members of the Association so long as they continue to meet the requirements of membership set out herein below.

9.2. Election of Members. Each candidate for membership shall make application on a form specified by the Board of Directors. All completed applications shall be considered by the Board of Directors at its next regular meeting following submission of the application. Approval of an application shall be granted by the Board of Directors to any local government located in whole or in part within the Falls Lake Watershed provided the local government requesting membership pays its initial dues as required herein. Membership shall become effective upon (i) payment of initial dues by the applicant in an amount established by the Board of Directors based on a formula or policy applicable to all Members, and (ii)a vote by the Board of Directors admitting such candidate which vote must be in the affirmative if the candidate is a local government located in whole or in part within the Falls Lake Watershed and the applicant pays its dues.

9.3. No Capital Stock. The Association shall have no issued or authorized shares of capital stock and no shareholders.

9.4. Voting Rights of Members. Members shall have no voting rights. As stated elsewhere herein, each Member shall have the right to appoint one Director and one alternate who shall have full voting authority in the absence of the appointing Member's regular Director. All of a Member's rights to take part in the management of the Association shall be by and through its Director and alternate Director.

9.5. Obligations and Duties of Members.

(a) Members shall pay their annual membership dues within sixty (60) days after statements are mailed by the Association.

(b) Members shall adhere to the Bylaws and other rules and regulations as established from time to time by the Board of Directors, its committees, or other Members.

(c) In the event that a Member is delinquent in the payment of any amounts owed, the Member shall be notified within sixty (60) days of the date of such delinquency. If the Member receives two (2) consecutive notices of delinquency and if payment has not been made by the third month after such amounts become due and payable, the membership status of such Member shall be terminated. Such termination of membership status shall not relieve the Member of its obligation to make all payments due before the date of the termination.

9.6. Resignation of Members. Any Member may resign at any time upon one hundred twenty days prior written notice by submitting a written resignation to any officer of the Association or Member of the Board of Directors. Such resignation shall relieve the Member so resigning from obligations to pay dues or make contributions accruing after the date of such resignation. Any resigning Member must satisfy all payment obligations arising before such resignation.

9.7. Termination of Membership. In addition to having its membership terminated for nonpayment of dues as set out above, a Member's membership in the Association shall also be terminated if the Member is no longer a local government located in whole or in part within the Falls Lake Watershed.

9.8. Restrictions on Transfer. Memberships in the Association are not transferable.

ARTICLE X – OFFICERS

10.1. Number. The officers of the Association shall consist of a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer. The Chairperson and Vice Chairperson shall be Directors. The Secretary and Treasurer may, but need not be, Directors. The offices of Secretary and Treasurer may be combined.

10.2. Election, Term of Office and Qualifications. Each Officer shall be elected by the Board of Directors and shall hold office until the annual meeting of the Board of Directors held next after such officer's election, or until such officer's successor shall have been duly chosen and qualified, or until death, or until such officer shall resign, or shall have been disqualified, or shall have been removed from office.

10.3. Removal. Any officer elected or appointed by the Board may be removed by the Board by a majority vote of the Directors present at a properly noticed and called meeting at which a quorum is present whenever in its judgment the best interest of the Association would be served thereby. New officers may be elected at the same meetings to fill the unexpired term of the removed officer.

10.4. Resignation. Any officer may resign at any time by giving written notice to the Board of Directors or to the Chairperson or the Secretary of the Association. Any such resignation shall take effect upon its being accepted by the Board of Directors.

10.5. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors, by a majority vote for the unexpired portion of the term.

10.6. Chairperson. The Chairperson shall preside at all meetings of the Board of Directors. The Chairperson shall enforce these By-laws and perform all duties incident to the office and which are required by law, and generally shall supervise and control the day-to-day business and affairs of the Corporation. The Chairperson shall perform whatever additional duties and have whatever additional powers the Board of Directors may from time to time assign.

10.7. Vice Chairperson. During the absence or incapacity of the Chairperson, the Vice Chairperson shall perform the duties of the Chairperson and when so acting shall have all the powers and be subject to all the responsibilities of the office of the Chairperson and shall perform such duties and functions as the Board of Directors may prescribe.

10.8. Secretary. The Secretary shall keep accurate records of the acts and proceedings of all Directors meetings and shall give all notices required by law and by these Bylaws. The Secretary shall have general charge of the corporate books and records, and of the corporate seal, and shall affix the corporate seal to any lawfully executed instrument requiring it. The Secretary shall have general charge of the books of the Association and shall keep at the registered or principle office of the Association a record of Directors signatures, and, in general, shall perform all duties incident to the office of Secretary and such other duties as may be assigned the Secretary from time to time by the Chairperson or the Board of Directors.

