



**Orange County
Board of Commissioners**

Agenda

Regular Meeting

October 15, 2013

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



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 Releases/Refunds
 - c. Property Tax Releases/Refunds
 - d. Applications for Property Tax Exemption/Exclusion
 - e. Fiscal Year 2013-14 Budget Amendment #2
 - f. Budget Amendment #2-A – Upper Neuse River Basin Association Funding Request - Best Management Practices Credit Determination Project
 - g. Eno River Association Conservation Easements – Funding Assistance and Approval of Budget Amendment #2-B
 - h. Comprehensive Plan and Unified Development Ordinance Amendment Outlines and Schedules for Two Upcoming Items
 - i. Safe Routes to School Action Plan Update and Authorization of Next Steps
 - j. Preliminary Information and Approval to Finance Various Capital Investment Plan Projects and County Equipment
 - k. Board of Commissioners Meeting Calendar for Year 2014
 - l. Change in BOCC Regular Meeting Schedule for 2013

6. Public Hearings

- a. Economic Development Incentive for Morinaga America Foods, Inc.
- b. Orange County Community Development Block Grants

7. Regular Agenda

- a. Infrastructure Design and Construction Administration Contract for Morinaga Site
- b. SportsPlex Property Purchase and Sale Agreements and Approval of Budget Amendment #2-C
- c. Resolutions to Endorse Orange County's Priority Transportation Projects for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization and the Triangle Area Regional Planning Organization

8. Reports

9. County Manager's Report

10. County Attorney's Report

11. Appointments

- a. Affordable Housing Advisory Board – Appointment
- b. Orange Dog Poets Society – Appointment
- c. Orange Unified Transportation Board –Appointments

12. Board Comments (Three Minute Limit Per Commissioner)



13. Information Items

- October 1, 2013 BOCC Meeting Follow-up Actions List
- Tax Collector's Report – Numerical Analysis
- Tax Collector's Report – Measure of Enforced Collections
- Walnut Grove Church Road Convenience Center Update

14. Closed Session

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.orangecountync.gov

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

Action Agenda

Item No. 5-a

SUBJECT: MINUTES

DEPARTMENT:

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

INFORMATION CONTACT:

Donna Baker, 245-2130

Draft Minutes

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

| | |
|--------------------|--|
| June 13, 2013 | BOCC Reconvened Budget Work Session/Work Session |
| September 5, 2013 | BOCC Regular Meeting |
| September 12, 2013 | 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.

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3 **DRAFT**

MINUTES
BOARD OF COMMISSIONERS
BUDGET WORK SESSION
June 13, 2013
6:00 p.m.

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9 The Orange County Board of Commissioners met for a reconvened Budget Work
10 Session from the June 11, 2013 meeting at 6:00 p.m. at the Southern Human Services
11 Center in Chapel Hill, N.C. After this reconvened meeting, the June 13th 7:00pm work session
12 convened.
13

14 **COUNTY COMMISSIONERS PRESENT:** Chair Jacobs and Commissioners Mark Dorosin,
15 Alice M. Gordon, Earl McKee, Bernadette Pelissier, Renee Price and Penny Rich

16 **COUNTY COMMISSIONERS ABSENT:**

17 **COUNTY ATTORNEYS PRESENT:**

18 **COUNTY STAFF PRESENT:** County Manager Frank Clifton, Assistant County Managers
19 Michael Talbert, Clarence Grier and Clerk to the Board Donna Baker (All other staff members
20 will be identified appropriately below)
21

22 **NOTE: ALL DOCUMENTS REFERRED TO IN THESE MINUTES ARE IN THE**
23 **PERMANENT AGENDA FILE IN THE CLERK'S OFFICE.**
24

25 **Reconvening of June 11, 2013 Budget Work Session**
26

27 Chair Jacobs reviewed the following items at the Commissioner's places:
28

- 29 • Lavender sheet - historical information on the Piedmont Food and Agricultural
- 30 Processing Center (PFAP)
- 31 • Salmon sheet – additional outside agency information
- 32 • Goldenrod – Internal Service Fund- Vehicle Replacement information
- 33 • Excel spreadsheet - Property Tax Calculation and Analysis Per Tax District
- 34 • Memo in reference to DSS's new grant project and position requests
35

36 **4. Discussion of County Department's FY2013-14 Budget Requests**
37

38 **Housing, Human Rights and Community Development (Pg.161)**
39

40 Budget Analyst Tonya Walton reviewed the following:
41

42 ***Budget Highlights***

43 Revenue Decrease: Due to federal sequestration, the department budget for rental
44 subsidies has been reduced by 6% and the administration funding for the program has
45 decreased by 31.5%, from the prior year (revised budget). Program attrition will absorb
46 the funding loss for rental subsidies. Although the department has eliminated funds for
47 operations, a funding gap of \$148,110 remains for program administration, which affects
48 permanent personnel. The department recommends funding the gap through general
49 fund.
50

51 The FY 2013-14 Manager's recommended budget includes funding for all positions,
52 pending further County action. The County will determine how to manage the loss of
53 administration funds, when County wide sequestration impacts are assessed. Note: The

1 County currently funds a portion of the Department Director's personnel costs, which is
2 included in the net County Cost figures, in Section 8 division's budget tables.

3
4 **HOME Investment Partnership Program Budget Highlights:**

5 Due to federal sequestration, the department budget for rental subsidies has been
6 reduced by 5 percent, from the prior year.

7
8 **Urgent Repair Program Budget Highlights:**

9 Funding for Urgent Repair costs will decrease by \$15,000 to \$60,000, in FY 2013-14.

10
11 **Partnership to End Homelessness Program Budget Highlights:**

12 The cost of the Homeless Management Information System (HMIS), known as CHIN
13 (Carolina Homeless Information Network), has been transferred from the State to the
14 twelve (12) communities that receive homeless funding. For Orange County that cost is
15 \$21,000.

16 Revenue Increase: The revenue increase represents a 44% increase from each
17 jurisdiction's prior year contribution.

18
19 Tara Fikes said the sequestration cuts were deepest in operations and less so in
20 subsidy.

21
22 **Human Relations Division Budget Highlights:**

- 23 • No significant budget changes, in FY 2013-14.

24
25 Commissioner McKee asked Tara Fikes to speak on reductions to Habitat for
26 Humanity, home programs and sub-recipients

27 Tara Fikes said, due to less funding from HUD, allocations to all sub-recipients were
28 reduced. She said that Habitat's reduction resulted in subsidy for one fewer house.

29 Chair Jacobs asked about Habitat's Brush with Kindness program versus the County's
30 urgent repair program. He asked why half of the Urgent Home Repair Program monies go to
31 administration.

32 Tara Fikes said she thinks the programs' purposes are similar, however half of the
33 County programs funding is spent on a Rehab Specialist to oversee the repairs. She said this
34 position has been used to help in other areas and programs as well.

35 Chair Jacobs said to it would be helpful to indicate in the budget that the
36 administration position serves multiple purposes.

37 Tara Fikes said Habitat's program is focused more on outward appearance, and the
38 Urgent Repair Program is focused on interior, health and safety issues and code violations.

39 Chair Jacobs asked Tara Fikes to send the Board a memo on what the Urgent Repair
40 Program is about, especially for the benefit of the new members.

41
42 **Library, Pg. 176 (including Fee Schedule change requests, Pg. 332 and Non-
43 Departmental Items, Pg. 201)**

44
45 Lucinda Munger reviewed the following:

46 **Main Library Budget Highlights:**

47 Increased Library Hours: The County Manager recommends a \$32,000 increase in the
48 department's nonpermanent personnel and operating budget for the additional four
49 weekend hours, beginning July 1, 2013. The proposed increase to the Library's budget
50 would require a corresponding increase in the County's contribution to Chapel Hill
51 Library (\$8,641). For more information, please refer to the Culture and Recreation Non-
52 Departmental section.

53 New Staff Requests: The FY 2013-14 budget includes two FTE requests. The
54 department requests a 0.20 FTE increase, from 32 to 40 hours, for a Library Assistant I
55 (\$9,215). This position will allow for consistent staffing levels at all times and will

1 coincide with the increase in weekend hours. Decrease in existing nonpermanent funds
 2 will offset all position costs. The department also requests a 0.125 FTE increase, from
 3 30 to 35 hours, for an Administrative Assistant II (\$5,444). This position will offer
 4 increased daily support concerning budgetary expenditures, non-permanent scheduling,
 5 and establish volunteer program.

6 ■ Operating Reductions: Software maintenance costs have been moved into the IT
 7 Department's budget, with the dissolution of the Hyconeechee Library System.

8 ■ Revenue Reductions: Library State Aid revenue will decrease by \$17,000, in FY 2013-
 9 14. The N.C. Department of Cultural Resources provided a reduced estimate, after
 10 Hyconeechee Regional Library's dissolution, in July 2012. This reduction does not
 11 include federal sequestration impacts.

12 Fee Schedule Requests: Please note that increases apply to materials at all Library
 13 locations. Additional information about proposed changes is in the Fee Schedule,
 14 located in Appendix B.

15 Effective July 1, 2013: Daily fines for overdue literacy bags (\$1.00), CDs (\$0.20), and
 16 periodicals (\$0.20). Currently, no fee exists for any of the violations.

17 Effective October 1, 2013: Cost recovery for Inter-Library loans. Cost recovery (\$3.00).
 18 The current patron cost is \$1.00.

19
 20 ***Carrboro Branch Library – McDougle Middle School: Budget Highlights***

- 21 • No significant budget changes, for FY 2013-14.

22
 23 ***Cybrary Branch Library Budget Highlights:***

- 24 • No significant budget changes, for FY 2013-14.

25 Commissioner McKee asked if Chapel Hill anticipated the budget increase of \$8,600.

26 Frank Clifton said this budget was communicated.

27 Commissioner Dorosin questioned the difference between the provisional
 28 departmental request and the manager's recommendation.

29 Lucinda Munger said the difference is in the expanded hours. She said the original
 30 budget was based on 64 hours. She said discussions then led to the increase of 4 additional
 31 hours and the cost of this in operating funds.

32 Commissioner Price asked about the inter-library loan fees. She questioned whether
 33 this pertains to Chapel Hill.

34 Lucinda Munger said this program is done through OCLC, which is a national
 35 program. She said these are primarily requests for research related items that can be
 36 requested from different libraries within the state. She said there is no official transfer
 37 program with the Chapel Hill Library.

38 Chair Jacobs asked where things stand with the interoperability agreement with the
 39 Town of Chapel Hill

40 Lucinda Munger said there have been talks with senior library staff regularly to work
 41 toward that. She said discussions have centered on issues such as policy alignment, fee
 42 structures, and cooperative programming. She said the fee structure in the proposed budget
 43 mirrors the Chapel Hill fee structure, so there will be no difference. She said Chapel Hill
 44 recently hired a new permanent library director, and there will be further discussions with the
 45 new director after the budget process.

46 Chair Jacobs asked about the new software.

47 Lucinda Munger reviewed the new software system and vendor information. She said
 48 these systems will eventually be able to communicate effectively with each other.

49 Chair Jacobs said that the agreement with Chapel Hill says that Orange County will
 50 meet annually with Chapel Hill to discuss libraries. He said the issue of exchanging books
 51 could be addressed at this meeting.

52 Lucinda Munger said this could also be part of the discussions with the new director,
 53 once the budget is passed.

1 Chair Jacobs said there were good reasons to close the library at Northern Human
2 Services Center, however he still feels it is a priority to bring library services to this area of the
3 County.

4 Lucinda Munger said when the Northern Human Services Center is reconstructed with
5 wireless access, and a computer lab, that will greatly assist in providing services again. She
6 said that any other expenditures would be proposed in late September as part of the new
7 strategic plan.

8 Chair Jacobs said he does not want to put all of their eggs at Northern Human
9 Services Center.

10 Commissioner McKee apologized for stepping out, and he asked for an update on the
11 shared library card with Chapel Hill.

12 Lucinda Munger said that the shared vendor will make this more of a possibility.

13 Commissioner McKee asked for a specific timeframe for getting one library card for
14 both systems. He noted that this discussion has been ongoing for two years.

15 Lucinda Munger said the library director hiring was one thing that needed to happen,
16 so this will be part of the upcoming discussions in the fall. She said she cannot give a definite
17 timeline.

18 Commissioner Rich noted that any Orange County citizen can get a Chapel Hill Library
19 card for free.

20 Commissioner Pelissier said that the Chapel Hill Library foundation provides much of
21 the funding for book purchases and this group needs to be included in some of the upcoming
22 discussions.

23 Commissioner McKee said, considering the large amount of money put into the
24 libraries, the issues with Chapel Hill need to be worked through.

25 Commissioner Price said that Friends of the Library also need to be included in
26 discussions.

27 Chair Jacobs said current discussions are only for staff and elected officials.

28 Lucinda Munger said the Friends of the Library did contribute a substantial amount of
29 money toward materials for the new library. She said this group has its own board, as does
30 the Friends of the Chapel Hill Public Library.

31
32 **▪ Social Services, Pg. 244**

33
34 Nancy Coston reviewed the following:

35 ***Administration Division Budget Highlights:***

36 ***Budget Highlights***

- 37 • Personnel Account Consolidation: Consolidated all division temporary personnel and
38 overtime line item accounts into the Central Administration division (\$73,097), in FY
39 2012-13.
- 40 • Division Consolidation: Combined the Skills Development Center division, and related
41 expenses, into line items within the Central Administration division. Performance
42 measures related to activities at the facility can be found in Economic Services.
- 43 • NC FAST Implementation: Additional nonpermanent and overtime funds will address
44 the staffing issues related to NC FAST (\$47,460). The department's capital request
45 will fund renovations (\$10,000) at Southern Human Services Center (SHSC) and
46 Hillsborough Commons to create technology areas (\$60,000), in the front lobbies,
47 where clients can complete basic documentation and learn more about services. The
48 renovations for each site include:
 - 49 • SHSC: Carpet replacement and a front window installation, so staff can view the lobby
50 from the receptionist's area.
 - 51 • Hillsborough Commons: Wall removal, floor resurfacing, and installation of additional
52 lights and electrical outlets.
 - 53 • The Hillsborough Commons lease payment will increase \$13,052, in FY 2013-14.

- 1 • Pending budget approval, the department will administer Pre-Trial Services' FY 2013-
2 14 Outside Agency Performance Contract. Recommended funding of \$95,000 is
3 included in the division's contract services line item, for this purpose.
- 4 • Revenue Increases: Additional State funds for Low Income Energy Assistance
5 Program (LIEAP) Administration (\$35,889). Funds totaling \$31,328, from the Miles
6 Second Family Foundation, to examine former foster youths' outcomes and aid
7 transportation efforts, for current children in the program.
- 8 • Revenue Reductions: The department will experience an \$110,615 loss in Social
9 Services Block Grant revenue, from the federal government. This loss does not
10 include pending sequestration reductions.

11 ***Child and Family Services Division Budget Highlights***

- 12 • CPS After-Hours Availability: To address CPS coverage issues, the agency proposes
13 compensating social workers for after-hours coverage. To fund these costs, one child
14 protective services position will remain unfunded for next year. There will be a
15 reduction in salary and benefits under this plan. The position will remain in the
16 budget—unfunded—to allow the agency to conduct a trial of this plan.
- 17 • Revenue Increases: The department will receive an additional \$15,000 for DSS
18 guardianship responsibilities, \$52,829 for Daycare administration and \$10,000 for
19 Drug Treatment Court.
- 20 • Revenues Reductions: Fewer child protection cases are eligible for federal
21 administrative funds, which will reduce Foster Care/Adoption (IV-E Administration)
22 revenue, by \$80,000. In addition, due to State changes, the department will no longer
23 conduct assessments for personal care services in adult care homes (loss of
24 \$51,228). However, adult services staff must be available to staff planning teams and
25 to provide services to the numerous individuals affected by the changes in Medicaid
26 and the mental health system.

27 ***Economic Services Division Budget Highlights:***

- 28 • Division Realignment: In FY 2012-13, the Veterans Services and Criminal Justice
29 Partnership Program (CJPP) divisions were incorporated into the Economic Services
30 division (\$109,831). The Veterans Services Officer will continue to be a full-time
31 position. The CJPP Coordinator position moved from a grant fund into the General
32 Fund, in FY 2012-13. When the State eliminated the grant portion of the position's
33 support, the department located another funding source, which would also allow the
34 position to aid the department during NC FAST transition. This change will incur no
35 additional County costs.
- 36 • In FY 2012-13, the BOCC approved three time-limited positions, through December
37 31, 2013, to assist with NC FAST implementation. This addition increased division
38 personnel costs by \$152,163.
- 39 • Revenue Increases: Will receive additional Work First grant funding of \$173,140, in
40 FY 2013-14.

41 ***Public Assistance Division Budget Highlights:***

- 42 • The agency will continue working with the IT Department and the NC Department of
43 Health and Human Services to prepare for NC FAST implementation. This may
44 include purchasing additional computer hardware and software and increasing
45 bandwidth.
- 46 • These public assistance programs are projected to pay \$19,805,094, in Food and
47 Nutrition Services, and \$104,056,909, in Medicaid dollars, to local grocers and medical
48 providers in FY2013-14.
- 49 • Given the sustained impact of the economy on families, the agency continues to look
50 for ways to meet the ongoing demand in public assistance. Part of this initiative will
51 include business process redesign based on Work Support Strategies.