10.9. Treasurer. The Treasurer shall have custody of all funds and securities belonging to the Association and shall receive, deposit, or disburse the same under the direction of the Board of Directors. The Treasurer shall keep full and accurate accounts of the finances of the Association in books especially provided for that purpose; and shall cause a true statement of its assets and liabilities as of the close of each fiscal year and of the results of the operations and of changes in surplus for each fiscal year, all in reasonable detail, to be made and filed at the registered or principle office of the Association within four months after the end of such fiscal year. The statement so filed shall be kept available for inspection by any Director for a period of ten years; and the Treasurer shall mail or otherwise deliver a copy of the latest such statement to any Member upon such Member's written request therefore. The Treasurer, in general, shall perform all duties incident to the office of treasurer and such other duties as may be assigned to the Treasurer from time to time by the Chairperson or by the Board of Directors.

10.10. Executive Director. The Board of Directors may employ or contract for the services of an Executive Director. The Executive Director shall perform those administrative duties assigned to the Executive Director by the Board of Directors in a resolution appointing the Executive Director or in such other resolutions as the Board of Directors may adopt.

10.11. Duties of Officers May Be Delegated. In case of absence of any officer of the Association or for any other reason that the Board may deem sufficient, the Board may delegate the powers or duties of such officer to any other officer or to any Director for the time being, provided a majority of the entire Board of Directors concurs therein.

10.12. Bonds. Any or all officers and agents, respectively, shall, if required by the Board of Directors, give bonds for the faithful discharge of their duties in such sums and with such surety as the Board of Directors shall determine.

ARTICLE XI – CONTRACTS, LOANS, CHECKS AND DEPOSITS

11.1. Contracts. The Board of Directors may authorize any officer or officers or agent or agents to enter into any contract or execute and deliver any instruments in the name and on behalf of the Association, and such authority may be general or confined to specific instances. Specific approval by the Board of Directors shall be required before any officer enters into any contract the total value of which is over $10,000.00.

11.2. Loans. Except for loans that are incurred in the ordinary course of business, no loans shall be contracted on behalf of the Association and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or limited to specific instances.

11.3. Checks and Drafts. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Association shall be signed by such officer(s) or agent(s) of the Association and, in such manner as shall from time to time be determined by resolution of the Board of Directors.

11.4. Deposits. All funds of the Association not otherwise employed shall be deposited from time to time to the credit of the Association in such banks, trust companies or other depositaries as the Board of Directors may select.

ARTICLE XII – INDEMNIFICATION

In the event that the Association purchases directors and officers insurance or other similar insurance, the Association shall to the fullest extent permitted by the Nonprofit Act up to the limits of its insurance coverage indemnify all persons whom it may indemnify pursuant thereto so long as such persons have conducted themselves in good faith and reasonably believed their conduct not to be opposed to the Association's best interests.

The Association may purchase and maintain insurance on behalf of any person, who is or was a director, trustee, officer, employee or agent of the Association who, while a director, trustee, officer, employee or agent of the Association is or was serving at the request of the Association as a director, trustee, officer, partner, trustee, employee or agent of another corporation, partnership, joint venture, trust, employee benefit plan or other enterprise, against liability asserted against or incurred by him or her in that capacity or arising from his or her status as such, whether or not the Association would have the power to indemnify him or her against the same liability under the Nonprofit Act.

ARTICLE XIII – AMENDMENTS

These Bylaws may be amended or repealed, and new Bylaws may be made at any regular or special meeting of the Board of Directors by an affirmative majority vote of Directors then holding office.

ARTICLE XIV – MISCELLANEOUS

14.1. Audit. The Association shall have an independent audit prepared detailing the financial condition of the Association at least once every three years. The Association may have an independent audit done more frequently as determined by the Directors.

14.2 Dissolution. The Association may be dissolved only by the vote of the majority of the Directors of the Association at a meeting to which due notice of such purpose has been given to the Directors. Upon the dissolution of the Association, the Board of Directors shall first pay or make provision for the payment of all the liabilities of the Association and then shall dispose of all the assets of the Association exclusively for the purposes of the Association in such manner or to such organization or organizations operated exclusively for charitable and educational purposes as the Board of Directors shall determine, and any such assets not so disposed of shall be remitted to the Members in proportion to their respective dues contribution percentages for the then current fiscal year, or, alternatively, each Member may direct that its portion be contributed and given to a 501(c)(3) organization for use in furthering the health, safety and welfare of the public in the Falls Lake Watershed, its jurisdiction, or North Carolina. None of the assets shall be disposed of or diverted to any other purpose, nor shall any asset be disposed of in such manner so as to accrue to the benefit of any Director of said Association.

14.3. Interpretation of By-laws. These By-laws shall be construed and interpreted under the laws of the State of North Carolina. Notwithstanding the foregoing, however, these By-laws shall at all times be construed and interpreted as consistent with all federal laws and regulations governing the activities of the Association and governing the tax exempt status of the Association, and in the event that these By-laws may be inconsistent with such laws and regulations, the same shall be deemed amended to comply therewith. Whenever used in these By-laws, unless the context otherwise indicates, a pronoun in the masculine gender shall include the feminine gender and the singular shall include the plural, and vice versa.

14.4 All other by-laws repealed and replaced. Upon adoption of these Bylaws by the association, all other bylaws of the Upper Neuse River Basin Association, Inc. are repealed and replaced.

ATTACHMENT A – DUES FORMULA

A Member's dues, which shall be that Member's share of the total dues assessment for all Members which is included in the annual budget ("Total Annual Dues"), shall be determined as follows:

1. Base participation rate: Ten percent of the Total Annual Dues shall be allocated equally among all Members. For example, if there are ten Members and the Total Annual Dues are $100,000.00, the base participation total will be $10,000.00 and each Member will pay $1,000.00 as its share.

2. Member's Falls Lake Watershed water demands. Fifty percent of the Total Annual Dues shall be allocated among those Members having water demand from the Falls Lake Watershed based upon each such Member's share of the total annual (365-day) daily average raw water demand for the preceding calendar year in millions of gallons per day from the Falls Lake Watershed. For example, if the Total Annual Dues are $100,000.00 and the total water demand from the Falls Lake Watershed is 100,000,000 gallons per day and Member A used 60,000,000 gallons per day for the last year for which such records are available from the North Carolina Department of Environment and Natural Resources (the "Relevant Period"), Member B used 34,000,000 gallons per day during the Relevant Period; Member C used 4,000,000 gallons per day during the Relevant Period; and Member D used 2,000,000 gallons per day during the Relevant Period, then each Member's share of the Total Annual Dues based upon water demand would be as follows: Member A: $30,000.00; Member B: $17,000.00; Member C: $2,000.00; and Member D: $1, 000.00.

3. Member's Proportion of Land Area in Falls Lake Watershed. Forty percent of the Total Annual Dues shall be allocated among those Members with land area in the Falls Lake Watershed within their corporate limits (for a municipality) or county limits (for a county). Each jurisdiction's contribution shall be based upon a fraction having as its numerator that jurisdiction's total acreage within the Falls Lake Watershed and as its denominator the total acreage in the Falls Lake Watershed. For example, if the Total Annual Dues are $100,000.00 and Member A has 72,000 acres in the Falls Lake Watershed and there are a total of 494,000 acres in the Falls Lake Watershed, then that Member's share of the Total Annual Dues based upon proportion of land area in the Falls Lake Watershed would be as follows: $5,829.96 [(72,000/494,000) * (.40 * $100,000.00) = $5,829.96].

The examples above are given for the purpose of illustration only and are not intended to be indicative of the Total Annual Dues that may be required or of any individual Member's level of contribution. Members' contributions will be rounded to the nearest whole dollar.

DRAFT **INFORMATION ITEM** Date Prepared: 10/08/12
Date Revised: 10/10/12

BOCC Meeting Follow-up Actions

(Individuals with a * by their name are the lead facilitators for the group of individuals responsible for an item)

Meeting Date	Task	Target Date	Person(s) Responsible	Status
10/2/12	Review and consider request by member of the public related to Addressing Ordinance requirements	11/1/2012	Chair/Vice Chair/Manager	**DONE** Chair to send letter to resident, and staff to contact resident
10/2/12	Review and consider endorsing efforts with education campaign related to cyclists utilizing roadways	11/1/2012	Chair/Vice Chair/Manager	**DONE** Chair to send letter expressing County support for cycling education campaign
10/2/12	Review and consider request by Commissioner Barry Jacobs that the County create an alternative sentencing workgroup that functions much like the Emergency Services Workgroup	11/1/2012	Chair/Vice Chair/Manager	**DONE** Staff to review and present information to the Board as County moves forward on planning for jail
10/2/12	Investigate opportunities to set up employee meetings with United Healthcare that provide for open group discussion and questions and answers with United Healthcare representatives	12/1/2012	Nicole Clark	To be investigated and pursued as part of United Healthcare plans to engage employees
10/2/12	Take the necessary actions for the Board to act to align Board members' required years of service with the requirements for employees in order to be eligible for Health insurance beyond employment	10/16/2012	Nicole Clark	**DONE** Item on October 16, 2012 meeting agenda
10/2/12	Move forward with signing contract for OSSI-CAD pending any new information from October 4, 2012 meeting with fire chiefs	10/5/2012	Michael Talbert Donna Baker	**DONE**
10/2/12	Conform draft letter to Town of Hillsborough regarding Town's Future Land Use Plan based on minor revisions/additions and issues addressed by the Board	10/16/2012	Craig Benedict Tom Altieri	**DONE**
10/2/12	Work with DCHC MPO staff and staff from towns to review population and employment projections that are part of 2040 MTP and CTP	11/1/2012	Craig Benedict, Tom Altieri and Darcy Zorio	Staff to work with other staffs

DRAFT **INFORMATION ITEM** Date Prepared: 10/08/12
Date Revised: 10/10/12

Meeting Date	Task	Target Date	Person(s) Responsible	Status
10/2/12	Work with Triangle Transit staff to ensure that the Bus and Rail Investment Plan and Interlocal Implementation Agreement are conformed based on changes approved by the Board	10/15/2012	Craig Benedict, Tom Altieri and Darcy Zorio	**DONE**