- The need for additional staff resources is addressed in the Economic Services department. Even with the addition of some resources, the demands on staff transitioning to NC FAST while meeting the increased caseload will be extremely taxing. The NC FAST transition for these programs will not be completed until 2014. Until then the agency anticipates continued difficulty in meeting all performance goals in these programs.

Skills Development Center

- This division has merged with the Central Administration division, within the department.

Subsidy Division Budget Highlights

- There is an increased need for child care subsidies to avoid disruption of services for more than 200 children. There is currently a waiting list of more than 300 children in need of care. There is a projected decrease of 8% of state and federal funding for childcare subsidy for FY2013- 14.
Revenue Reductions: Decreases in Adoption Vendor Payments (\$47,500), due to policy changes, and the conclusion of the CPS Early Childhood Mental Health Services grant project (\$39,565)
- The agency is applying to continue administration of Smart Start subsidy, funded by the Orange County Partnership for Young Children. This will continue to allow for reduced administrative expenses and coordinated access for families.

Veterans' Services Division

This division has merged with the Economic Services division, within the department.

Grant Project Fund: Criminal Justice Partnership Program Budget Highlights

- Revenue and Personnel Change: Changes in state administration of the adult programs, as well as changes in the relationship with Chatham County, have reduced administrative funds available to support the grant. In FY 2012-13, after the department located another funding source to replace lost funds, the CJPP Coordinator position moved from grant fund into the General Fund. The new funding source fund will reimburse Economic Services' activities and permit the Coordinator to administer the juvenile portion of the JCPC program. This change incurs no additional County cost.

Grant Project Fund: Orange Community Response Program (Multi-Year Project) Budget Highlights

- The Board of County Commissioners approved the grant on August 21, 2013. FY 2013-14 funds will cover costs, for the second year of the grant. The Orange County Partnership for Children will reimburse position costs.
- No significant budget changes, in FY 2013-14.

Tonya Walton reviewed the information from the Grant Project and Position Requests attachment. She said these funds would not be located in the general fund, so the bottom line would not be affected. She said the attachment would replace pages 31 and 32 in the recommended budget. She said the table includes the manager's recommended positions.

Commissioner Dorosin said, as the board representative on DSS board, he would like to recognize that the work done to prepare for this transition with NCFast has been tremendous.

Chair Jacobs asked how many people the County serves with food stamps.

Nancy Coston said the average number of households is 6600. She said the number of individuals is much larger. She said Medicaid is higher than food and nutrition. She said that there are people who get Medicaid automatically through Social Security who are not listed in the budget.

1 Frank Clifton noted the significant number of child abuse cases served and said this is
2 one of the tougher jobs that the Social Services staff does.

3 Commissioner Price asked if a tax on prescription drugs would affect the Social
4 Services budget.

5 Nancy Coston said she does not think this will affect people on Medicaid. She said
6 there is consideration of an increase in co-pays.

7 Frank Clifton noted that state changes in unemployment laws may cause an impact in
8 the county, but the number is unknown.

9 Nancy Coston said this could result in a lot of individuals approaching Social Services
10 at one time.

11 Chair Jacobs asked if there will be an effort to alert individuals of services available to
12 them.

13 Nancy Coston said many of these people have likely already gotten medical help for
14 their children and have had interaction with the department.

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17 **▪ Board of County Commissioners, Pg. 63**

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19 Budget Analyst, Darryl Butts and Clerk to the Board, Donna Baker reviewed the
20 following:

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22 ***Budget Highlights***

- 23 • The FY 2013-14 Manager Recommended Budget includes an Assistant to the Clerk
24 position (1.0 FTE), effective July 1, 2013. This is a re-instatement of an Assistant to
25 the Clerk/Boards and Commissions' position that was eliminated during the FY 2010-
26 11 budget process. Existing temporary personnel funds will be reduced by \$9,215 to
27 help offset the cost of the position in FY 2013-14.
- 28 • The overall decrease in Operations in FY 2013-14 is mostly due to not budgeting for a
29 Reserve for Rogers Road, which represented a one-time expense of \$120,000 in the
30 FY2012-13 approved budget.
- 31 • The FY 2013-14 Manager Recommended Budget includes \$17,800 in Personnel
32 Services for Public Safety coverage at all meetings. The budgeted amount consists of
33 2 Sheriff Deputies and 1 Paramedic at each regular Board meeting, and 1 Sheriff
34 Deputy at all other meetings.
- 35 • The Capital Outlay of \$75,261 in the FY 2012-13 12 Month Estimate reflects the Board
36 approved upgrades to audio/visual equipment at their November 20, 2012 regular
37 meeting.

38
39 Donna Baker reviewed the proposed duties for the requested position of Assistant to
40 the Clerk/Boards and Commissions.

41 Donna Baker noted that the largest increase was in the travel budget, and this was
42 recommended by the finance department.

43 Commissioner Dorosin asked about the \$120,000 allocation for Roger's Road.

44 Darryl Butts said this was an item that came up in last year's budget, and funds were
45 allocated to this, as a capital project. He said the money that was in reserve in the
46 Commissioner's office was shifted toward the capital project for the community center.

47 Commissioner McKee said he does not think that the Board needs to have a
48 paramedic at each of their regular meetings.

49 Chair Jacobs said he thought it was good to have an emergency services person
50 present at the meetings.

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53 **▪ County Manager, Pg. 95**

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55 Tonya Walton and Greg Wilder reviewed the following:

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Budget Highlights

- The creation of the Public Affairs Department, on July 1, 2013, will reduce the County Manager's budget by approximately \$108,000, in personnel and operating costs.

Commissioner Dorosin said, as a future process, he would like to see non-departmental staff identified under the appropriate department so that board members do not have to continually search back and forth in the budget book.

Commissioner Price asked about the increases in printing costs.

Greg Wilder said the board made a decision to move toward a paperless agenda but there are still 17 sets being printed for each agenda. He noted that there is now access to a color copier, which was not available before. He said that, .25 per page, doing these in-house is a savings.

Commissioner Gordon asked about the reduction of \$108,000 in the Manager's budget. She asked if this was the budget for the Public Affairs Personnel Operating Cost.

Clarence Grier said \$110,000 was for personnel.

Frank Clifton said this was only the amount for part of the fiscal year. He said many of the activities were paid for by various departments. He said efforts are being made to track these costs.

Commissioner Gordon asked what this total number for the Public Affairs Office would have been on a full year basis.

Clarence Grier said this would total about \$180,000, and about \$100,000 would be toward salary and benefits. He said \$80,000 was for operating cost.

▪ **Finance and Administrative Services p. 135**

Finance and Purchasing Division Budget Highlights:

- Transferred Asset Management Coordinator (1.0 FTE), from Asset Management Services, to assist with County purchasing duties (\$54,660).

Budget Division:

- The Budget and Management Analyst II position remained vacant for six months and generated \$31,000 in county savings.

Risk Management Division:

- The Risk Manager and Grant Accountant positions remained open for nine months and generated \$100,513 in savings.

Commissioner McKee expressed appreciation for the efficiency of the Finance Director and his staff.

Frank Clifton noted that there is a Risk Management position that has remained unfilled, and this continues to be a hurdle for the department.

Commissioner Rich asked if this \$100,000 has remained in the budget.

Frank Clifton said this falls to the fund balance this year, but it will be budgeted next year.

Commissioner Rich asked if that is true with every position.

Frank Clifton said every position is budgeted for full salary and benefits every year and most of them remain filled.

Internal Service Fund – Vehicle Replacements (Handout provided at June 11, 2013 meeting)

Paul Laughton and Jeff Thompson reviewed information from the following memo:

Purpose of Fund:

In FY 2012-13, the Commissioner Approved Budget established 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. With the creation of this Vehicle Replacement Fund, vehicles purchased occur through this fund instead of the departments' operating budgets. The change centralizes vehicle purchases, which increases the effectiveness of vehicle performance and cost monitoring.

Recommendations are founded upon vehicle age, mileage, maintenance costs, fuel efficiency, and departmental mission need. The average age and accumulated mileage of the recommended replacement are 15 years and 148,000 miles respectively.

Recommended replacement vehicle platforms are the Toyota Prius for administrative, highway and street use; the Chevrolet Captiva for moderate all-terrain use; the Chevrolet All Wheel Drive Equinox for heavy all-terrain use; the Ford Transit Connect for highway utility, service and light cargo use; the Ford F150 (both two and four wheel drive) for heavy utility use with the 4x4 option for heavy all-terrain use for Environmental Health, Emergency Services, and DEAPR (Department of Environment, Agriculture, Parks and Recreation) missions; and the Chevrolet Tahoe for non- jail law enforcement use. All platforms are evaluated for department mission utility, durability, maintenance standardization, and fuel efficiency.

The list below outlines recommended vehicle requests for FY 2013-14. Pricing is based upon current State Contract rates. During the early fall, staff will provide a complete list of recommended, debt financed , vehicle purchases, for the BOCC's consideration.

FY 2013-14 Recommended Vehicles

| Department | Item Description | Cost |
|--|---|------------------|
| Asset Management Services | Ford Transit Connect- replaces #532 2001 Dodge pick-up | \$24,547 |
| Department of Environment, Agriculture, Parks and Recreation | Ford F150 4x4 Crew Cab truck- replaces #533 1996 GM truck | \$24,635 |
| | F350 15 passenger van- replaces #424 1999 Dodge Passenger van | \$24,181 |
| | F550 Light dump truck- replaces #471 1995 Ford F250 Dump truck | \$35,724 |
| Emergency Services | 2 Ford F150 4x4 Crew Cab Trucks- Replaces #663 2006 Ford Expedition (destroyed by fire) and #698 2006 Ford Expedition (existing EMS Supervisor); included aftermarket Upfit costs | \$95,206 |
| | Freightliner/Excellence Ambulance to replace aging Wheeled Coach ambulance unit (Emergency Medical Services); includes aftermarket upfit costs | \$236,136 |
| Health | 3 Ford F150 4x4 trucks- replaces Environmental health Ford Rangers#388 (1997), #414 (1998), and #421 (1999) | \$58,216 |
| | Toyota Prius- replaces #455 2000 Dodge Stratus | \$24,045 |
| Housing, Human Rights, And Community Development | Toyota Prius- replaces #498 2000 Dodge Intrepid | \$24,045 |
| Planning and Inspections | 2 Chevrolet Captiva Front Wheel Drive vehicles- replaces Ford Ranges #450 (2000) and #464 (2000) | \$38,045 |
| Sheriff | 6 Chevrolet Tahoes- replacements for Ford Crown Victoria Interceptors (Non- Jail Operations) | \$140,785 |

| | | |
|--|--|--------------------|
| Social Services | 4 Toyota Prius- replacements of Chevrolet Cavaliers #381 (1997) and #382 (1997); Chevrolet Malibu's #441 (1999) and #442 (1999) | \$96,180 |
| Tax Administration | 3 Chevrolet Equinox All Wheel Drive vehicles- replaces Ford Crown Victorias #366 (1997) and #3477 (1997); Chevrolet Malibu #444 (1999) | \$77,672 |
| FY 2013-14 Recommended Total: | | \$899, 416 |
| FY 2013-14 Source of Funds: Short-term Installment Financing/Internal Reserves | | \$(899,416) |
| Net County Cost: | | \$0 |

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Clarence Grier said financing will be approved for some vehicles on the 15th of the month. He said the fees generated from different departments will be used to replace vehicles at the end of their lifespan. This is the purpose of the fund.

Commissioner Gordon noted that some departments have hybrids as replacements and some don't. She asked for an explanation.

Paul Laughton said there are 6 Priuses

Jeff Thompson said the light vehicle class is for most of the administrative class vehicles. He said the Prius will be used for this class. He said the older platforms have .27 cent per mile maintenance cost. He said the Prius is .09 - .15 per mile cost, so it is the vehicle to move toward. He said a battery hybrid will be considered for the future.

Commissioner Gordon said that another value to balance in the decisions is the value of buying American made vehicles.

Commissioner Price asked if electric cars will be considered in the future.

Jeff Thompson said yes, once this technology is stabilized and proven.

Commissioner Rich said the General Assembly wants to penalize those who have hybrids, by charging an annual fee. She asked if this applies to county vehicles.

Jeff Thompson said this is not known yet.

Commissioner McKee said one of his concerns in past years was making sure vehicles match the departmental needs. He appreciates that this was considered with this proposal, and he thanked the department for this.

Chair Jacobs asked if these vehicles can be bought from someone in Orange County, at a price that will match the state contract price.

Jeff Thompson said he will check on that.

Chair Jacobs asked the Board if there were any questions in reference to the Line Item Detail notebook.

Commissioner Dorosin referred to page 288, which shows the recommendation for moving money from the fund balance. He asked what will be left in the fund balance after this move.

Frank Clifton said that the \$3.6 million is in excess of 17 percent.

Clarence Grier said the fund balance is \$32,145,000, after this.

Frank Clifton said when staff does this budget, it is calculated based on available information and sales tax receipts at that particular time. He said there was an excess, and the Board of County Commissioners has \$1,375,000 for discretionary funding.

Chair Jacobs said it would be good to state, in the budget, the designated fund balance percent of 17 percent and then to note the amount that 1 percent equals.

Frank Clifton said that the fund balance is found by simply taking 17% of the total budget.

Frank Clifton said, at the beginning of every budget process, the number presented is 17 percent of the estimated total budget. He said anything above that becomes available revenue.

Clarence Grier said the original manager's recommended budget appropriation was \$650,000. The CIP discussions allocated \$25,000 to the site study for Blackwood farm and DEAPR. This left the number at \$625,000. He said the year-end returns yielded an

1 additional \$750,000, without going below 17% threshold for fund balance. This leaves a total
2 of \$1,375,000.

3 He said 1 percent of the total fund balance equals \$1.8 million.

4 Frank Clifton said there was additional money that was not appropriated last year, and
5 it was rolled into this year. He said that the official audit will be done in October or November,
6 and a specific excess number will be available at that time.

7 Commissioner Gordon said it would be helpful to know the number being used to
8 estimate the 17%.

9 Commissioner Gordon said there is \$25,000 allocated for the site study, and she does
10 not consider this a wise use of funds. She would rather have a space needs analysis
11 completed.

12 Chair Jacobs said this could be brought up under the CIP discussion.

13 Paul Laughton said the space needs study is one component of the \$25,000.

14 Clarence Grier said, when they had the public hearing, the original estimate was
15 \$100,000. He said this was considered high, so it was reduced to get this into the operating
16 budget now.

17 Clarence Grier reviewed the Orange County Fund Balance Policy Calculation page
18 from the recommended budget. He stressed the additional flexibility provided by the extra
19 \$750,000.

20 Commissioner Dorosin asked if the 17 percent is a policy of the Board or if it is an
21 external regulated cap on debt.

22 Frank Clifton said there are general guidelines, but this Board set this percentage after
23 looking at the average fund balance for a budget comparable to Orange County. The 17
24 percent is low by comparison, and this was done to be fiscally responsible.

25 He said the money is there for use in a crisis, but the definition of a crisis needs to be
26 examined carefully.

27 Commissioner Dorosin asked if there had been a policy discussion on why 17 percent
28 was chosen.

29 Clarence Grier said the Government Finance Officers Association evaluates the
30 County budget and financial statements, and their recommended threshold on fund balance
31 was 16.7 percent. He said that going below the threshold would cause some concern and
32 would have a detrimental effect on bond ratings.

33 Chair Jacobs asked about page 2 and the \$450,000 allocated for overtime and non-
34 permanent personnel. He asked for an explanation of this jump.

35 Paul Laughton said much of this is for the Board of Elections, Social Services and
36 Emergency Services.

37 Chair Jacobs noted that four new telecommunicators are being hired, and he asked if
38 the schedule still necessitates this much overtime to make it livable.

39 Frank Clifton said the total cost would be even higher if an 8 hour shift function was
40 adopted. He said the staggered shifts are standard.

41 Frank Clifton referred to page 136 of the budget book and noted the past fund
42 balances shown for years 2010, 2011, and 2012.

44 **5. CIP Follow-up**

45
46 Paul Laughton said the goal of the provided packet is to outline all the projects and
47 changes that came out of the work sessions. He said the yellow highlights indicate changes
48 to the original CIP, presented on March 12. He said the revision dates are also listed beside
49 each item.

50 Commissioner Gordon said she thought the items were updated later.

51 Paul Laughton said changes were presented and discussed at the May 9 work
52 session, and the May 23 work session, and all of the changes that have been done are on
53 this sheet.

54 Commissioner Gordon noted that some of the changes are not highlighted.

55 Chair Jacob noted that the pages are out of order.

1 Paul Laughton said these are broken into sections and are placed in order of how they
2 were addressed in the work sessions.

3 Commissioner Gordon referred to a discussion on June 11th regarding the CIP and
4 Blackwood Farm Park. She read from the fifth paragraph of this section, regarding the space
5 needs analysis. She said she thought the intent was to do a full space needs assessment.
6 She said \$25,000 seems high for just an analysis of a couple of buildings versus a full
7 analysis of departmental needs, office needs, and available buildings.

8 Paul Laughton agreed with Commissioner Gordon and said this \$25,000 is for a full
9 space needs analysis, with this just being one component of that.

10 Commissioner Gordon said this needs to be re-worded to include this fact on page 37.

11 Chair Jacobs asked for clarification on what this money will do.

12 Jeff Thompson said the \$25,000 funding would be used to do a space analysis study
13 for the whole county.

14 Commissioner McKee referred to page 28 on the buff sheet and said he understands
15 that Orange County Schools (OCS) is no longer interested in using the Whitted space. He
16 said the cost of \$1.4 million had been moved to year one. He questioned how much of this is
17 current revenue and how much is borrowed.