Information Item

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

Administration
(919) 245-2575
(919) 644-3002 (FAX)
www.co.orange.nc.us

131 W. Margaret Ln.
P. O. Box 8181
Hillsborough, NC 27278

MEMORANDUM

TO: Orange County Board of County Commissioners
Frank W. Clifton, County Manager

FROM: Craig Benedict, AICP, Planning Director
Kevin Lindley, PE, Staff Engineer

DATE: October 16, 2012

SUBJECT: Info Item – Buckhorn Mebane Utilities Phase 2 Preliminary Bid Information

On October 9, 2012, bids were received for the construction of the above project. Ten (10) bids were received and are currently being reviewed by the project engineer, Hobbs, Upchurch & Associates (HUA), who will be forwarding a recommendation as to the lowest, responsive, responsible bidder to County staff as soon as possible.

Upon receiving the recommendation from HUA, staff will review the lowest responsive, responsible bid and prepare a contract to recommend for BOCC approval at the regular meeting on November 8, 2012.

ORANGE COUNTY EMERGENCY SERVICES

UNC Campus Station Report
2012

Table of Contents

Background	3
Project Implementation	3
Impacts to Stake Holders	4
Financial Impacts	5
Strategic Outlook	6
Station 3 Location	7
Acknowledgments	7

BACKGROUND

In early 2010, Emergency Services staff entered into conversations with the staff and Vice-Chancellor for Student Affairs at the University of North Carolina. The purpose was to discuss alcohol related student issues at UNC and ways that Orange County Emergency Services could assist in a effort to reduce system overload. The outcome of those conversations resulted in plans for several initiatives and the offer to base an ambulance on campus to improve service delivery. A unit in the married housing complex known as Odom Village was selected by the UNC Facilities and Housing Division.

On September 20, 2011 the Board of Orange County Commissioners approved the location situated near UNC Hospital on Weaver Dairy Road. Shortly after the approval, the UNC Facilities and Housing Division began renovating and upgrading the quadplex. Designated as Station 3, the site serves UNC campus, Southeast Chapel Hill and Southern Orange County. Medic 3 is an essential unit during heavy-traffic days on campus such as during football and basketball games and its strategic location allows the unit to move east and west with relative ease serving a wider area.

IMPLEMENTATION

Emergency Services staff worked closely with UNC Housing to install equipment necessary for 24 hour operations. Radio-Frequency ID (RFID) readers were installed for security, shorelines were installed and accommodations were prepared for ambulance parking. Staff equipped the new EMS station with radios, computers, medical and cleaning supplies. On October 3, 2011, EMS opened and began operating out of the campus station.

UNC and Orange County were excellent partners throughout the implementation.

UNC was and continues to be extremely responsive to reported needs. Inspections of this station reveal that EMS crews are taking exceptional pride in their new “home”.

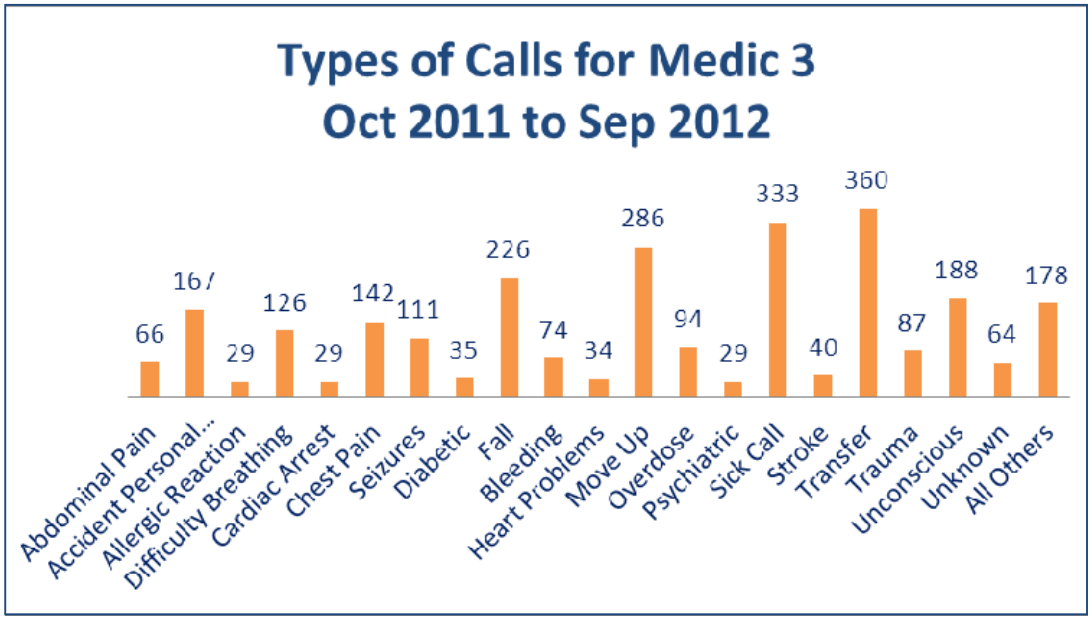
On April 27, 2012 UNC hosted an open house of the campus station. Chancellor Thorp and several UNC staff celebrated the grand opening.