18 Paul Laughton said this was to be debt financing in year three, and it was moved to
19 year one. He said it would be a matter of delaying the amount financed during year one, so it
20 would not affect cash funding.

21 Commissioner McKee asked about the \$100,000.

22 Paul Laughton said the \$100,000 is not financed, but is pay as you go funds.

23 Commissioner McKee said he would like to see the Whitted building pushed out to
24 year 2 or 3.

25 Commissioner Dorosin asked when a meeting room would be finished, if it remains
26 listed in year one as it is on page 28.

27 Jeff Thompson said it would be completed in early June, 2014.

28 Commissioner Dorosin said there are savings to be realized by not having to pay extra
29 for videotaping. He asked for the figure for this.

30 Donna Baker said the savings would equal \$1,000 per meeting.

31 Commissioner Rich said staff works hard to set up these rooms for each meeting and
32 it is important to have a permanent meeting space.

33 Commissioner Price asked if OCS has definitely been lost as a partner.

34 Chair Jacobs said nothing has been heard officially from OCS or from Hillsborough.

35 Commissioner Pelissier said there are still opportunities to use Whitted, and the Board
36 needs to take advantage of this facility for a meeting room. She feels that staff and
37 community members will come up with good ideas for additional use of the building.

38 Commissioner Gordon said, given that the majority of the Board wanted the meeting
39 room there, she would defer to whatever the majority decided. She said she understands that
40 only one school board member from OCS voted in favor of using the Whitted meeting facility.

41 Commissioner McKee said, considering the situation for needing additional funding for
42 schools, to move ahead with a Board of County Commissioners meeting room is not a priority
43 for him. He said the choice between teacher assistants and a meeting room is not a hard
44 choice.

45 Chair Jacobs said he believes there is money to do both of these things. He said
46 there are entities that would like to use this space for performance space and he thinks it will
47 attract partners once it is built.

48 Commissioner McKee said he is not advocating the Board not to have this meeting
49 space at some point. He is simply suggesting moving it out in the CIP to year 2 or 3.

50 Commissioner Rich said the Board of County Commissioners has been pushing for a
51 permanent meeting space for 15 years, and it continues to be pushed back. She said there is
52 now a good available space; and it is important, for both the Board and the public, to have a
53 solid meeting place and the ability to stream the meetings.

54 Commissioner Price said she is aware that there are other arts entities that would be
55 interested in this space, and she feels that sharing the space is a good idea.

1 Commissioner Gordon clarified that the CIP is the manager's recommended CIP as of
2 March 12, plus all of the changes made during the work sessions.

3 Paul Laughton said, yes, the changes are incorporated in the buff sheets, mainly the
4 highlighted area. He said this document becomes the current CIP.

5 Commissioner Price asked if the schedule for the Southern Orange Library, on page
6 19, coincides with Carrboro's schedule.

7 Chair Jacobs said Carrboro does not have a schedule. He said only the County has a
8 schedule, and Carrboro simply makes recommendations. He said money in the CIP this year
9 is premature.

10 Commissioner Price questioned how realistic this is, with money in year one and not
11 again until year 4.

12 Frank Clifton said the money in year one is intended for use if the Board of County
13 Commissioners is interested in purchasing a property and beginning the processes and
14 analysis that come with that purchase.

15 Commissioner Price clarified that the amount is \$650,000 in year one. She asked if
16 the Board would be able to move forward in year two, in the event that a property was found.

17 Frank Clifton said if a site was found there would be 90 to 120 days of site review and
18 planning. He said that money would initially be spent only on technical feasibility, with capital
19 to follow after that.

20 Commissioner McKee asked how much of the \$650,000 would be debt financed.

21 Paul Laughton referred to page 19 and said none of these funds are pay as you go.
22 He said \$136,000 would be debt financed and \$164,000 is in the project balance. He said
23 there are no savings gained by moving it out.

24 Commissioner Dorosin clarified that this money is a placeholder and does not get
25 spent unless the Board buys a property.

26 Chair Jacobs asked if there is a rule of thumb for how much it costs to borrow.

27 Frank Clifton said these projects are put together into a lump sum for financing to save
28 on the cost of the process.

29 Clarence Grier said \$400,000 over twenty years would have \$11,000 in interest, based
30 on current rates.

31 Paul Laughton reviewed the finance information from page 102 in the CIP book.

32 Chair Jacobs said \$20,000 has been moved up for the HVAC at Efland Community
33 Center. He noted that the center has not been included in the CIP, other than for the HVAC.
34 He said this needs to be re-visited, since the Efland Community Center is one of the oldest
35 community centers.

36
37 A motion was made by Commissioner Pelissier seconded by Commissioner McKee to
38 adjourn the meeting at 8:08 pm.

39
40 VOTE: UNANIMOUS

41
42 BREAK

43
44
45
46 **Commencement of June 13, 2013 Budget Work Session**

47
48 **Discussion of Process and Procedures for Meeting**

49 Clarence Grier went through the process and agenda for this meeting.

50
51 **1. FY2013-18 Capital Investment Plan**

52 Accept the Five Year Capital Investment Plan and Approve the Intent to Adopt Capital
53 Funding for FY2013-14

54

1 Paul Laughton directed the Board to the buff colored pages and reviewed the outline
2 of the changes. He clarified that this is the discussion to adopt the 5 year plan, but the Board
3 will be budgeting and approving the budget for year 2013-14 only.

4 He reviewed pages 1 and 2, incorporating all of the changes.

5 He reviewed the County's capital projects on page 9 and 10, which are consistent with
6 the County projects in the CIP and total \$6,036,242. He continued with a review of the
7 remaining funds and projects, including water and sewer, Sportsplex, and schools.

8 Frank Clifton noted that the Board is also approving the finance process for each
9 project.

10 Chair Jacobs said Board members had expressed concern regarding two of the
11 projects.

12 He said there was concern regarding the Southern Branch Library, and there was
13 some question as to whether to leave that \$600,000 in the CIP or bump it back.

14 Commissioner Dorosin asked for an explanation of the substantive difference in the
15 budget if this project is bumped back.

16 Paul Laughton said this would have no impact on the operations budget for 2013-14,
17 as it is financed or available project balance. This would only move the debt.

18 Frank Clifton said there is \$164,000 in a project fund for this library from past budgets.
19 He said the Board may want to empty this fund out and re-allocate it.

20 Commissioner Dorosin asked if this could be done at any time during the year.

21 Paul Laughton said yes.

22 Chair Jacobs said, symbolically, he would like to leave the money where it is, as it
23 makes little impact on the budget.

24 Commissioner Gordon agreed that she would like to leave the project as stated.

25 Chair Jacobs said the Board can discuss the process of how to get items on the CIP in
26 the fall.

27 A motion was made by Commissioner Gordon, seconded by Commissioner Dorosin to
28 accept the Five Year Capital Investment Plan and approve the Intent to Adopt Capital Funding
29 for FY2013-14.

30
31 VOTE: UNANIMOUS

32
33 Chair Jacobs asked for an explanation of how much money is being spent on county
34 buildings in 2013-14.

35 Paul Laughton said this would be the \$6,036,242 figure. He said this includes all
36 county capital projects.

37 Chair Jacobs clarified that about a quarter of this is structures, and the rest is support.
38 He said he would like to see this actual number, and he believes it would clear up some
39 misconceptions about the money spent on County facilities.

40
41 **2. FY2013-14 Annual Operation Budget Decision Items**

42 • **Mark Up/Mark Down Items for the County's FY2013-14 Annual Operating Budget**
43 **and Outside Agencies**

44 Clarence Grier referred to the mark up/mark down page, as well as the manager's
45 recommended budget. He noted that there is an additional \$1.4 million to use at the Board's
46 discretion.

47 Commissioner Rich clarified the process for adding funding to non-funded items.

48 Chair Jacobs and Clarence Grier suggested starting with the County Departments
49 before moving to outside agencies.

50
51 ***County Departments:***

52 Commissioner Gordon referred to the Public Affairs allocation of \$38,582 for a half
53 year, new position, on page 234. She said the Board should not fund that position this year
54 without a strategic communications plan. She noted that the budget last year was \$180,000

1 and this should remain the same. This leaves an additional \$93,470 in the budget to be put in
2 a communications reserve, subject to the Board of Commissioner's approval.

3 Commissioner Gordon said \$11,000 for capital needs would be deleted. She said she
4 started with \$312,052, deleted \$38,583, and then subtracted \$180,000 (last year's budget
5 number). This left the \$93,470 as a reserve.

6 Chair Jacobs asked her to look through the \$11,000 to discuss later.

7 Commissioner Gordon said Public Affairs should not be a separate department, but
8 should stay in the manager's office for now

9 Chair Jacobs said this can be discussed as part of the strategic plan process.

10 Commissioner Dorosin asked for clarification on the purpose of a reserve fund versus
11 deleting this amount and rolling it back into the budget.

12 Commissioner Gordon said she feels this is a more conservative approach, but she is
13 open to the Board's opinion.

14 Commissioner Dorosin suggested this be rolled back into the general fund.

15 Commissioner McKee said he agrees with Commissioner Dorosin.

16 Commissioner Gordon also agreed to delete this amount.

17 Commissioner Dorosin asked if the Human Resources proposed budget includes the
18 recommendation regarding the additional retirement contribution.

19 Clarence Grier said yes, this is under the non-departmental section.

20 Chair Jacobs clarified that this is the additional \$1,200 to match. He said the Board
21 never received the full breakdown of the range of benefits that was requested.

22 Clarence Grier apologized and said he thought this question had been fully answered.
23 He said the number is 3 percent and the average salary is \$40,000.

24 Commissioner Pelissier suggested \$150,000 should be budgeted for child care
25 subsidies.

26 Chair Jacobs said he does not object to the concept; but he feels it should be less
27 specific and should be more of a social safety net, given the proposed budget cuts in the
28 legislature.

29 Commissioner Pelissier said she really wants this to be designated specifically to child
30 support due to the relationship to jobs.

31 Commissioner Dorosin said he would support a broader category for the social safety
32 net, with more money included.

33 Commissioner Pelissier said she would go to a broader designation, but at a higher
34 amount.

35 Commissioner Rich suggested this number be increased to \$200,000, with the
36 specificity removed to allow the money to be moved around.

37 Chair Jacobs said he would like to have money set aside as a statement of intent. He
38 said this would show that they Board cares about these issues.

39 Commissioner Pelissier suggested the amount be increased to \$250,000 for a social
40 safety net.

41 Commissioner Dorosin suggested it be called a justice fund.

42 Commissioner Gordon said she looked at Animal Services addition of an
43 Administrative Assistant 1 and compared this to the Board of County Commissioners
44 Assistant Clerk position. She noted that the clerk's position is less, and she questioned why
45 the administrative position is so much higher. This is found on page 31-32.

46 Paul Laughton said his sheet lists the administrative assistant for Animal services at
47 \$21,981 for half of the year.

48 Commissioner Gordon asked why this position is needed and why this number is so
49 high.

50 Paul Laughton said the expansion of the spay/neuter program, and the volunteer
51 program contributed to this need.

52 Commissioner Gordon noted that the Animal Control Ordinance was not approved.

53 Chair Jacobs said this is more related to organizing volunteer services.

54 Chair Jacobs said the position of the Board on a Communications Reserve was to
55 remove that money from the Public Affairs Office budget.

1 Frank Clifton suggested the Board leave \$10,000 in the Public Affairs office budget.
 2 Chair Jacobs said he would like to see one cent on the property tax for the school
 3 districts, and he suggested this be taken out of OPEB. He would like to aim for \$1.6 million for
 4 the two school systems.

5
 6 ***Outside Agencies: pages 210-211***

7
 8 Board members made the following suggestions for increased funding for outside
 9 agencies:

| | | | |
|----|-------------------------|------------------------------|----------|
| 10 | 11 Commissioner Rich | Jackson Center | \$4500 |
| 12 | | Boys and Girls Club | \$5000 |
| 13 | 14 Commissioner McKee | Voices Together | \$5000 |
| 15 | 16 - | Habitat for Humanity | \$10,000 |
| 17 | | Brush with Kindness | |
| 18 | 19 - | El Futuro | \$5500 |
| 20 | 21 Commissioner Price | Arts Center | \$3000 |
| 22 | 23 Commissioner Dorosin | RENA | \$1000 |
| 24 | 25 Chair Jacobs | Senior Care of Orange County | \$5000 |
| 26 | 27 - | PFAP | \$10,400 |

28
 29
 30 There was discussion regarding PFAP funding. Frank Clifton said Orange County will
 31 pay the total requested amount of \$26,000, and will then be reimbursed by other counties for
 32 all but 40%. He said this means the actual cost to the county will be \$10,400.

33 Chair Jacobs said the PFAP switch from a government related entity to a non-profit
 34 entity was more complicated than anticipated.

35 Paul Laughton said that this money will only be drawn upon as needed during the
 36 transition.

37 Frank Clifton said that if the money is not drawn, it will fall back to the county.

38 Donna Baker noted that the requests totaled \$49,400 for additional funding for outside
 39 agencies.

40 Commissioner Price asked for clarification on the title for the Child Support funding.

41 Frank Clifton said he believes it should be called a Social Safety Net.

42 Paul Laughton said this situation existed several years ago and the funding was set up
 43 in the Human Services non-departmental section as a reserve safety net to come back to the
 44 Board for approval.

45 Chair Jacobs and Commissioner Dorosin concluded that this would be called a Social
 46 Justice Fund.

47 Commissioner Gordon questioned what is happening to the \$11,000 capital from the
 48 Public Affairs department.

49 Frank Clifton suggested leaving \$10,000 for operational expenses.

50
 51 **• County Fee Schedule Decisions**

52
 53 Chair Jacobs referenced a prior discussion regarding a cap on fees paid by families to
 54 the Board of Health. He asked for clarification on the Board of Health position.

1 Commissioner Pelissier said the Board of Health has not formally responded to that
2 petition as of yet. She feels this may lead to some legal questions regarding waiving fees for
3 only specific groups and not others.

4 Chair Jacobs asked if this can be addressed later and Paul Laughton said yes, it can
5 be approved as is and changed later.

6 Commissioner Price asked about a fee on page 331 for the Efland Community Center.

7 Dave Stancil said this is a use fee to utilize the gym when it is not in formal use. He
8 said groups qualify under the general use policy, but this fee would be for individuals to come
9 in and play ball or use it as a drop in facility.

10 Commissioner McKee said it does not seem right to charge someone a fee to come in
11 to play basketball.

12 Dave Stancil said this fee has been in place for many years at Central Recreation and
13 it is an access fee. He said it is intended to be a convenience to allow for an "access pass",
14 but it is optional.

15 Commissioner Price and Commissioner McKee expressed disagreement with the use
16 of a fee.

17 Commissioner Gordon clarified that the facility can still be used, when available,
18 without a pass.

19 A motion was made by Commissioner Price seconded by Commissioner McKee to
20 remove this access fee from the County Fee Schedule.

21
22 VOTE: UNANIMOUS

23
24 A motion was made by Commissioner Pelissier seconded by Commissioner Price to
25 Adopt the County Fee Schedule (minus the Efland Community Center access fee and the
26 animal services fees which will be discussed in future)

27
28 VOTE: UNANIMOUS

29
30 • **Funding for Chapel Hill Carrboro City Schools and Orange County Schools**

31
32 Chair Jacobs suggested the discussion of Chapel Hill Carrboro City Schools Special
33 District Tax be discussed prior to discussing the Funding for CHCCS and OCS.

34
35 • **Chapel Hill Carrboro City Schools Special District Tax**

36
37 Chair Jacobs said the only thing he has heard is a desire to raise the tax enough to
38 cover the opening of Northside Elementary. He questioned how much this amount would be.

39 Clarence Grier said \$1.9 million is needed, and this equals roughly 2 cents on the tax
40 rate.

41 Commissioner Gordon said the number is \$1.86 million.

42 Chair Jacobs suggested that the number be as exact as possible, so he feels the tax
43 should be 1.86 cents.

44 Commissioner Pelissier said she feels that the Board needs to figure out a target for
45 how much is to be given to the schools, and then figure out how to balance between ad
46 valorem and the district tax. She does not like a district tax, as it creates division in the
47 County, but she realizes options are limited. She said she feels the amount needs to be
48 looked at from the perspective of overall school needs and then funding devised by looking at
49 the two different taxes.

50 Chair Jacobs said his suggestion was for 1 cent, without raising the ad valorem. He
51 said the money can be found through shavings from the fund balance, and OPEB allocations.
52 He said there has been enough annually to cover this. He said that 62% of the \$1.6 million
53 would go to CHCCS and 38 percent would go to OCS. He said this would bring the total for
54 CHCCS to around \$2.7 million and OCS would receive \$650,000. He said this would go a
55 long way toward the issue of teacher assistants.

1 Commissioner Dorosin suggested the full 2 cents be implemented on the district tax.

2 Frank Clifton said he believes that, by taking a little bit from several pots, funding can
3 be found without an ad valorem tax; however the school opening must be funded too, and this
4 cannot be covered with that.

5 Commissioner Rich said it is important to be able to open the schools that are built,
6 and this should be included in the school's budget.

7 Commissioner Rich said, when thinking about moving money around, the Board needs
8 to keep in mind that this may be the last year without a tax raise.

9 Frank Clifton said he feels it is fair to expect some type of tax increase in the
10 upcoming year, especially given the recycling needs in the future.

11 Commissioner Price said that it is important to remember that raising taxes puts the
12 County at risk of losing residents who cannot afford to live here.

13 Commissioner Pelissier said it is interesting to note that there is no issue with raising
14 taxes for fire districts, so the same should be true for something else vital, like education.
15 She noted that it is the high property and housing value that is driving people out, more than
16 the taxes.

17 Chair Jacobs said it is all about balance.

18 Frank Clifton noted that the lottery fund allocation has never been fully funded, but has
19 been siphoned off to pay for other things. He said this particular legislature seems more
20 focused on punishing the towns.

21 Chair Jacobs said there are two things on the table: 1) Increase in the District Tax,
22 and 2) How much additional money to appropriate for schools.

23 Frank Clifton said the County has \$608,980 in the fund balance and needs to get to
24 \$1.86 million.

25 Clarence Grier noted that the difference between the \$1.86 million and \$2 million is
26 approximately \$143,000. He said that, at a 2 cent tax, the total would be \$2,058, 270.

27
28 A motion was made by Commissioner Dorosin, seconded by Commissioner Rich to
29 raise the CHCCS Special District tax by 2 cents.

30
31 VOTE: 6-1 (Chair Jacobs)

32
33 Frank Clifton said the next item is to move the unassigned appropriation of \$608,000
34 from the general fund reserve to make a total of \$1.6 million in additional funds that are to be
35 split between the two school systems based on the ADM.

36
37 A motion was made by Commissioner McKee, seconded by Commissioner Gordon to
38 move the unassigned amount of \$608,000 from the general fund reserve to make a total of
39 \$1.6 million in additional funds to be split between the two school systems, based on the
40 ADM.

41
42
43 VOTE: UNANIMOUS

44
45 Commissioner McKee said he feels the comments made about the inevitability of a tax
46 rate increase are true. He said there will be no way to continue services, even on a minimal
47 basis, at the current rate. He said he hopes to avoid an ad valorem tax increase this year.
48 He gave several examples of local residents who are struggling to pay taxes on their property
49 each year.

50 Clarence Grier suggested, for simplicity sake, that the amount be raised to \$686,587
51 to make an even \$81 for the (ADM).

52
53 A motion was made by Commissioner McKee, seconded by Commissioner Pelissier to
54 raise the per pupil allocation (ADM) for each school district to \$81.00

55

1 VOTE: UNANIMOUS

2
3 Clarence Grier said that, with the \$81, the amount will be \$1,612,548.

4 Chair Jacobs asked for the amount yielded for each school system and how this
5 compares to what was requested.

6
7 • **Tax Rate Decisions**

8 i. **Ad Valorem Tax**

9
10 A motion was made by Commissioner McKee, seconded by Commissioner Price keep
11 the Ad Valorem tax at 85.8 cents.

12
13 VOTE: UNANIMOUS

14
15 Paul Laughton referred to the question regarding money spent on county buildings
16 and said the total CIP amount is \$2.45 million for 4 buildings. He said Whitted accounts for
17 \$1.5 million.

18
19 • **Fire District Tax Rates**

20
21 A motion was made by Commissioner Pelissier, seconded by Commissioner Rich to
22 adopt all the proposed fire district tax rates.

23
24 VOTE: UNANIMOUS

25
26 **3. Break (to allow Finance and Administrative Services Staff to formulate Draft**
27 **Resolution of Intent to Adopt FY2013-14 Budget)**

28
29
30 **4. Resolution of Intent to Adopt FY2013-14 Annual Operating Budget**
31 **Approval of Resolution of Intent to Adopt FY2013-14 Annual Operating Budget at**
32 **the Board of County Commissioners Regular Meeting on June 18, 2013**

33
34 The board reconvened at 10:46 pm. Clarence Grier reviewed the following:

35
36 **DRAFT—Resolution of Intent to Adopt the 2013-14 Orange County Budget**

37
38 *The items outlined below summarize decisions that the Board acted upon June 13, 2013 in*
39 *approving the FY2013-14 Orange County Annual Operating Budget.*

40
41 *WHEREAS, the Orange County Board of Commissioners has considered the Orange County*
42 *2013-14 Manager's Recommended Budget; and*

43
44 *WHEREAS, the Commissioners have agreed on certain modifications to the Manager's*
45 *Recommended Budget as presented in the 2013-14 County Manager's Recommended*
46 *Budget on May 21, 2013;*

47
48 *NOW THEREFORE BE IT RESOLVED, that the Orange County Board of Commissioners*
49 *expresses its intent to adopt the 2013-14 Orange County Budget Ordinance on **Tuesday,***
50 ***June 18, 2013,** based on the following stipulations:*

51
52 **1) Property Tax Rates**

53

- 1 a) The ad valorem property tax rate shall be set at 85.8 cents per \$100 of assessed
- 2 valuation.
- 3
- 4 b) The Chapel Hill-Carrboro City Schools District Tax shall be set at 20.84 cents per
- 5 \$100 of assessed valuation.
- 6
- 7 c) The Fire District and Fire Service District tax rates shall be set at the following
- 8 rates (all rates are based on cents per \$100 of assessed valuation):
- 9
- 10
- 11

| | |
|---|-------|
| • Cedar Grove | 7.36 |
| • Greater Chapel Hill Fire Service District | 15.00 |
| • Damascus | 8.80 |
| • Efland | 7.00 |
| • Eno | 7.99 |
| • Little River | 4.06 |
| • New Hope | 9.45 |
| • Orange Grove | 6.00 |
| • Orange Rural | 7.36 |
| • South Orange Fire Service District | 10.00 |
| • Southern Triangle Fire Service District | 8.80 |
| • White Cross | 8.80 |

- 12
- 13
- 14 **2) County Employee Pay and Benefits Plan**
- 15 Provide a County employee pay and benefits plan that includes:
- 16 a. Cost of Living Adjustment (COLA) of 2.0% for all permanent employees hired on or
- 17 before June 30, 2013, effective July 1, 2013.
- 18 b. Increase the salary range maximums by 2.5% to allow those employees at or
- 19 exceeding the range to receive the 2.0% COLA.
- 20 c. An Employee Performance Award in the amount of \$500 (proficient performance) or
- 21 \$1,000 (exceptional performance), effective with WPPR review dates from July 1,
- 22 2013 to June 30, 2014.
- 23 d. Continue the \$27.50 per pay period County contribution to non-law enforcement
- 24 employees' supplemental retirement accounts and implement a County match of up to
- 25 \$46.15 per pay period of each employee's salary; continue the mandated Law
- 26 Enforcement Officer contribution of 5.0% of salary; and increase the County's
- 27 contribution to the Local Governmental Employees' Retirement System (LGERS) for
- 28 all permanent employees.
- 29 e. Funding to address an employee health insurance increase up to 8.0% over current
- 30 premiums, effective January 1, 2014.
- 31 f. Maintaining the Living Wage at \$10.97 per hour.
- 32 g. Extending the six-month hiring delay and the voluntary furlough program.
- 33 h. Addressing increased costs for Retiree Health Benefits.
- 34
- 35 **3) Modifications to County Manager's FY 2013-14 Recommended Annual Operating**
- 36 **Budget**
- 37

1 The following modifications to the County Manager's Recommended Budget have
 2 been made:
 3

| Revenues | Increase | Decrease |
|--|----------------------|-------------------|
| Manager's Recommended Revenue Budget | \$185,921,190 | |
| BOCC Appropriation | \$1,823,809 | |
| Eliminate Animals Service's Proposed Fee Change for Microchips Program | | (\$11,500) |
| | | |
| | | |
| Total Revenue Changes | \$1,823,809 | (\$11,500) |
| Revised Revenue Budget | 187,733,499 | |

| Expenditures | Increase | Decrease |
|---|----------------------|--------------------|
| Manager's Recommended Expenditure Budget | \$185,921,190 | |
| Space Needs Analysis | \$25,000 | |
| Eliminate Operational Funds Animal Service's Proposed Fee Change | | (\$2,587) |
| Eliminate Proposed Public Affairs Position and Related Expenses | | (\$122,052) |
| Social Justice Fund | \$250,000 | |
| | | |
| Outside Agencies: Additional Funding for Habitat for Humanity's A Brush with Kindness Program | \$10,000 | |
| Outside Agencies: Additional Funding for Marion Cheek Jackson Center | \$4,500 | |
| Outside Agencies: Additional Funding for ArtsCenter | \$3,000 | |
| Outside Agencies: Additional Funding for Voices Together | \$5,000 | |
| Outside Agencies: Additional Funding for Boys & Girls Club | \$5,000 | |
| Outside Agencies: Additional Funding for Piedmont Agricultural Food Ctr | \$10,400 | |
| Outside Agencies: Additional Funding for El Futuro | \$5,500 | |
| Outside Agencies: Partially Fund Roger Eubanks Rd Neighborhd Assoc. | \$1,000 | |
| Outside Agencies: Additional Funding for Senior Care of Orange County | \$5,000 | |
| | | |
| Schools: Increase Per Pupil Allocation by \$81 | \$1,612,548 | |
| | | |
| Total Expenditure Changes | \$1,936,948 | (\$124,639) |
| Revised Expenditure Budget | \$187,733,499 | |

4
5

1 **4) Changes in Funding to Improve Service Delivery (Increase in FTE Approved)**

General Fund

| Department | Position | Effective Date | FTE Change | Salary and Benefits | Operating Costs | One-Time Start-Up Costs | Offsetting Revenue or Cost Savings | Net County Cost Total |
|-------------------------------|--|-----------------|---------------|---------------------|-----------------|-------------------------|------------------------------------|-----------------------|
| Animal Services | Administrative Assistant I | January 1, 2014 | 1.000 | \$21,981 | \$0 | \$1,400 | \$6,300 | \$17,081 |
| Animal Services | Animal Control Officer | July 1, 2013 | 1.000 | \$45,756 | \$9,789 | \$2,677 | \$58,222 | \$0 |
| Board of County Commissioners | Assistant to the Clerk | July 1, 2013 | 1.000 | \$45,755 | \$0 | \$0 | \$9,215 | \$36,540 |
| Emergency Services | Quality Assurance/Training Officer | January 1, 2014 | 1.000 | \$26,937 | \$660 | \$1,339 | \$0 | \$28,936 |
| Emergency Services | Telecommunicators | January 1, 2014 | 4.000 | \$95,276 | \$1,160 | \$0 | \$0 | \$96,436 |
| Emergency Services | EMS Assistant Supervisors | January 1, 2014 | 4.000 | \$107,876 | \$1,972 | \$0 | \$0 | \$109,848 |
| Health ¹ | Dental Hygienist | July 1, 2013 | 0.300 | \$18,701 | \$0 | \$0 | \$18,701 | \$0 |
| Health | Senior Public Health Educator | July 1, 2013 | 1.000 | \$58,360 | \$0 | \$0 | \$0 | \$58,360 |
| Information Technologies | Network Engineer | January 1, 2014 | 1.000 | \$41,399 | \$0 | \$3,400 | \$0 | \$44,799 |
| Information Technologies | Applications Division Head | January 1, 2014 | 1.000 | \$43,328 | \$0 | \$3,400 | \$0 | \$46,728 |
| Information Technologies | Applications Systems Analyst | April 1, 2014 | 1.000 | \$18,955 | \$0 | \$3,400 | \$0 | \$22,355 |
| Information Technologies | Applications Systems Analyst | April 1, 2014 | 1.000 | \$18,955 | \$0 | \$3,400 | \$0 | \$22,355 |
| Information Technologies | Applications Systems Analyst | May 1, 2014 | 1.000 | \$12,639 | \$0 | \$3,400 | \$0 | \$16,039 |
| Information Technologies | Applications Systems Analyst | May 1, 2014 | 1.000 | \$12,639 | \$0 | \$3,400 | \$0 | \$16,039 |
| Library Services | Library Assistant I (increase in Hours/FTE) | July 1, 2013 | 0.200 | \$9,215 | \$0 | \$0 | \$9,215 | \$0 |
| Library Services | Administrative Assistant II (increase in Hours/FTE) | July 1, 2013 | 0.125 | \$5,444 | \$0 | \$0 | \$0 | \$5,444 |
| Total | | | 19.625 | \$583,216 | \$13,581 | \$25,816 | \$101,653 | \$520,960 |

2
3

Solid Waste Enterprise Fund

| Department | Position | Effective Date | FTE Change | Salary and Benefits | Operating Costs | One-Time Start-Up Costs | Offsetting Revenue or Cost Savings | Net County Cost Total |
|--------------|--|----------------|--------------|---------------------|-----------------|-------------------------|------------------------------------|-----------------------|
| Solid Waste | Convenience Center Operator | July 1, 2013 | 0.625 | \$27,739 | \$0 | \$0 | \$0 | \$27,739 |
| Solid Waste | Convenience Center Operator | July 1, 2013 | 0.625 | \$27,739 | \$0 | \$0 | \$0 | \$27,739 |
| Solid Waste | Convenience Center Operator (increase in Hours/FTE) | July 1, 2013 | 0.250 | \$6,387 | \$0 | \$0 | \$0 | \$6,387 |
| Solid Waste | Convenience Center Operator (increase in Hours/FTE) | July 1, 2013 | 0.125 | \$3,192 | \$0 | \$0 | \$0 | \$3,192 |
| Solid Waste | Convenience Center Operator (increase in Hours/FTE) | July 1, 2013 | 0.250 | \$6,387 | \$0 | \$0 | \$0 | \$6,387 |
| Solid Waste | Convenience Center Operator (increase in Hours/FTE) | July 1, 2013 | 0.125 | \$3,192 | \$0 | \$0 | \$0 | \$3,192 |
| Total | | | 2.000 | \$74,636 | \$0 | \$0 | \$0 | \$74,636 |

4
5
6

Grant Project Fund

| Department | Position | Effective Date | FTE Change | Salary and Benefits | Operating Costs | One-Time Start-Up Costs | Offsetting Revenue or Cost Savings | Net County Cost Total |
|------------------------------|--|----------------|--------------|---------------------|-----------------|-------------------------|------------------------------------|-----------------------|
| Health ² | Registered Dietician (Two Year Time-Limited) | July 1, 2013 | 1.000 | \$62,647 | \$0 | \$0 | \$62,647 | \$0 |
| Social Services ³ | Social Worker II | July 1, 2013 | 1.000 | \$54,360 | \$0 | \$1,400 | \$55,760 | \$0 |
| Social Services ³ | Social Worker II | July 1, 2013 | 1.000 | \$54,360 | \$0 | \$1,400 | \$55,760 | \$0 |
| Total | | | 3.000 | \$171,367 | \$0 | \$2,800 | \$174,167 | \$0 |

² Offsetting revenue includes grant funds and revenue from third party billing.

³ Offsetting revenue includes grant funds.

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5) General Fund Appropriations for Local School Districts

The following FY 2013-14 General Fund Appropriations for Chapel Hill Carrboro City Schools and Orange County Schools are approved:

- a) Current Expense appropriation for local school districts totals \$65,079,252 and equates to a per pupil allocation of \$3,269.
 - 1) The Current Expense appropriation to the Chapel Hill Carrboro City Schools is \$40,019,098.
 - 2) The Current Expense appropriation to the Orange County Schools is \$25,060,154.
- b) Recurring Capital appropriation for local school districts totals \$3,000,000
 - 1) The Recurring Capital appropriation to the Chapel Hill Carrboro City Schools totals \$1,845,000.
 - 2) The Recurring Capital appropriation to the Orange County Schools totals \$1,155,000.
- c) Long Range (Pay-As-You-Go) Capital appropriation for local school districts totals \$3,724,849.
 - 1) The Long-Range (Pay-As-You-Go) Capital appropriation to the Chapel Hill Carrboro City Schools totals \$2,290,782.
 - 2) The Long-Range (Pay-As-You-Go) Capital appropriation to the Orange County Schools totals \$1,434,067.
- d) School Related Debt Service for local school districts totals \$16,632,550.
- e) Fair Funding appropriation for local school districts totals \$988,000. This appropriation is to be split 50/50 between Chapel Hill Carrboro City Schools and Orange County Schools.

1 f) Additional County funding for local school districts totals \$1,921,503.

2
3 (1) School Health Nurses – Total appropriation of \$683,706 with \$451,651
4 allocated for Chapel Hill Carrboro City Schools and \$232,055 allocated for
5 Orange County Schools.

6
7 (2) School Social Workers – Total appropriation of \$692,283 allocated in the
8 Department of Social Services to provide School Social Workers to
9 Orange County Schools.

10
11 (3) School Resource Officers – Total appropriation of \$545,514 allocated in
12 the Sheriff’s Department to provide School Resource Officers to Orange
13 County Schools.

14
15 **6) County Fee Schedule**

16
17 To adopt the County Fee Schedule to include changes in the FY 2013-14 Manager’s
18 Recommended Annual Operating Budget.

19
20 Chair Jacobs thanked all staff members for their hard work.

21
22 A motion was made by Commissioner Gordon seconded by Commissioner Rich to
23 adopt the Resolution of Intent to Adopt FY2013-14 Annual Operating Budget
24 Approval of Resolution of Intent to Adopt FY2013-14 Annual Operating Budget at the Board
25 of County Commissioners Regular Meeting on June 18, 2013

26
27 VOTE: UNANIMOUS

28
29 A motion was made by Commissioner Pelissier seconded by Commissioner Dorosin to
30 adjourn the meeting at 11:00 pm.