IMPACT TO STAKEHOLDERS

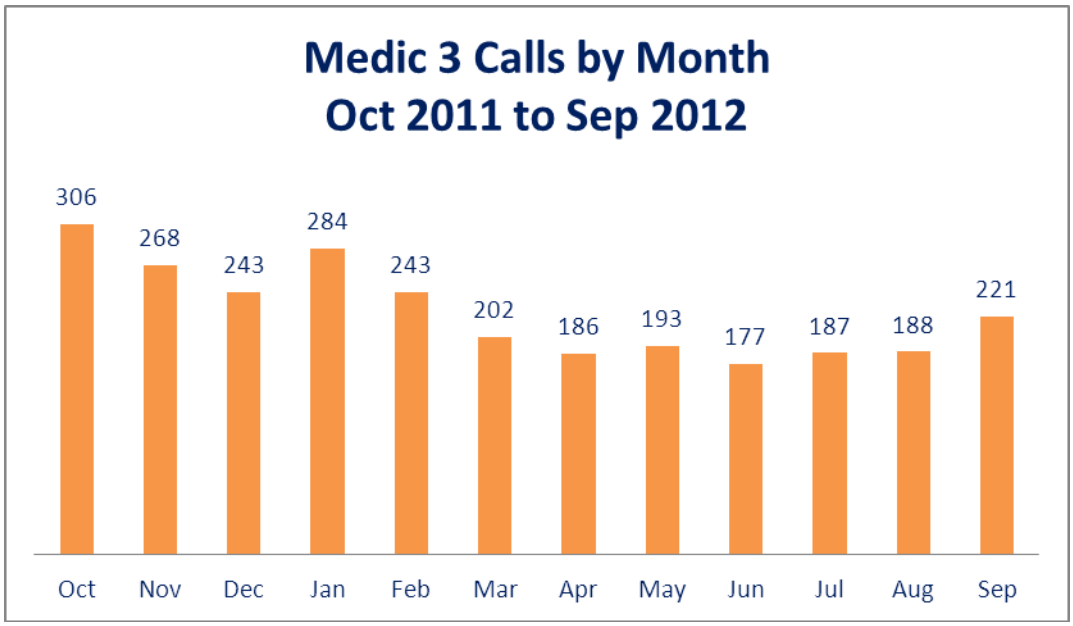
Developing operating bases throughout the community was a department-led initiative that began in 2009 in an effort to reduce response times throughout the County. Until this effort, the department dispatched two ambulances housed at the South Orange Rescue Squad station at 202 Roberson Street in Carrboro with the remainder responding from the EMS HQ at 1914 New Hope Church Road. There are now seven active units with specific response areas.

Data analysis indicates response times in areas that Medic 3 (UNC) primarily serves are reducing since the implementation of the station.

At the Emergency Services Workgroup meeting and again at the Chief's Council Meeting, a fire chief commented that his department has witnessed improved EMS response times in the past year. This improved service is directly related to opening new EMS stations such as Station 3 and adding additional units.



Medic 3 responds to a variety of calls. The following chart demonstrates the types and response numbers since the EMS station was opened. For a total of 2698 responses



FINANCIAL IMPACT

Implementation costs were incurred as Emergency Services installed shore lines, crew equipment and security access swipe card readers. Approximately $10,000 in one–time, start-up costs were invested by Orange County.