31
32 VOTE: UNANIMOUS

33
34
35 Barry Jacobs, Chair

36
37
38 Donna Baker
39 Clerk to the Board
40
41
42

1
2
3 DRAFT

4 MINUTES
5 BOARD OF COMMISSIONERS
6 REGULAR MEETING
7 September 5, 2013
8 7:00 p.m.

9 The Orange County Board of Commissioners met in regular session on Thursday, September 5,
10 2013 at 7:00 p.m. at the DSS offices, in Hillsborough, N.C.

11
12 **COUNTY COMMISSIONERS PRESENT:** Chair Jacobs and Commissioners Mark Dorosin, Alice M.
13 Gordon, Barry Jacobs, Earl McKee, Bernadette Pelissier, Renee Price

14 **COUNTY COMMISSIONERS ABSENT:** Penny Rich

15 **COUNTY ATTORNEYS PRESENT:** John Roberts

16 **COUNTY STAFF PRESENT:** County Manager Frank Clifton, Assistant County Managers Michael Talbert,
17 Clarence Grier, Cheryl Young and Clerk to the Board Donna Baker (All other staff members will be
18 identified appropriately below)

19
20 **NOTE: ALL DOCUMENTS REFERRED TO IN THESE MINUTES ARE IN THE PERMANENT AGENDA**
21 **FILE IN THE CLERK'S OFFICE.**

22
23 **1. Additions or Changes to the Agenda**

24 The Chair reviewed the items at the County Commissioners' places:

- 25 - Pink sheet – Item 4b – Resolution Commending the Northern Orange Education Task Force, Its
26 Founders and the Sankofa Award Recipients –revisions

- 27
28 - Addition to the agenda – Item 4c – Economic Development Project Morinaga

29 A motion was made by Commissioner McKee, seconded by Commissioner Pelissier to add this item
30 to the agenda.

31 VOTE: UNANIMOUS

- 32
33 - Addition to the agenda – Item 5u – BOCC Meeting Calendar changes

34 A motion was made by Commissioner Dorosin, seconded by Commissioner McKee to add this item to the
35 agenda.

36 VOTE: UNANIMOUS

- 37
38 - White sheets – Item 6b – Cell towers
- 39 - Yellow sheet – Item 7b – MPO voting changes
- 40 - Handout from OUTBoard Rural Road Safety Guidelines

41
42 **2. Public Comments**

43
44 **a. Matters not on the Printed Agenda**

45
46 Don O'Leary said while the Commissioners have been on break the Obama regime has been busy
47 with Syria and the gas situation. He said the pictures on the news were photo ops, and the kids were fine.
48 He said there were samples of hair taken that showed this was only from drinking chloride. He said it is
49 time to re-consider the County's association with ICLEI and agenda 21. He said ICLEI wants want to re-
50 farm America and give it back to the Indians. He asked the Board to please reconsider their association
51 with ICLEI.

52 Madison McCann represents the American Cancer Society and came to promote Relay for Life.
53 She gave some history on the event, which started in 2001 and has raised over 1.5 million dollars. She
54 asked the Board for suggestions for possible sites and volunteers. She noted that \$5.9 million was given to

1 UNC through grants from the American Cancer Society. She mentioned research studies being funded by
2 Relay for Life and expressed her desire to keep this event going.

3 **b. Matters on the Printed Agenda**

4
5 **3. Petitions by Board Members**

6 Commissioner Pelissier asked staff to review the policy regarding the type of vehicles allowed at
7 Solid Waste Convenience Centers (SWCC). She said a citizen contacted her with questions about a
8 prohibited vehicle that weighs more than a ton, yet has dimensions similar to an SUV or van. She noted
9 that many of the restrictions and rules were put in place before such heavy vehicles were commonly used.

10 Commissioner McKee concurred with the need to evaluate these policies.

11 Chair Jacobs said Michael Talbert confirmed today that staff is going to do a report about this, as
12 well as other SWCC's issues.

13 Chair Jacobs asked about the Efland downtown plan. He thought the plan was to be brought back
14 in 6 months with an update from staff, and he questioned when the Board would see this again.

15
16 **4. Proclamations/ Resolutions/ Special Presentations**

17
18 **a. Proclamation Recognizing UNC Women's Lacrosse 2013 NCAA Championship**

19 The Board considered a proclamation recognizing the UNC Women's Lacrosse Team for winning
20 the 2013 NCAA Division I Women's Lacrosse National Championship and authorized the Chair to sign.

21 Coach Levy gave brief history about lacrosse and the UNC Team.

22 Commissioner Dorosin read the proclamation:

23
24 **ORANGE COUNTY BOARD OF COMMISSIONERS**
25 **PROCLAMATION OF RECOGNITION ON**
26 **UNC WOMEN'S LACROSSE TEAM WINNING THE**
27 **2013 NCAA LACROSSE NATIONAL CHAMPIONSHIP**

28
29 **WHEREAS**, on May 26, 2013, the University of North Carolina women's lacrosse team captured the NCAA
30 Division I Women's Lacrosse National Championship; and,

31
32 **WHEREAS**, under the guidance of Head Coach Jenny Levy, the UNC women's lacrosse team earned its
33 first NCAA National Championship title; and,

34
35 **WHEREAS**, the Tar Heels completed the season in the longest NCAA women's lacrosse championship
36 game in the history of the tournament, going into triple overtime; and,

37
38 **WHEREAS**, the UNC women's lacrosse team finished the year with a 18-3 record; and,

39
40 **WHEREAS**, Coach Levy continues to emphasize the importance of education for her college athletes when
41 the team, in the spring of 2012, posted the best academic semester in its recorded history with
42 a team GPA of 3.227; and,

43
44 **WHEREAS**, through hard work, dedication, teamwork, and commitment, the Tar Heels have brought honor
45 upon themselves, the University of North Carolina, Orange County and the State of North
46 Carolina;

47
48 **NOW, THEREFORE**, be it proclaimed that the Orange County Board of Commissioners expresses its
49 sincere appreciation and respect for the University of North Carolina women's lacrosse team,
50 for the Tar Heels' outstanding achievement, and for their inspiration to youth across the nation
51 through their dedication, teamwork, and athletic prowess.

1 This, the fifth day of September 2013.
2

3 A motion was made by Commissioner Price, seconded by Commissioner McKee to approve a
4 proclamation recognizing the UNC Women's Lacrosse Team for winning the 2013 NCAA Division I
5 Women's Lacrosse National Championship and authorize the Chair to sign.
6

7 VOTE: UNANIMOUS
8

9 **b. Resolution Commending the Northern Orange Education Task Force, Its Founders and the**
10 **Sankofa Award Recipients**

11 The Board considered a resolution commending the Northern Orange Education Task Force, its
12 founders and the Sankofa Award recipients and authorized the Chair to sign.

13 Mr. Keith Cook and representatives from the Northern Orange Education Task Force were present,
14 and gave information on the history and significance of the name. A Sankofa is an African bird that bends
15 his head backwards while flying. This posture is necessary to help fetch and bring someone along.

16 Task force members, Kenneth Woods, Lawrence Saunders, Anna Kenyon, and Denita Thompson
17 were introduced.

18 Mr. Cook thanked Commissioner Price for coming to the ceremony and he noted that this is a labor
19 of love. He said he has attended many graduation ceremonies over the years and saw a minimal number
20 of minorities represented, which led to the creation of this group. He said it created its own criteria of a
21 minimum 3.0 grade point average requirement to be recognized. He said 125-200 students are recognized
22 every year. He thanked the Board for their support.

23 Commissioner Price read the resolution:
24

25 **ORANGE COUNTY BOARD OF COMMISSIONERS**

26
27 **RESOLUTION COMMENDING THE NORTHERN ORANGE EDUCATION TASK FORCE, ITS FOUNDERS**
28 **AND THE SANKOFA AWARD RECIPIENTS**
29

30 **Whereas**, in 2007, concerned members of the Orange County community convened and established the
31 Northern Orange Education Task Force, inclusive of the Sankofa Award Committee, under the guidance of
32 Mr. Keith Cook and in partnership with Orange County Schools; and
33

34 **Whereas**, the mission of the Northern Orange Education Task Force is "to collaborate with Orange County
35 Schools, parents, families and the Northern Orange community in promoting a sound basic education for all
36 Orange County Schools students in a healthy, safe and supportive environment while addressing the needs
37 of minority students"; and
38

39 **Whereas**, the vision of the Northern Orange Education Task Force is "to serve as an advocate for Northern
40 Orange parents and actively involve the community as a catalyst for change in building understanding and
41 support for all students," and "to ensure accountability and equity in a healthy, safe and supportive
42 environment"; and
43

44 **Whereas**, since 2008, a total of 1,356 students have satisfied the requirement to receive the Sankofa
45 Award, having achieved and maintained a 3.0 or higher grade average throughout the school year; and
46

47 **Whereas**, the 6th Annual Minority Student Academic Achievement Awards Program was held in June 2013,
48 whereupon 253 high school students were honored with Sankofa Awards;
49

50 **NOW, THEREFORE, BE IT RESOLVED** that the Orange County Board of County Commissioners, on
51 behalf of the Orange County community, commends the members of the Northern Orange Education Task
52 Force, Mr. Keith Cook and Orange County Schools for their commitment to closing the academic
53 achievement gap among minority students, and to promoting self confidence within minority students; and
54

1 **THEREFORE BE IT FURTHER RESOLVED**, that the Orange County Board of County Commissioners, on
 2 behalf of the Orange County community, congratulates these young women and men who worked diligently
 3 and received the Sankofa Award over the past six years, and looks forward to continued excellence in
 4 achievement among all Orange County students.

5
 6 This, the 5th day of September 2013.

7
 8 A motion was made by Commissioner McKee, seconded by Commissioner Pelissier to approve a
 9 resolution commending the Northern Orange Education Task Force, its founders and the Sankofa Award
 10 recipients and authorize the Chair to sign.

11
 12 VOTE: UNANIMOUS

13
 14 **ADDITION TO THE AGENDA:*

15 **c. Economic Development Project – Morinaga –Japanese Confectionary Company**

16 Frank Clifton said this is a significant achievement for Orange County. He provided a green print out
 17 of the top ten taxpayers in Orange County in 2011. He noted that the top two are privately owned, and he
 18 said this new company will be number three.

19 He noted that there is a planned second phase for the company. He said this is only 20 acres out of
 20 700 acres that have been re-zoned for commercial development in the Buckhorn EDD. He said the
 21 company has the potential to produce \$100 million in asset valuation in Orange County.

22 Steve Brantley introduced Ellen Tai from his department and noted that she came from Department
 23 of Commerce and speaks fluent Mandarin Chinese. He recognized Yvonne Scarlett from his office, as well
 24 as staff from the planning department.

25 He presented the following PowerPoint slides and information:
 26 .



27 **MORINAGA & CO., LTD.**



28
 29 **Summary of Project Rainbow's 2012 -2013 Recruitment to Orange County**

30 **Presentation to the Orange County Board of County Commissioners**

31 **September 5, 2013**

32
 33 **Purpose:**

- 34 • Summarize Orange County's successful recruitment of the world-class Japanese confectionary &
 35 candy maker, **Morinaga & Co., Ltd.**, and its' USA subsidiary **Morinaga America, Inc.**, which has
 36 selected a light manufacturing site in the Buckhorn Economic Development District for the firm's first
 37 American manufacturing operation.
- 38 • Review the company's plans to produce their "**Hi-Chew**" candy product, invest \$48 million in a new,
 39 construct a state-of-the-art 120,000 sq. ft. clean USDA-spec manufacturing facility, and create 90 -
 40 120 new career opportunities with competitive salaries, health and retirement benefits for our
 41 residents.
- 42 • Describe the extensive efforts made by Orange County, the City of Mebane, the State of North
 43 Carolina, and other key players, following 11 separate visits by the company and its consultant to
 44
 45
 46
 47
 48
 49

1 Orange County over the previous 19 months, and how we eventually won “Project Rainbow”
 2 throughout a highly competitive, multi-state site selection process.

- 3
- 4 • Outline the specific site location, the required infrastructure to the property, the financial obligations
 5 and funding resources to fully develop the site, and local and state incentives.
- 6
- 7 • Note the transformative effect our Morinaga success story now offers to illustrate Orange County’s
 8 efforts to diversify our local economy and tax base, to create more and better jobs for our residents.
 9 Show how the Board of County Commissioners’ commitment to preparing our Economic
 10 Development Zones with utilities, zoning, incentives, and thoughtful use of the quarter cent sales tax
 11 for economic development, has proven to be a winning formula for the long term. And, highlight the
 12 public’s commitment to economic development via its favorable vote on the quarter cent sales tax.
- 13
- 14

15 Company Description:

- 16 • **Morinaga & Co.**, which was founded 114 years ago in 1899 in Tokyo, Japan, is a major
 17 international confectionary & candy maker. With \$1.75 billion in global sales revenue comprised of
 18 53% in chocolates, caramel & biscuits, 19% in ice cream & frozen foodstuffs, 16% in health
 19 products, and 12% in cocoa/cake mix foodstuffs, the firm is Asia’s equivalent to a Hershey’s, Mars
 20 or Nestle.
- 21
- 22 • In Japan, which is the world’s #2 overall largest candy and confectionary market (behind the USA),
 23 the Company has over 40 different product lines, where it holds the #1 Japanese domestic market-
 24 share for candy. Morinaga ranks similar to Kellogg Company in terms of retail sales.
- 25
- 26 • Among Japan’s top 3 competing confectionary makers, Morinaga ranks #1 for candy & caramel
 27 products, #2 for biscuits, and #3 for chocolate products. The chewy fruit flavored snack that holds
 28 the #1 spot within Japan, and which the company will produce here in Orange County, is called “**HI-
 29 CHEW**”.
- 30
- 31 • Morinaga is aggressively marketing HI-CHEW across the United States and has successful store
 32 displays at Target, COSTCO, 7 Eleven, and Kroger, and is found locally at the Streets at SouthPoint
 33 Mall (“It’s Sugar”, “World Market”).
- 34
- 35 • Additional product lines include frozen desserts (19%), foodstuffs (10%), and the internationally-
 36 renowned Weider-brand health care products such as energy drinks, nutritional vitamin/mineral
 37 supplements & protein bars, & collagen-based beauty products (16% of sales).
- 38
- 39 • Morinaga America, Inc., led by Mr. Masao Hoshino, was established in Los Angeles in 2008 for the
 40 purpose of introducing the company’s various product lines, starting with HI-CHEW.
- 41
- 42 • Overseas partners include serving as the trademark distributor, licensee or supplier for world-class
 43 confectionary companies such as Disney Japan, SUNKIST Growers, PEZ, Perfetti van Melle (Italy),
 44 Storck (Germany), Dare Foods (Canada) and Barry Callebaut AG (Switzerland).
- 45
- 46 • Management’s corporate philanthropy strives to be a “*company that improves the lives of children
 47 worldwide*”. The firm partners with international NGOs in developing nations, and places a special
 48 emphasis promoting healthy nutrition, and funding for school facilities and educational supplies,
 49 especially among West African countries.
- 50
- 51 • First Japanese corporation to be affiliated with the World Cocoa Foundation (WCF), which was
 52 established with the objective to foster a sustainable cocoa industry, and prevent the use of child
 53 labor in developing nations. This is achieved through the environmental protection of regions where
 54 major global chocolate corporations cultivate cocoa, and through economic and social development.

1 Technical guidance and training support is provided to cocoa farmers through various programs that
2 protect the natural and social environment.

3 **Chronology of Events:**

4 Project Rainbow made a total of 11 site selection visits to Orange County, over the previous 19 months, as
5 follows:

- 6
- 7 • February 1, 2012 N.C. Department of Commerce first contacted Orange County regarding an
8 unidentified site search for "Project Rainbow".
- 9 • April 5 – 6, 2012 First visit to see sites in NC & Orange County by Morinaga America & the
10 firm's Portland, OR-based site selection consultant, InSpec Group.
- 11 • May 18, 2012 Morinaga America & consultant returned to see NC and Orange County sites.
- 12 • July 11 – 16, 2012 Morinaga America & consultant returned to Orange County.
- 13 • August 22, 2012 Consultant returned to Orange County. No other NC sites were visited.
- 14 • August 27, 2012 BOCC first met in closed session to discuss a potential incentive.
- 15
- 16 • January 11, 2013 Morinaga & Co.'s senior staff from Japan, Managing Director Toru Arai &
17 Senior Managing Director Osamu Noda, travelled from Tokyo to see the
18 Orange County (and Atlanta) sites, and met with Governor McCrory & N. C.
19 Dept. of Commerce Secretary Decker.
- 20 • January 24, 2013 BOCC received a second closed session briefing on the project.
- 21 January 31, 2013 Orange County was notified it had emerged as one of 2 finalist locations,
22 along with a competing site near Atlanta.
- 23 • March 19 – 21, 2013 Morinaga America's President from Los Angeles, Masao Hoshino, visited &
24 met with BOCC in closed session; Orange County's proposed incentive was
25 discussed and tentatively approved.
- 26 • April 14 – 15, 2013 Consultant returned.
- 27 • June 11, 2013 Consultant returned.
- 28 • July 1, 2013 Mr. Toru Arai, who first visited Orange County in January 2013, was promoted
29 to President of Morinaga & Co., Ltd. in Japan.
- 30 • July 10 – 12, 2013 Chairman Gota Morinaga visited to review our site and meet with the
31 Governor.
- 32 • July 20, 2013 Morinaga & consultant returned to view additional acreage.
- 33 • August 30, 2013 Morinaga & consultant returned to observe the site survey.
- 34 • September 3, 2013 Official public announcement of Morinaga's decision to select Orange County.
- 35 • September 17, 2013 Next scheduled consultant visit to discuss site infrastructure development.
- 36
- 37

38 **Competition & Initial Site Search:**

39 In early 2012, Morinaga and site selection consultant InSpec Group began a multi-state site search to
40 identify a "Hi-Chew" manufacturing location. Competition for this project included the following
41 communities:

- 42 • Portland, OR
- 43 • Ontario, Canada
- 44 • Philadelphia, PA
- 45 • Richmond, VA
- 46 • Atlanta, GA
- 47 • North Carolina (18 total sites in 12 counties)
- 48
- 49

50 **Morinaga's Planned Investment in Orange County:**

51 On September 3, 2013 the company announced its' decision to invest in Orange County, as follows:

- 52 • Capital Investment: \$48 million
- 53 • Employment: 90 - 120 jobs
- 54 • Average Salary: \$37,969

- 1 • Annual Payroll, w/ benefits: \$3.4 million
- 2 • Facility Size & Type: 120,000 sq. ft.
- 3 • Type of Operation: Production of fruit flavored candy snack “Hi-Chew”
- 4 • Site Size: 21.00 acres (Buckhorn Economic Development District)

5
6 Although the Company has not committed to making any additional investment at this time, we anticipate a
7 plant expansion of equal size may eventually occur, since the property is large enough to accommodate an
8 identical “Phase Two” expansion. Company comments also support this long-term growth plan.
9

10 11 Site Location in the Buckhorn Economic Development District:

- 12 • The 21.00 acre tract is part of the “W. H. Wilson Family Investment Group LLC” property, PIN #
13 9824459890. Located adjacent to Ben Wilson Road, south of and facing Interstate I-40/I-85, and
14 near the Orange/Alamance county line in the City of Mebane. Site is part of a cleared 57-acre field
15 facing the highway, and opposite the Armacell facility and Tanger Mall.
16
- 17 • Site is located within the County’s “Buckhorn Economic Development District” and was rezoned by
18 the BOCC in 2012 to O/I (Office/Institutional) to promote business recruitment. Site is currently
19 undeveloped without infrastructure. The owner is in the process of applying to the City of Mebane
20 to have this property annexed and rezoned.
21
- 22 • The utility infrastructure and road access improvements required to the make Orange County’s site
23 competitive to attract Project Rainbow will also make adjacent properties in the Buckhorn Economic
24 Development District more developable, attractive and competitive to appeal to future business
25 prospects.
26
- 27 • In comparison, Project Rainbow’s other finalist location, near Atlanta, offered the company a lower-
28 priced and established business park with all required infrastructure and tenants already in place,
29 thereby giving the company a greater comfort level as it evaluated advantages (incentives, business
30 costs, logistics, etc.) between that location and Orange County’s largely undeveloped site.
31
32

33 Site Location in the Buckhorn Economic Development District:

- 34 • The N. C. Department of Commerce has pre-qualified Project Rainbow and Orange County as
35 eligible co-applicants to receive a grant up to \$750,000 from the State of North Carolina’s
36 “Community Development Block Grant” (CDBG) industrial program. **This State grant will**
37 **reimburse the County for 75% of the required water & sewer extension costs, and the**
38 **preliminary engineering for the access road to the site, with Orange County providing a**
39 **required 25% local match for the remaining cost. The estimated total cost to extend water**
40 **and sewer to the site, and design the road improvement may be approximately \$700,000, but**
41 **the County’s portion will be only 25% of that amount with the CDBG’s reimbursement**
42 **assistance.**
43
- 44 • One of the criteria specific to the CDBG program is that among the total number of jobs Morinaga
45 commits to create in the first 3 years, at least 60% of those 90 – 120 total jobs must directly relate to
46 persons who are qualified as coming from low or moderate incomes, prior to coming to work for the
47 company. This population is typically a County resident who is either unemployed or
48 underemployed, and who has an income level at, or below 80% of the County’s median income.
49 This is the same criteria as used by the County’s affordable housing department to qualify low and
50 moderate income residents for Section 8 housing vouchers. Morinaga’s projected average salary of
51 \$37,969 will meet this requirement.
52
- 53 • **The cost to extend a 12” water line a distance of 3,700 linear feet to the site is estimated at**
54 **\$375,000 and the cost to extend a 10” sewer line a distance of 1,500 linear feet to the site is**

1 **estimated at \$200,000.** Estimated design and construction time is 12 months. **Also, the cost to**
 2 **design the 2,500 foot access road, (which NCDOT has agreed to build), may cost at least**
 3 **\$100,000.** In addition to the State's CDBG funding to reimburse Orange County for 75% of total
 4 utility and road improvements to the site, the County's "Article 46" ¼ cent sales tax proceeds are
 5 also available, if needed.
 6

- 7 • **PSNC Energy** will need to extend a natural gas line from the existing 4' line along Ben Wilson Road
 8 to the site. The cost for this line extension will be paid entirely by PSNC Energy, and at **no cost to**
 9 **Orange County or the company.**
- 10
- 11 • **Duke Energy** will deliver all electrical power to the property, to include installing transformers and
 12 underground power lines at the site, and at **no cost to Orange County or the company.**
- 13
- 14 • **N. C. Department of Transportation** has committed to extend the existing Ben Wilson service road
 15 adjacent along the highway and up to Morinaga's site. **The \$500,000 cost to build the 2,500 foot**
 16 **access road will be fully paid by the State of North Carolina and NCDOT. There is no cost to**
 17 **Orange County or the company.** NCDOT has verbally committed to funding the access road from
 18 a combination of several State resources. Estimated design and construction time is 12 months.
 19
- 20 • In future years, NCDOT anticipates a further extension of this new service road eastward toward
 21 Mattress Factory Road, which could favorably influence the State's "Transportation Improvement
 22 Plan" (TIP) prioritization to eventually make Mattress Factory Road a full interchange. This needed
 23 interchange would serve to improve traffic flow for existing and future truck and employee vehicles
 24 throughout the Buckhorn Economic Development District.
 25

26 **Local & State Financial Incentives:**

- 27 • The Orange County Board of County Commissioners first met in closed session on August 27, 2012
 28 and discussed the recommended "performance-based" grant to encourage the company's eventual
 29 selection of Orange County.
 30
- 31 • The BOCC met a second time in closed session on January 24, 2013 to discuss the project, and
 32 met a third time on March 19, 2013 (during the visit and presentation by Morinaga America's
 33 President Masao Hoshino) and voted to tentatively approve the proposed County incentive offer.
 34
- 35 • The **Orange County** performance-based incentive is calculated as follows: **up to 75% of the**
 36 **taxable value of the project's \$48.0 million capital investment, for as long as 5 years. This**
 37 **recommended grant will make possible a competitive Orange County incentive of**
 38 **approximately \$308,000 annually for 5 years, or, approximately \$1.5 million total.** The
 39 County's performance grant would include a "claw-back" provision in the contract with the company
 40 to ensure that the firm's annual target for capital investment and jobs creation is first verified before
 41 any County incentive would be provided over the initial 5-year term. The Company will also be
 42 required to provide health insurance for its employees during the incentive period, just as required
 43 by the State's incentive grant. This information was outlined in the County's commitment letter,
 44 dated March 19, 2013 from Orange County Manager Frank Clifton. Orange County will eventually
 45 hold a public hearing for the proposed incentive to Morinaga.
 46
- 47 • The **City of Mebane**, which will annex and rezone the proposed site at the landowner's request, has
 48 tentatively approved a supplemental local incentive package to the company (specific \$ amount to
 49 be determined) of the project's \$48 million capital investment. The City of Mebane will hold a public
 50 hearing for the proposed incentive to Morinaga.
 51
 52
 53

- 1 • The **State of North Carolina** has offered the company a **\$264,000 grant from the “One N. C. Fund”** discretionary grant program. Refer to the attached commitment letter, dated January 4, 2013 from the North Carolina Department of Commerce’s Deputy Secretary Dale Carroll. Also, **NCDOT has committed to provide approximately \$500,000 to build a 2,500 foot road access** improvement by extending the current Ben Wilson service road parallel to the interstate up to the Company’s 21-acre site. **Technical training for new employees, valued at \$150,000 or higher**, will be provided by the Hillsborough campus of the N. C. Community College System’s Durham Technical Community College.
- 10 • And finally, **pre-screening of job applicants will be provided by the State’s Employment Security Commission** office in Chapel Hill office, to help identify Orange County residents who wish to gain employment with this company.

Summary of State & Local Financial Incentives:

State of North Carolina

- 17 • “One NC Fund” Grant \$264,000
- 18 • Durham Technical Comm. College training \$150,000
- 19 • NCDOT Extension of Ben Wilson Road \$500,000
- 20 • **\$914,000**
- 22 • Community Development Block Grant **\$ to be determined**
(75% reimbursement of Orange County’s total initial cost to extend water and sewer to site)

Orange County

- 26 • Performance Grant **\$1,500,000**
(\$308,000 annually X 5 years)
- 29 • Community Development Block Grant **\$ to be determined**
(25% co-pay of Orange County’s total initial cost to extend water and sewer to site, & road design)

City of Mebane

- 33 • Performance Grant **\$ to be determined**

Recommendation to the BOCC:

37 The Board of County Commissioners will schedule the public hearing, at a later date, for consideration of the County-sponsored incentive for Morinaga. All incentives from the County will come from the County property tax revenues that Morinaga generates after it is in operation, supplemented by proceeds from the ¼ cent sales tax.

Partners in the Successful Recruitment Process:

Key Participants

- 44 • State of North Carolina
(Governor McCrory & Secretary of Commerce Sharon Decker)
- 46 • North Carolina Department of Commerce
(Business/Industry Development Division & Commerce Finance Division)
- 48 • Orange County
(Board of County Commissioners, Manager’s Office, Economic Development, Planning & Inspections, Visitor’s Bureau, Public Affairs)
- 51 • City of Mebane
(Mayor & City Manager’s office)
- 53 • Durham Technical Community College
(Hillsborough campus)

- 1 • North Carolina Community Colleges System
- 2 • North Carolina Department of Transportation
- 3 • InSpec Group
- 4 (Site selection consultant from Portland, OR)

5 Other Participants

- 6 • University of North Carolina at Chapel Hill
- 7 (Chancellor's Office; Office for Innovation & Entrepreneurship)
- 8 • Progress Duke Energy
- 9 • PSNC Energy
- 10 • Research Triangle Regional Partnership
- 11 • Land owner

12 **Chronology of Morinaga & Co., Ltd.:**

- 14 1899: Taichiro Morinaga returns from San Francisco and establishes a candy and confectionery company
- 15 with partner Hanzaburo Matsuzaki, becoming the first to introduce Western-style snacks to Japan.
- 16 1914: After years of research, Morinaga launches a caramel candy, Hi-Chew, designed to appeal to the
- 17 Japanese market.
- 18 1917: Morinaga establishes a dairy operation in Japan.
- 19 1918: Morinaga becomes the first company to market chocolate bars in Japan.
- 20 1920: The Company begins production of powdered baby formula.
- 21 1925: The Company installs machinery and begins mass production of candies and confectionery.
- 22 1949: The dairy operation is spun off as a separate company, Morinaga Dairy Industries.
- 23 1956: Morinaga begins production of ice cream.
- 24 1964: The Company has a new hit product with the launch of Hi-Crown Chocolate.
- 25 1983: The Company launches a nutritional foods division and begins a product development and
- 26 marketing agreement with Weider, of the United States.
- 27 1995: The highly popular Weider in Jelly product line is launched.
- 28 2000: The Company launches a new corporate "power brand" strategy focusing on core brands and
- 29 product lines.
- 30 2004: A new manufacturing facility is completed in Shanghai in order to supply the market in China.

31 **Company History:**

32 Established in 1899 by Taichiro Morinaga, who had a pioneer spirit and the dream of *"offering nutritious and*
 33 *good-tasting confectionery to Japanese children,"* Morinaga & Co. Ltd. was the first Western-style
 34 confectionery manufacturer in Japan. During the past 114 years, Morinaga has carried out its corporate
 35 operations guided by the vision, *"We Offer Good Health with Delight & Taste."*

36 One of Japan's leading candy and confectionery manufacturers, Morinaga & Co. Ltd. is also credited with
 37 introducing Western-style treats to Japan at the dawn of the 20th century. After more than 114 years,
 38 Morinaga has remained at the top of the Japanese candy industry, producing a strong line of candies,
 39 chocolates, frozen desserts and snacks, and nutritional products. Entering the new century, Morinaga has
 40 developed a new "power brand" strategy emphasizing its core product lines, which include Milk Cocoa,
 41 Hotcake Mix, Amazake drinks, frozen desserts, and Weider in Jelly, a line of drinkable, gelatin-like drinks
 42 marketed under license from the United States' Weider Nutrition International Inc.

43 The company also produces a number of other licensed candy products, including Pez and Werther's
 44 Original. Morinaga operates five manufacturing facilities in the Tokyo region; the company also has a
 45 manufacturing subsidiary in Taiwan and built a new plant in Shanghai, China. The company also operates
 46 sales subsidiaries in Europe and North America, and sells its products in more than 26 countries. Listed on
 47 the Tokyo Stock Exchange, Morinaga is led by Gota Morinaga, grandson of the company's founder.

48 Born in Kyushu, in the north of Japan, in 1863, founder Taichiro Morinaga went to work for his uncle, a
 49 potter, in exchange for room and board after his father's death when Morinaga was just seven. Morinaga,
 50 who had no formal education, became the bookkeeper of the pottery business, and then, at the age of 18,
 51

1 was sent to Tokyo as the company's sales representative. Morinaga later went to work for a wholesale
2 company, rising to become manager of a branch office in Yokohama. Yet, after extending too much credit
3 to customers, the office went into debt. In order to repay his employer, Morinaga decided to try his luck in
4 California.

5
6 Taichiro Morinaga moved to San Francisco in 1887 and opened a hardware store, trading in high-quality,
7 high-priced goods--in a working class neighborhood. The business, which suffered equally from the
8 pervasive anti-Oriental sentiment of the era, soon failed and forced Morinaga to look elsewhere for a
9 livelihood.

10
11 Yet Morinaga's stay in the United States led him to an important discovery: candy. Japan had remained
12 closed to outside influences for more than 250 years, finally opening its borders to foreigners only in the
13 late 19th century. If the country's elite class had access to sweets--typically based on boiled beans--the
14 majority of the population had limited access to confectionery products, and sugar consumption in general
15 remained low. Milk and milk products were also absent from the Japanese diet. The opening of the
16 country's borders stimulated interest in all things foreign, and the country's growing foreign population
17 encouraged the import of Western-style confectionery and candy.

18
19 Taichiro Morinaga recognized that the growing foreign influence in Japan, and the country's readiness to
20 adopt attributes of Western culture, would inevitably extend to the country's eating habits. Morinaga
21 became determined to learn the art of candy making, in order to introduce new confectionery products to
22 the Japanese market. Despite the anti-Asian prejudice, Morinaga found a job as a janitor at a candy
23 factory, and there learned how to make candy.

24
25 By the end of the century, Morinaga was ready to return to Japan and start his own candy company. Before
26 leaving, Morinaga performed his own bit of market research, questioning members of San Francisco's
27 Japanese community and other Japanese visitors to the city on their candy preferences. Morinaga
28 discovered that the sweet most preferred by the people he questioned was marshmallows, at the time also
29 known as "angel food." The fluffy, egg white-and-sugar-based candy also resembled existing Japanese
30 confections, making it a natural first product.

31
32 Morinaga founded his business with partner Hanzaburo Matsuzaki in 1899, opening a small shop in the
33 Akasaka neighborhood of Tokyo. The business, called Morinaga Western Candy Confectionery, developed
34 quickly as the country eagerly greeted the new candy type. Morinaga himself acted as salesman, pushing a
35 cart from which he sold marshmallows, and other Western-styled cakes and candies. Among these were
36 caramels. This product represented even more of a novelty in Japan in that it contained butter--at a time
37 when dairy products still had not penetrated the Japanese diet. Morinaga's caramel sales were at first
38 limited to his foreign customers, as the Japanese shied away from the strange product. In addition, the
39 country's climate made it difficult to produce--and to eat--caramel, which tended to melt and become too
40 sticky to hold in the heat and humidity.

41
42 Morinaga set out to develop a new caramel recipe for the Japanese market, and by 1914 had perfected a
43 recipe that both appealed to the Japanese palate and also offered a longer shelf life. The new product
44 debuted in 1914, and was packaged in a pocket-sized yellow box. Known as Hi-Chew, the product became
45 a company flagship and one of its core products into the next century. In the meantime, the company's
46 strong marshmallow sales inspired the adoption of a logo, an angel, in 1905--the angel logo also fit in with
47 Morinaga's work as a missionary. The company adopted the name Morinaga Confectionery Inc. in 1912.