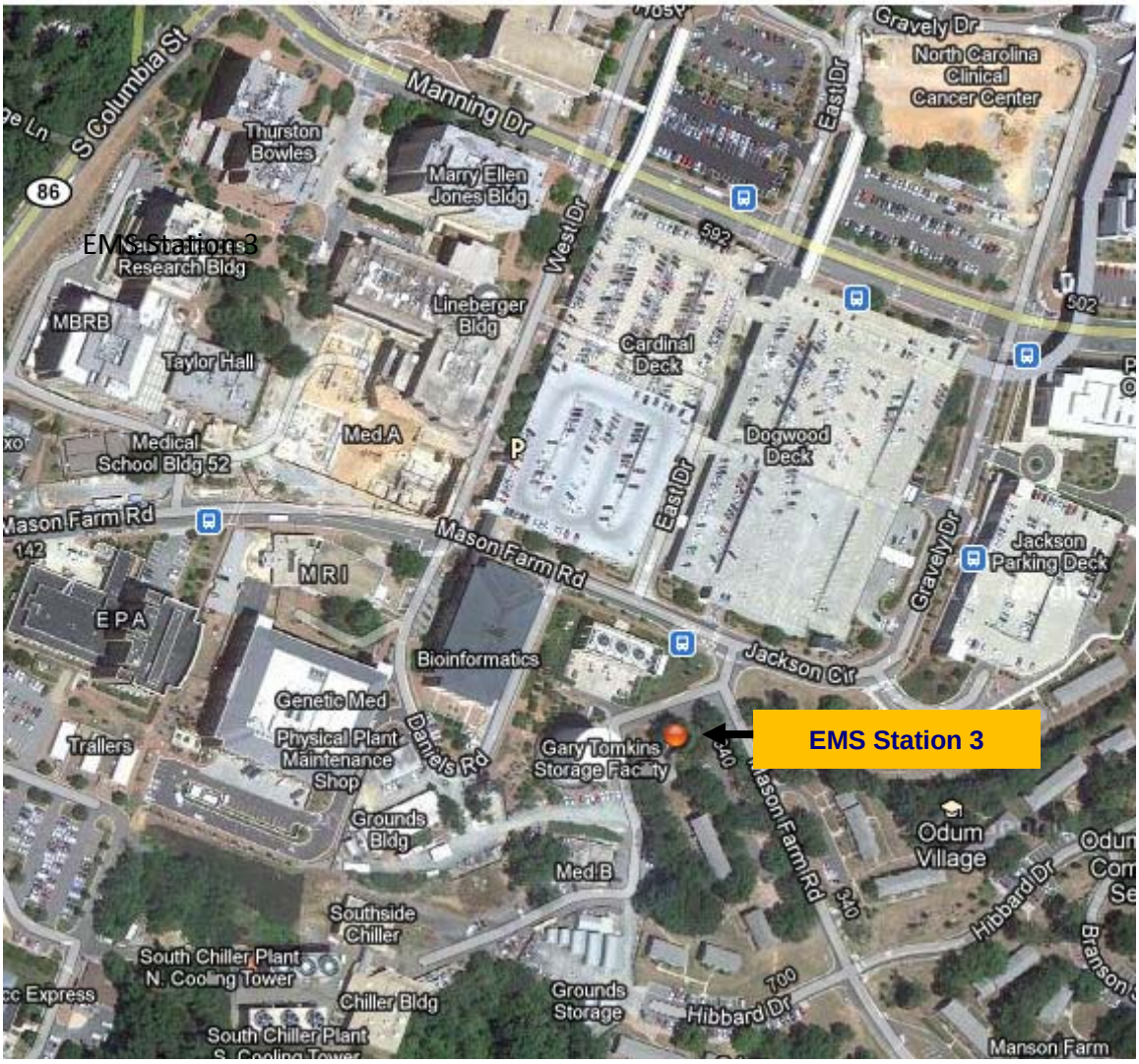
As a part of the written agreement between Orange County and the University of North Carolina, the University pays all utilities and maintains the building up-keep at no cost to Orange County. Emergency Services is provided parking spaces to accommodate the ambulance and three crew members. Orange County pays for the three employee parking slots, costing $3000 annually.

Other than the operational cost of the unit and personnel, there are no other recurring costs incurred by the County to deploy a unit from this strategic location.

Strategic Outlook

UNC plans to repurpose the married student housing apartments (the current location for Station 3) into office space. Based on conversations with the University, they are committed to work with Orange County to address future plans of station capability and location.

Based on geographic call volume analysis, Medic 3 is expected to grow at 10.2% over the next year. Emergency Services will continue to ensure that both the University and the County's needs are met by having adequate resources available to respond to growing demand for service. This call volume growth may cause the need to add a second campus ambulance or the addition of a second EMS base on or near campus.



Orange County Emergency Services would like to acknowledge the hard work and assistance by the following staff of the University of North Carolina at Chapel Hill.

Vice Chancellor Winston Crisp

Associate Vice Chancellor Christopher Payne

Student Housing Director Larry Hicks

Information Item

Department of Environment, Agriculture, Parks & Recreation

Memorandum

To: Frank W. Clifton, County Manager
From: David Stancil, Director of Environment, Agriculture, Parks and Recreation
Date: October 16, 2012
Re: Comprehensive Parks and Recreation Master Plan - Update

The purpose of this memorandum is to provide an update on the Comprehensive Parks and Recreation Master Plan project.

In April 2011, the Board approved moving forward with creation of a new Parks and Recreation Master Plan to update the adopted 1988 Master Plan. A process for creation of a new plan was considered, and work toward this end began in the summer/fall of 2011 with a timetable of activities and the solicitation of a consultant to assist in the preparation and administration of a scientific random-sample "Community Needs Assessment" survey of County residents.

These surveys are a staple of parks and recreation master plans, and are required in order for the plan to be considered for future grant funds by state agencies. After an initial lack of response to the RFP, two UNC-Greensboro professors were hired as consultants in spring 2012 for this component of the project, as well as for reports on other Plan subject matter. A technical writer was also hired to work on two additional sections of the Plan. Funding for the consultants and other project activities was previously approved as part of the existing budget.

Since the spring of 2012, work has progressed on the new Master Plan. A status report on the project was presented to the Board in February, and this item serves as follow-up to that memorandum.