48
49 The success of Hi-Chew led Morinaga to seek its own source of dairy products, and in 1917 the company
50 set up a dairy operation, which became Morinaga Dairy Industries. A year later, the company launched a
51 new candy line, becoming the first to introduce the chocolate bar to Japan. Meanwhile, the company began
52 extending its dairy product line, launching its first powdered baby formula in 1920. That launch marked the
53 start of the company's involvement in the nutritional products category as well.

1 By the 1920s, Morinaga's sales had been growing steadily. To meet the rising demand, the company
2 installed its first production machinery--previously, production had been by hand--and launched mass
3 production in 1925. Over the next decades, the company continued to add to its production capacity,
4 opening four more plants, and adopting increasingly sophisticated, modernized production techniques. By
5 the 1980s, the company manufacturing operations had become fully automated.

6
7 In the meantime, the company continued developing new product lines. Among these were baby biscuits,
8 called Morinaga Manna, which the company began producing in 1930. In 1935, Hanzaburo Matsuzaki
9 became company president. The company took a leaf from its Western counterparts in the 1930s,
10 promoting holidays--such as Mother's Day starting in 1937--as a means of stimulating candy and
11 confectionery sales.

12
13 During World War II, Morinaga turned part of its resources toward the production of penicillin, saving a
14 good number of lives. Following the war, the company, now led by Taihei Morinaga, decided to split up its
15 operations, separating its dairy business into a separate company, which became known as Morinaga Dairy
16 Industries in 1949. That company then developed into one of Japan's major dairy groups. The two
17 companies nonetheless remained closely linked, sharing the angel logo and developing common products
18 and marketing campaigns.

19
20 The 1950s saw new expansion for the company. In 1954, its production capacity expanded with a new
21 band oven--the first to be brought into Japan. Two years later, Morinaga extended its dessert offerings with
22 the production of ice cream, which quickly developed into one of the company's key product lines. Another
23 strong seller for the company came in 1957, when it introduced its popular Hotcake Mix. That line also
24 became one of Morinaga's flagship brands.

25
26 Attempts to introduce Valentine's Day celebrations--and linking that holiday with chocolate--had been made
27 since the 1930s by various Japanese companies. At the beginning of the 1960s, however, Morinaga at last
28 succeeded, launching a "Chocolate for St. Valentine's Day" marketing campaign. The company had other
29 hit products during the decade, such as Hi-Crown Chocolate, launched in 1964, and a new soft, milk-based
30 caramel, Hi Soft, launched in 1969. At the beginning of the 1970s, the company added a new line of Twiggy
31 chocolates as well.

32
33 Morinaga's sales continued to rise during the 1980's, nearing the equivalent of \$1 billion by the end of the
34 decade. The company by then had opened its fifth manufacturing facility and had continued to extend its
35 product range, launching, for example, its brand of Ottoto crackers. The company also had expanded
36 beyond candies and confectionery to some extent, adding production of alcoholic beverages. That
37 business, operated under the name of Fukutokucho, produced primarily sake and shochu.

38
39 Closer to the group's core was its drive into the health and nutritional foods market. The company's entry
40 into the sector began in the early 1980s, and a 1983 licensing agreement with the United States' Weider
41 Nutrition International to develop and market Weider-branded products for the Japanese market. The
42 company also entered the soft drinks market, launching a rice-based health drink, Amazake, which became
43 one of its key brands. Tofu represented another fast-growing nutritional product for the company, and
44 formed a strong part of the group's international growth. By the end of the 1980s, the company had entered
45 some 32 countries, backed by sales and marketing subsidiaries in the United States and The Netherlands.

46
47 Morinaga's product development continued through the 1990s. Among the most successful company
48 products launched during the decade were its Sold Dazen chocolates, introduced in 1993. The following
49 year marked the debut of a new product line, developed under Morinaga's partnership with Weider. The
50 new snack, called Weider in Jelly, was the first in a range of drinkable, jelly-like snacks touted by the
51 company as nutritional foods. The Weider line, fully launched in 1995, was credited with creating an entirely
52 new product category. The first variations included Weider Energy In, which claimed to provide a sustained,
53 quick energy boost; and Weider Vitamin In, which claimed to provide a full spectrum of vitamins provided
54 by a balanced meal. Targeting a young male market, the Weider line grew steadily into the next decade,
55 and by 2002 represented nearly 20 percent of the company's total sales.

1
2 The sustained Japanese recession into the 2000s slowed the confectionery market as well. In response,
3 Morinaga, now led by Gota Morinaga, developed a new "Power Brand" strategy for the new century, with a
4 focus on a limited range of key brands. As part of that effort, the company sold off its liquor operation in
5 2000. The company then began stepping up development of new products, to be launched under its array
6 of "power" brands--including Milk Cocoa, Weider in Jelly, Hotcake Mix, and Amazake. Meanwhile, the
7 company continued to manufacture and market a number of products under license, such as the popular
8 Pez candies and, since 2002, European favorite Werther's Original.

9
10 The 100-year-old company also had begun to look beyond the Japanese market, which remained its chief
11 source of revenues. At the beginning of the 21st century, Morinaga established a manufacturing subsidiary
12 in Taiwan, in an attempt to conquer a share of the island's market. Morinaga also targeted Hong Kong for
13 sales. Yet its main interest lay in the huge potential of the Chinese mainland, with its consumer market of
14 more than 1.3 billion people. The company launched construction of a manufacturing facility in Shanghai,
15 which became operational by the end of 2004.

16
17 Updated:

18 9/5/2013

19 Steve Brantley

20 Director, Orange County Economic Development

21
22 Frank Clifton said the property owner Ben Wilson has been involved since the beginning and has
23 been instrumental in this process. He noted that Ben Wilson is already looking at re-investing the profits
24 from the sale of this property in other properties to further the County's development efforts.

25 Chair Jacobs said the Board is honored and pleased that the Morinaga Company has decided to
26 site their company here. The Board of County Commissioners made a decision to move toward working
27 with corporations to create projects like this, including offering incentives. He recognized the various
28 partners and neighbors, including the partnerships with Mebane and Durham Tech, in this process.

29 He said Frank Clifton's expertise in economic development has been invaluable; and Steve
30 Brantley's knowledge of the Japanese corporate culture was also instrumental in this process. He said that
31 the company wants to come to Orange County because of the area's diversity.

32 Commissioner McKee congratulated all of the partners that worked on this process. He noted that
33 this was a very confidential process. He said much work is still left to be done to make this project a
34 success. He said this should not be viewed as a one-time success, but merely another step.

35 Commissioner Price echoed what the other Commissioners had said. She said this is something
36 new for Orange County, and it expands the diversity of the County.

37 Commissioner Pelissier said she had received comments from the public as to why the Board would
38 offer incentives to a company from Japan. She said this was done because this company will offer good
39 salaries and benefits to residents, and it furthers the County's economic development. She said companies
40 are looking for the type of quality of life that is offered in Orange County.

41 Commissioner Gordon congratulated everyone involved.

42 Commissioner Price asked when the public hearing will be held.

43 Frank Clifton said this will happen once all of the agreements are in final form, which will likely be in
44 late October.

45 Chair Jacobs said he has been asked about the timeframe for the groundbreaking. He asked if
46 there was a date for this.

47 Steve Brantley said this will happen after the public hearings in Orange County and Mebane, which
48 likely means late March of 2014. He said the building will likely take until May or June of 2015, due to the
49 complicated makeup of the facility. He expects the open house to be after July of 2015.

50 Frank Clifton said this company will most likely become a community partner.

51 52 **5. Consent Agenda**

- 53
- 54 • **Removal of Any Items from Consent Agenda**

55 Commissioner Gordon asked for removal of items 5q and 5s

1 Commissioner Price agreed with these two items.

2
3 • **Approval of Remaining Consent Agenda**

4
5 A motion was made by Commissioner McKee, seconded by Commissioner Pelissier to approve the
6 remaining items on the consent agenda.

7 VOTE: UNANIMOUS

8
9 • **Discussion and Approval of the Items Removed from the Consent Agenda**

10
11 **g. FY 2013-14 Budget Amendment #1-D – Approval of Two (2.0 FTE) New Appraiser I Positions**
12 **within the Revaluation Fund**

13 The Board considered approval of Budget Amendment #1-D by approving two (2.0 FTE) additional
14 Appraiser I positions within the Revaluation Fund as part of the cyclical North Carolina revaluation process,
15 and an appropriation from the Revaluation Fund's Unassigned Fund Balance to cover the FY 2013-14
16 costs.

17 Commissioner Gordon said her concerns have to do with the process. She feels the Board has
18 been very careful about adding positions outside of the budget process. She is concerned about adding
19 permanent full time positions outside of the budget process. She would prefer that these be time limited
20 positions for two years, which would give the board time to consider these positions in the context of the
21 budget process.

22 Dwane Brinson said this was part of his presentation back in May, in reference to the revaluation in
23 2017. He said this process simply swapping contract services for in-house full time employee positions.
24 He said this allows for greater quality control and accurate record keeping. He said the County is going
25 back to a 4 year revaluation cycle after 2017.

26 Commissioner Dorosin clarified that the Board voted to push back revaluation two years. He asked
27 if these two positions would have been needed if the Board had not pushed this back.

28 Dwane Brinson said no. He said the 2015 revaluation would have been a different revaluation and
29 the 2017 one will be better.

30 Commissioner Dorosin asked if the 2017 would be more comprehensive, and Dwane Brinson said
31 yes.

32 Commissioner Dorosin asked if these new staff members will begin working on this revaluation right
33 away.

34 Dwane Brinson said there have already been planning sessions to move forward. He said once
35 these positions are on board, assignments will be given, and revaluations will move forward. He said that
36 once these two new appraisers are on staff, every area and neighborhood in the County will have an
37 assigned appraiser.

38 Commissioner Gordon asked why this wasn't approved during the budget process.

39 Frank Clifton said staff developed the budget in January, and the final recommended budget came
40 in May. He said staff were doing survey work in the spring and found some significant errors. This was
41 late in the budget process and the situation was still unclear. He said staff needed to have on-site
42 verification of property structures and their sizes on an on-going basis moving forward. He noted that tax
43 refunds cannot be given for past years, but data can be corrected moving forward. He feels that taxpayers
44 deserve accurate analysis to ensure a proper baseline prior to the upcoming revaluation. He said it was
45 eventually determined that this process would require 2 more appraisers.

46 Commissioner Gordon said she is already convinced that the positions are needed; however she is
47 not convinced that the positions are needed beyond a limited time period of two years.

48 Frank Clifton said that if the positions are time limited, staff would probably come back and ask for
49 more time. He said this is because these positions will be needed going forward, as the appeal process
50 extends well beyond the evaluation. He said that these appraisers will be assigned to neighborhoods, and
51 maintaining this will prevent inaccurate or conflicting valuations within the same area.

52 Chair Jacobs verified that Dwane Brinson, as a senior staff member, was making an affirmative
53 statement that these positions are needed on a permanent, full time basis, even after the revaluations.

54 Dwane Brinson said yes.

1 A motion was made by Commissioner Dorosin, seconded by Commissioner McKee to approve the
 2 Budget Amendment #1-D by approving two (2.0 FTE) additional Appraiser I positions within the Revaluation
 3 Fund as part of the cyclical North Carolina revaluation process, and an appropriation from the Revaluation
 4 Fund's Unassigned Fund Balance to cover the FY 2013-14 costs.

5 VOTE: UNANIMOUS

6
 7 **s. Consent to Chapel Hill to Proceed with Chapel Hill Extraterritorial Jurisdiction (ETJ)**
 8 **Expansion Process**

9 The Board considered consent of the request from the Town of Chapel Hill for the Town to begin the
 10 process to expand its extraterritorial jurisdiction (ETJ).

11 Commissioner Gordon said she does not object to the expansion process per se, but she does feel
 12 that this has a bearing on the historic Joint Planning Agreement (JPA). She feels that the Joint Planning
 13 Agreement should be acknowledged, and there should be a process in which this expansion is related to
 14 joint planning. She suggested that the letter be assembled with some language added to the third
 15 paragraph to acknowledge the Joint Planning Agreement.

16 She feels these processes should operate in concert.

17 Commissioner Price said her concern is that some of these items on the consent agenda should
 18 have more information and highlights to explain fully what the Board is being asked to consider and vote
 19 on. She said this item is not really saying that Chapel Hill and the County are going to go forward, but the
 20 Board is consenting to beginning the process.

21 Commissioner Dorosin said this comes out of the Rogers Road Task Force and the idea of the
 22 County, Chapel Hill, and Carrboro jointly funding installation of water and sewer in this community. He said
 23 Chapel Hill could not expend funds in an area that is not in the town limits or the town's ETJ. He said that
 24 by allowing Chapel Hill to extend their ETJ, the town will be able to participate in funding the water and
 25 sewer. He said this is moving forward with Chapel Hill. He noted that this consent is not necessary but just
 26 a process by Chapel Hill to make sure all partners are on the same page. He said if the town votes to
 27 expand the ETJ this will come back to the Board for an official vote on whether the County wishes to go
 28 along with it. He said questions regarding the joint planning agreement will be answered during the
 29 process. He believes the people who live in the neighborhood will not see changes on the ground.

30 John Roberts said the extension of the ETJ is a statutory process. He encouraged the Board to
 31 send any questions regarding the Joint Planning Agreement after the actual extension of the ETJ. He said
 32 amendments to the Joint Planning Agreement are complicated, and it will lengthen the process significantly.

33 Frank Clifton said this is an unusual request. He noted that this letter does not bind the
 34 Commissioners to action. He noted that the letter is drafted to encourage a spirit of cooperation and to
 35 depict that the Board accepts that the town is moving forward.

36 Commissioner Gordon said she is just asking what will happen to the JPA now. She just wants the
 37 knowledge. She read the following proposed sentence: "The BOCC expressed no objection to Chapel Hill's
 38 ETJ expansion process but requested an explanation of the amendments to the existing Joint Planning
 39 Agreement (JPA) that could be made to recognize this ETJ expansion, along with a process and timeline
 40 for amending the JPA."

41 She said this will not hold anyone up, assuming that staff can do this analysis.

42 Commissioner Dorosin suggested this question be posed to County staff, rather than putting that
 43 language in the letter and asking Chapel Hill staff to get that information. He said staff could get this
 44 information between now and when the ETJ is approved and comes back to the board, assuming it is
 45 approved. He noted that there is a minimum of 30 days notice for a public hearing, so there is plenty of
 46 time.

47 Commissioner Gordon said the amendment to the letter could suggest that Orange County staff
 48 provide the explanation.

49 Commissioner Dorosin questioned why this needs to be in the letter.

50 Commissioner Gordon said she is expressing an objection unless the JPA issue is addressed.

51 Chair Jacobs suggested a middle ground where the Board expresses to Chapel Hill that this is a
 52 concern and then re-visits this as the process moves forward. He suggested the Board ask County staff to
 53 bring forward information on the impact that this will have on the JPA. He noted that approval of this does
 54 not commit Orange County to anything, but it does further a Board priority of advancing the partnership to

1 address the concerns of the Rogers Road Community. He said he understands Commissioner Gordon's
2 point, and the concerns can be voiced in the letter without any requests that may slow down the process.

3 Chair Jacobs offered the following new verbiage: "The BOCC expresses no objection to Chapel
4 Hill's ETJ expansion process, although it may request additional discussion of the effects on the Joint
5 Planning Agreement as the process moves forward."

6 Commissioner Pelissier seconded this suggestion.

7 Commissioner Dorosin said this is about the Rogers Road community. He said the task force has
8 done a great job in bringing the parties together and creating momentum. He encouraged the Board to be
9 conscious about the signals being sent forth about the County's commitment to the process. He noted that
10 there have been signals sent in past sessions that give question to the County's commitment. He said he
11 feels the Board is committed, but being a drag on the process hurts the Commissioner's credibility.

12 Chair Jacobs said he does not believe anyone disagrees with Commissioner Dorosin. He noted that
13 there was a lot of effort in the past to put the JPA together; however he does not want the Board to be an
14 impediment to this process either. He feels like there should be a passive assertion regarding changes that
15 affect the agreement.

16 Commissioner Gordon said that, even to serve a good purpose, the Board should not overlook
17 implications for the Joint Planning Agreement.

18
19 A motion was made by Chair Jacobs, seconded by Commissioner Pelissier to approve consent of
20 the request from the Town of Chapel Hill for the Town to begin the process to expand its extraterritorial
21 jurisdiction (ETJ), with the following addition of verbiage: "The BOCC expresses no objection to Chapel
22 Hill's ETJ expansion process, although it may request additional discussion of the effects on the Joint
23 Planning Agreement as the process moves forward."

24 VOTE: UNANIMOUS

25
26 **a. Minutes**

27 The Board approved the minutes from April 25, May 9, 21, 23, June 4 and 18, as submitted by the Clerk to
28 the Board.

29 **b. Motor Vehicle Property Tax Releases/Refunds**

30 The Board adopted a resolution, which is incorporated by reference, to release motor vehicle property tax
31 values for one hundred and thirty-two (132) taxpayers with a total of one hundred and forty (140) bills that
32 will result in a reduction of revenue in accordance with NCGS.

33 **c. Property Tax Releases/Refunds**

34 The Board adopted a resolution, which is incorporated by reference, to release property tax values for
35 seven (7) taxpayers with a total of eleven (11) bills that will result in a reduction of revenue in accordance
36 with North Carolina General Statute 105-381.

37 **d. Applications for Property Tax Exemption/Exclusion**

38 The Board approved eight (8) untimely applications for exemption/exclusion from ad valorem taxation for
39 seven (7) bills for the 2013 tax year and one (1) for the 2012 tax year.