There are three groups currently formally involved in the master plan process:

- The Parks and Recreation Council, an advisory board of currently 9 residents;
- A Master Plan Team, comprised of five DEAPR staff which are working on the writing of draft background sections, and coordinating with other groups on the components of the Plan; and

Orange County Department of Environment, Agriculture, Parks & Recreation
PO Box 8181
Hillsborough, NC 27278
Phone: (919) 245-2510
Fax: (919) 644-3351

- A Staff Resources Group, with representatives from several other County departments which work in areas related to the topics in the master plan, or have subject matter expertise or advice for the effort.

Additionally, an intern from the UNC Masters of Public Administration program developed and implemented a Youth Survey this summer to serve as a parallel feedback mechanism from a group that comprises much of the program clientele for Orange County recreation activities.

The creation of the Community Needs Assessment has been the most substantial area of work to date, although other work has been done in writing background sections of the plan and envisioning community outreach. The Needs Assessment was carefully crafted over three months to ensure scientific validity and as much simplicity as possible. Based on the County's population and other factors (including expected return rates), a random sample size of 4,200 households was selected to receive the mailed (postage-paid return) survey – which went out to residents on September 27. The survey is expected to take 15 minutes to complete. A reminder postcard was just sent to all recipients asking them to fill out and return the confidential survey, if not already completed. The collation, tabulation and evaluation of the surveys will shortly begin by the consultants, with preliminary results in December and a final report with survey results in January.

The other major new initiative is planning for the first round of public input sessions. The approach for these sessions has been developed by the Parks and Recreation Council and staff and is attached. The first round of sessions is slated for mid-November, with three meetings planned for the northern, central and southern parts of the county. The planned agenda for these meetings is also shown in the attachment. This is the first of three planned rounds of public input sessions. Other mechanisms for public feedback have been or also will be created, including focus groups, non-scientific surveys, and social media efforts.

Staff will keep the Board and the public informed of activities through informational items and other means between now and January, when survey results and the initial draft of a Plan will be available.

Please let me know if I may provide any additional information.

Copies: Michael Talbert, Assistant County Manager
Parks and Recreation Council

Orange County Department of Environment, Agriculture, Parks & Recreation
PO Box 8181
Hillsborough, NC 27278
Phone: (919) 245-2510
Fax: (919) 644-3351

Orange County Parks and Recreation Master Plan 2030
Public Outreach and Input Process

Overall

Goals / Global Strategies:

1. Strive to make sure that as many County residents as possible are aware of the Master Plan project, and that they have opportunities to provide input.
2. Ensure that input is multi-faceted, utilizing traditional and electronic (including social media) methods, and that the opportunities for interaction occur at different stages of the project (from early initial idea stages to review of draft plan).
3. Try to reach all segments of the community, especially youth, minorities, disabled, and other under-represented groups.
4. Strive for transparency in the process of creating the plan, using web updates, wiki pages and blogs to share information.

Outreach Measures:

1. Community Needs Assessment (4,200 surveys mailed, return postage paid)
2. Youth Survey (summer camps, counselors, school classes)
3. Non-scientific electronic survey (Survey Monkey)
4. Focus Groups
5. Public Input Sessions
6. Regular emails, website updates, Facebook and Twitter postings, wiki pages and possibly blogs.
7. Public hearing (spring 2013)

Evaluation Methodology: TBD

Public Input Session #1 (November 12-19, 2012)

- Two or three meetings (Option 1 - northern Orange and southern Orange; or Option 2 - northern Orange, central Orange/Hillsborough/Mebane, and southern Orange/Chapel Hill and Carrboro)
- Identical meeting formats, all within same week or so
- Sufficient locations – ensure room is adequate

Purpose:

- To educate and explain the purpose and rationale of the Master Plan
- To present a synopsis of planned activities and ways citizens can be involved
- To create a master list of interested residents for future meetings and subsequent parks and recreation issues (email master list)

Meeting Overview:

- Welcome and Overview of This Session – Who we are and what we are doing?
  Why we do master plans, what they are used for? Show the old plan, and show the new survey.
  Explanation of the process and timetable for the new plan.

- Why we Need Public Involvement –
  Show and discuss briefly what we have now (facilities and programs). Explain the goal of this public input – to help us to learn and consider the views of all interested citizens. What should our parks facilities and recreation programs look like? Do we need more/less? Do we need to do things differently? How should we work with and coordinate with the municipalities? Schools? Non-profit or private recreation providers? How can new ideas be implemented and paid for? We want to know what you (members of the public) think about our future.

- Conduct Small Group Discussions –
  Divide into groups, with two staff/PRC - facilitator and note taker. Either assign themes to each group (1- low-impact parks, nature areas, trails; 2- active or sports parks; 3- recreation programs) or have mirror-image groups on key target questions. Review some survey questions related to the theme.

- Small Group Reports – Facilitator takes notes. He or a group member reports back to the whole group on main points of their discussion.

- Open to reflection on other group ideas, general questions, other ideas and comments.

- Thanks and Adjourn

Tools and Illustrations/Materials:

- Map of existing Parks with facilities listing - orient
- 1988 Parks Map – explain and compare
- Master Plans for existing Parks with photos
- Master Plans for Future Parks
- Program Guides
- Parks Locator Map running on Laptop with Screen and Projector
- Copy of survey
- Refreshments
- Notepads and large pads/pens for group reports

Publicize Meeting Through:

- Newspaper (PSA, ad if necessary)
- Websites (OC, Chapelboro, News of Orange, other)
- Social Media (Facebook, Twitter)
- PSA on WCHL. Orange County TWC channel
- Emails on Recreation list serve, others?
- Flyers to Civic Groups, churches, etc.
- Mailing to previous Master Plan lists

Location of Meetings:

- North and South – or North, South and Central?

Public Input Session #2 (January 2013)

- To be developed
- Survey findings and results, consultant evaluation will be in
- Some sections of plan developed, go over outline and selected sections

10/1/12

Parks and Recreation Master Plan 2030 - Timetable of Activities

Date	Action	Who? / How?
June 2011	Approval of Project, Funds	NA
August 2011	Project Scope Discussion	P&R Master Plan Team (Team)
September 2011	RFP Prepared, Refined	Team, Stancil
November 2011	RFP Solicited	Financial Services (FS)
December 2011	Proposals Received (0)	FS
January/February 2012	Review Status, Status memo to BOCC, Re-engage and plan for action	Team
March – May	Hire Research Consultant(s), complete timeline	Team/Stancil
June-August	Community Needs Assessment (CNA) survey instrument created, refined and completed, sampling techniques finalized. Companion "Youth Survey" prepared and administered. Background sections of plan drafted, annotated Table of Contents completed. Informational item update to BOCC June 19.	Consultant, Team, Parks and Rec Council (PRC), Staff Resources Group (SRG)
July-September	Survey prepared, random sample identified and ready for dissemination (UNCG). Youth Survey[1] results evaluated, report created. Staff Resources Group (SRG) meets. Transportation and Linkages with Other Plans section drafts due from Welch.	Team, Consultant, SRG
September	Public outreach session planned (PRC). Survey distributed by UNCG late-September to random sample (4,200 households). Inter-relationships and Health/Environmental Impacts drafts due from Welch.	Consultant, Team, PRC
October	Demographic, socioeconomic and service area data collected, and other Master Plan sections drafted as per assignments. Follow-up postcards sent to survey recipients. Survey Monkey (non-scientific) survey version released. Municipal & School Coordination sections drafted. School youth survey held in selected classes. Survey results expected to UNCG consultant by end of month, analysis of survey data begins. Final sections A & B from Welch. Focus Groups held.	Consultant, Team, PRC, SRG
November-December	***Public Input Sessions #1*** held mid-November. Status Report to BOCC. Preliminary survey results/analysis received from UNC-G. Final Sections C & D and all work completed from Welch. Draft most remaining sections of the Plan. Meet with Management. SRG meets.	Consultant, Team, PRC, SRG
January 2013	Consultant report on survey findings/recommendations. ***Public Input Sessions #2*** on results of CNA and Draft Sections of Plan. Complete remaining data collection, and receive final reports on standards, tourism/parks and economic impacts from consultant.	Consultant, Team, PRC, SRG
February 2013	Full Draft Plan is created, BOCC update provided. Focus Groups held. Present draft plan at ***Input Sessions #3***.	Team, PRC, SRG
March 2013	Revisions to Draft Plan as needed. Status Report to BOCC.	Team, PRC
April-May 2013	Review BOCC and public comments, create Plan Final Draft. ***Public Hearing***.	Team, PRC

[1] The Youth Survey will be administered through surveys and focus groups during summer camps and programs, and also administered via the schools in October.

	Advisory Board review (PRC recommendation)	
June 2013	BOCC Considers for Approval.	Team, PRC
July-August	If needed. PRC Final Review and refinement (if remanded). Return for action by BOCC for formal adoption of Parks and Recreation Master Plan (if needed)	BOCC (PRC)

Information Item

Orange County Human Resources Department

200 South Cameron Street
Post Office Box 8181
Hillsborough, NC 27278

Nicole M. Clark, SPHR, IPMA-CP
Director

Tel (919) 245-2550
Fax (919) 644-3009
www.orangecountync.gov

MEMORANDUM

To: Frank Clifton, County Manager

From: Nicole Clark, Human Resources Director

Date: October 9, 2012

Subject: Ban the Box

At the May 15, 2012 Regular Board Meeting, Mr. Hank Elkins representing the Partnership to End Homelessness brought forth a petition asking that the Board of Commissioners revise the county employee recruitment/application process to delay and/or possibly eliminate asking questions of applicants regarding criminal history.

A review of job postings since May 15, 2012 shows that a question regarding criminal history was asked on three separate postings. Since the beginning of September, there have been no postings that require an applicant to indicate whether or not they have a criminal background **and this question will not be asked going forward.** Please let me know if you have any questions.