40 **e. Tax Collector's Annual Settlement for Fiscal Year 2012-13**

41 The Board received the tax collector's annual settlement on current and delinquent taxes, approved by
42 resolution the accounting thereof, and authorized the Chair to sign and upon acceptance of the reports,
43 issue the Order to Collect for Fiscal Year 2013-2014.

44 **f. Amendment to the Orange County Code of Ordinances, Chapter 28 Personnel, Article IV, §**
45 **28-45 Tuition Refund Program and Educational Leave**

46 The Board approved an amendment to the Orange County Code of Ordinances Chapter 28 Personnel,
47 Article VII, § 28-45 as provided in Attachment 1, which would remove the operational aspects of the Tuition
48 Refund Process from the County Ordinance to the Administrative Rules and Regulations promulgated by
49 the County Manager and increased the maximum refund amount for eligible employees from \$600 to the
50 average in state semester tuition cost per fiscal year.

51 **g. Fiscal Year 2013-14 Budget Amendment #1**

52 The Board approved the budget and capital project ordinance amendments for fiscal year 2013-14.

53 **h. Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro City**
54 **Schools (CHCCS) and Contingent Approval of Budget Amendment # 1-A Related to CHCCS**
55 **Capital Project Ordinances**

1 The Board approved an application to the North Carolina Department of Public Instruction (NCDPI) to
 2 release funds from the NC Education Lottery account related to FY 2013-14 debt service payments for
 3 Chapel Hill – Carrboro City Schools, authorized the Chair to sign, and to approve Budget Amendment #1-A
 4 (amended School Capital Project Ordinances), contingent on the State's approval of the application.

5 **i. Request to Extend Three Time-Limited Human Service Specialist Positions at Department of**
 6 **Social Services (DSS)**

7 The Board approved a request for the Department of Social Services (DSS) to extend three existing time-
 8 limited positions through June 30, 2014 for continued use during the transition of the legacy automation
 9 systems to the new NCFAST program.

10 **j. Comprehensive Plan and Unified Development Ordinance (UDO) Amendment Outlines and**
 11 **Schedules for Four Upcoming Items**

12 The Board approved the process components and schedule for four upcoming government-initiated Unified
 13 Development Ordinance (UDO)/Comprehensive Plan text amendments.

14 **k. McGowan Creek Interceptor Project – Easement Negotiation**

15 The Board approved authorizing County staff to accept and acquire the private easements required to
 16 construct and maintain the McGowan Creek Interceptor Project by negotiation, purchase or condemnation,
 17 if necessary, and authorized the Chair to sign.

18 **l. Performance Agreement with Town of Chapel Hill and Visitors Bureau**

19 The Board approved the 2013-2014 performance agreement between the Town of Chapel Hill and the
 20 Visitors Bureau and authorized the Manager to sign.

21 **m. Amendment to the Household Hazardous Waste Services Agreement**

22 The Board approved an amendment to the existing Household Hazardous Waste (HHW) services
 23 agreement to include the provision of services at the Walnut Grove Church Road Solid Waste Convenience
 24 Center when it starts being open on Thursdays beginning on September 12, 2013 and authorized the Chair
 25 to sign.

26 **n. Authorization to Declare Solid Waste Management Items Surplus**

27 The Board approved declaring various vehicles and equipment surplus.

28 **o. FY 2013-14 Budget Amendment #1-B – Acceptance of Grant Funds for a Caregiver Support**
 29 **Program and Creation of a Time-Limited, Part-Time (0.80 FTE) Social Worker I Position within**
 30 **the General Fund**

31 The Board accepted NC Division of Aging and Adult Services (NCDAAS) grant funds; to utilize those funds
 32 and Master Aging Plan funds to establish a time-limited, part-time bi-lingual Social Worker I position to work
 33 with Mandarin-speaking older adults; and approved Budget Amendment #1-B.

34 **p. FY 2013-14 Budget Amendment #1-C – Acceptance of NC Department of Transportation**
 35 **Grant Funds and Creation of a Time-Limited, One FTE (1.0) Human Services Coordinator**
 36 **Position within the General Fund**

37 The Board accepted grant funds from the NC Department of Transportation (NCDOT) Public
 38 Transportation Division to identify and collaborate with transportation providers to expand services for
 39 seniors in Orange County; approved and authorized the Manager to sign the contract; approve Budget
 40 Amendment #1-C; and establish a time-limited Human Services Coordinator position.

41 **r. Emergency Management and Approve Budget Amendment #1-E by Accepting State Aid**
 42 **Funds Related to Orange County Flooding**

43 The Board approved Budget Amendment #1-E for Social Services (DSS) to accept state aid funds and
 44 ratify the Memorandum of Understanding (MOU) with the North Carolina Department of Emergency
 45 Management signed by the County Manager in response to flooding in Orange County on June 30, 2013.

46 **s. Rogers Road Community Center Bid Award Authorization**

47 The Board extended the Manager's authorization to award the construction bid and execute the
 48 construction contract up to the Board authorized capital project amount of \$650,000 for the Rogers Road
 49 Community Center.

50
 51 **6. Public Hearings**

52
 53 **a. Baldwin Zoning Atlas Amendment – Public Hearing Closure and Action**

1 The Board received the Planning Board recommendation, closed the public hearing, and made a
 2 decision on an owner-initiated Zoning Atlas Amendment to rezone a 3.36 acre parcel of property from EDE-
 3 1 (Economic Development Eno Lower Intensity) to EDE-2 (Economic Development Eno Higher Intensity) in
 4 accordance with the provisions of the Unified Development Ordinance (UDO).

5 Michael Harvey reviewed the maps of the parcel and said the Baldwins have indicated the EDE-2
 6 zoning would be more acceptable, and staff has concurred. He referred to the abstract and concerns of
 7 impact on properties to the south. He said there will be no impact to this area. He said the planning board
 8 has voted unanimously that this is consistent with the comprehensive plan and should be approved.
 9

10 A motion was made by Commissioner McKee seconded by Commissioner Pelissier to close the
 11 public hearing.

12
 13 VOTE: UNANIMOUS
 14

15 **A motion was made by Commissioner McKee, seconded by Commissioner Pelissier to adopt**

16 a. Attachment 3 – Ordinance Amending the Zoning Atlas

17 b. Attachment 5 – Statement of Consistency authorizing the zoning atlas amendments as detailed herein.
 18

19 VOTE: UNANIMOUS
 20

21 **b. Approval of Ground Lease Between Orange County and American Towers, LLC**

22 The Board considered conducting a public hearing on a potential Ground Lease Agreement with
 23 American Towers, LLC, for the purpose of constructing and maintaining a communications tower in
 24 northern Orange County; considered approving a Ground Lease Agreement with American Towers, LLC,
 25 for the purpose of constructing and maintaining a communications tower in northern Orange County; and
 26 contingent on Board approval, authorized the Chair to execute all necessary documents to effectuate the
 27 Lease upon final review of the County Attorney.

28 Jeff Thompson reviewed the purpose of the hearing. He reviewed the site locator in the packets.
 29 He said this tower with cable is capable of carrying commercial equipment, as well as emergency services
 30 assets simultaneously. He referenced materials regarding ATT coverage, as well as balloon test
 31 information. He said the lease contemplates a non exclusive easement which will not interfere with the
 32 Walnut Grove Solid Waste Convenience Center (SWCC) operations. He said American Towers has
 33 completed its site survey and is ready to continue the permit process, subject to this lease approval.

34 Michael Harvey said he is here to give some background on this project. He said the Orange
 35 County Unified Development Ordinance (UDO) creates a hierarchy for desired cell tower locations. He said
 36 the first in the hierarchy is County owned property. He referenced that telecommunications master plan
 37 map and said this map serves as a marketing tool to allow County staff to solicit from private and county
 38 owned properties that are in essential locations.

39 He said he is aware of some concerns about this process. He referred to a timeline and said any
 40 tower location on County property is subject to administrative approval. He said balloon tests must be
 41 conducted, as well as neighborhood information meetings. He said a balloon test was conducted for this
 42 site on August 18th, and he was personally present. He said certified letters were sent to neighbors, along
 43 with a newspaper article and signs, informing nearby residents of the balloon test; however there were no
 44 residents present, other than those who stopped when they saw the balloon.

45 Michael Harvey said once this lease is finalized the applicant will be submitting the final site plan,
 46 and Orange County planning staff will complete the remaining environmental review. He said, because of
 47 the process of expanding the SWCC, there have already been several environmental studies on this
 48 property, and there are not anticipated problems. He noted that ATT had previously looked at a property
 49 south of this location, and there were some neighborhood concerns. The County property was then
 50 offered, and it was determined that this property would be appropriate.

51 John Roberts gave a review of the lease. He said the property is 1000 square feet, and the lease is
 52 for an initial 9 year term and will automatically renew for 6, 5 year terms. He said either party is able to
 53 terminate the lease prior to the conclusion of the initial term. He said the monthly fee will be a base fee of
 54 \$1800 per month, with 3% annual increases. He said ATT will be the anchor tenant on the tower, and there

1 will be additional tenants in the future who will also pay a rental fee in the future. He said all of these funds
2 will go toward the Landfill Enterprise Fund, to assist in post closure costs and needs.

3 He said there is a proposed easement, but this is not final. He said the 60 foot easement shown
4 could be difficult and it may not be possible to have a full 60 feet.

5 Michael Harvey said, in this proposed lease, the applicant is responsible for obtaining all permits for
6 the due diligence phase.

7 Karen Kemerait is an attorney in Raleigh, representing American Tower and ATT. She said ATT
8 had initially planned to construct on another site that did have some issues, but it came to their attention
9 that there was Orange County property available. She said this was a win-win situation for ATT and for the
10 County. She noted that the propagation maps show currently available coverage. She reviewed the areas
11 of low coverage, as well as connectivity of the proposed site with other sites.

12 Commissioner Price asked if the lease is 9 or 5 years.

13 John Roberts said there is a typo on this, but the lease is 9 years.

14 Commissioner Price said when she was on the planning board there were discussion about the
15 balloon tests being in the winter versus the summer because of the trees. She asked if this might be the
16 policy for future testing.

17 Michael Harvey said it is not practical and not part of UDO to do these once a year. He noted that
18 these must be done just prior to the public hearings.

19 Commissioner Dorosin referred to the photographs and the labels for view and simulated view. He
20 asked for an explanation of this.

21 Michael Harvey said the view shows the actual blimp itself, and the simulated picture shows a
22 rendering of the actual tower.

23 Commissioner Dorosin asked if these could be marked better in the future.

24 Michael Harvey said this will be done in future submittals.

25 Commissioner Dorosin clarified that the revenue will go to the Solid Waste Enterprise fund. He
26 noted that this is a restricted fund, as far as how the money can be used, and he asked why this money
27 can't be put in general fund.

28 John Roberts said this is because the Solid Waste Enterprise funds purchased the property. He
29 said if the County chose to reimburse Solid Waste Enterprise for the cost of the property, then the income
30 for the lease could go to general fund use.

31 Frank Clifton said the Solid Waste Enterprise funds appear to be insufficient long term for
32 maintaining a landfill, so the reserves offset the demand on the general fund. He said staff felt this was the
33 best choice at this time.

34 Commissioner Dorosin asked if the easement will be paved.

35 Frank Clifton said part of it is already paved, but the additional part will be gravel.

36 Frank Clifton said, in the past, tower applications were only accepted once a year. He said that in
37 an attempt to gain wireless service countywide, companies are now being encouraged to submit
38 applications when it is convenient for them.

39 Commissioner Price referred to the paragraph on abandonment and asked if it is typical for a
40 company to wait 12 months for maintenance on a site.

41 Michael Harvey said this is typical, but the UDO requires the posting of regular bonds in the event
42 that the County has to initiate repair due to issues.

43 John Roberts said the abandonment provision is only in the event that American Towers goes
44 bankrupt. He said the County has to give a timeframe for knowing that the property has been abandoned.

45
46 NO PUBLIC COMMENT

47
48 Chair Jacobs asked for clarification on the photo titles that mention "Phelps".

49 Michael Harvey said this was just the original name for the project.

50 Chair Jacobs said this process requires approval of the lease first and then the other boxes are filled
51 out and staff is responsible to make sure this happens.

52 Michael Harvey said the lease gives ATT the authority to submit the application, and even with the
53 granting of the lease ATT is still required to go through the appropriate permitting process. If the permit
54 cannot be issued, the lease is null and void.

1 John Roberts said there would normally be land use implications, but this will come later after the
2 lease is approved.

3 Chair Jacobs referred to page 9, 5-c and asked if this is standard language.

4 Michael Harvey said yes, this is mandated by the ordinance.
5
6

7 A motion was made by Commissioner Pelissier seconded by Commissioner Price to close the public
8 hearing and:
9

10
11 1. Consider approving a Ground Lease Agreement with American Towers, LLC, for the purpose of
12 constructing and maintaining a communications tower in northern Orange County; and
13

14 2. Contingent on Board approval, authorize the Chair to execute all necessary documents to effectuate the
15 Lease upon final review of the County Attorney.
16

17 VOTE: UNANIMOUS
18

19 **7. Regular Agenda**

20
21 **a. Employee Benefits Updates and Preliminary Recommendations Regarding Calendar Year**
22 **Benefits for 2014**

23 The Board received information and provided feedback to staff on employee pay and benefits for
24 calendar year 2014.

25 Nicole Clark reviewed the following PowerPoint slides:
26

27 **Health insurance update**

28 **2013 Plan Highlights/Bid Update/2014 Plan Year Recommendations**

29 **September 5, 2013**
30

31 **2013 Summary**

- 32 • Second year with UnitedHealthcare
- 33 • 2013 Plan design changes addressed concerns from 2012 Employee Survey
- 34 • No significant complaints
- 35 • Increased employee educational opportunities
- 36 • Request for Proposals for fully insured and self-funded for 2014
37

38 **Health Insurance Enrollment Comparison**

| | 2012 | 2013 |
|------------------------------------|-------------|-------------|
| 39 Traditional Plan | 610 | 605 |
| 40 High Deductible Plan | 187 | 197 |
| 41 Total Participation | 797 | 802 |
| 42 Employee Health Savings Account | 81 | 89 |
| 43 Waived Health Insurance | 22 | 21 |

44
45
46 **Optional Benefits**

47 **New Enrollment Comparison**

| | 2012 | 2013 |
|--|-------------|-------------|
| 48 Medical Flexible Spending Account | 165 | 132 |
| 49 Dependent Flexible Spending Account | 11 | 16 |
| 50 Community Eye Care | 369 | 42 |
| 51 Accident Insurance | 114 | 36 |
| 52 Critical Illness | 79 | 23 |
| 53 Disability | 97 | 18 |

1 Whole Life 55 18

2
3 **Benefits Activities and Programs**

- 4 • Flu Clinics
5 • Biometrics Screenings, Health Assessment, Coaching
6 • SportsPlex Membership
7 • Employee Appreciation and Wellness Lunch
8 • Smoking Cessation Opportunities
9 • Mini Grants
10 • Monthly Programs:
11 UHC Website Demonstration (January)
12 Know Your Numbers (February)
13 Health Care Cost Estimator (March)
14 National Nutrition Month (March)
15 Employee Appreciation and Wellness Lunch (May)
16 In Tune Stress Management Challenge (June)
17 Sun Safety Awareness (June)
18 Cubicle Crunch “Flash Mob” (June)
19 National Dance Day (July)
20

21 **Proposed Timeline for Renewal and Open Enrollment Activities**

- 22 • September 5th : Initial presentation of the health insurance renewal to the Commissioners
23 • September 17th : Commissioners’ decision regarding renewal of health insurance
24 • September 18th : Discuss September 17th meeting outcome with the Employee Relations Consortium
25 • September 23rd : Mandatory mailing to all employees regarding health exchanges and open
26 enrollment
27 • October 14th – 25th : Open enrollment
28 • December 6th : 2014 benefits payroll deductions begin
29
30

31 Mark Browder presented the following slides:

32
33 **Medical Plan Update**

34 **Bid Update and Recommendation**

35
36 **Experience**

- 37 • With over 130 public sector customers and 30 years of experience, Mark III implements and
38 manages the programs for the long haul.
39 • We design the right solutions for your organization and your employees, which are best in class.

40 **Mark III Customers** (table)

41 30 Counties

42 6 Cities/Towns

43 * Transitioned from fully-insured to self-funded
44

45 **Medical Plan RFP Responses**

46 Below is the list of payors that received the RFP:

- 47 • Aetna
48 • BCBSNC
49 • CIGNA
50 • First Carolina Care – Declined to Quote
51 • MedCost – Declined to Quote
52 • Municipal Insurance Trust – Self-funded Only

- 1 • United Healthcare
- 2 • WellPath – No Quote
- 3 ▪ Of the quotes that we received, **only UHC is firm**
- 4 ▪ The earliest that we will have firm quotes from the respondents is September 2013

6 **2014 Fully Insured Quotes** (table)

7 The increase represents a 6.35% increase or \$641,000.

9 **2014 Self-funded Renewal Estimate** (table)

10 If the County transitions to a self-funded arrangement, no increase in funding is required.

12 **2014 Self-funded Quotes** (table)

14 **Self Funding**

15 Components of a Self-funded Contract

- 16 • Hire an administrator to pay claims
- 17 • Purchase insurance for large claims (Stop-loss Insurance)
- 18 • Hire a network (doctors/medical specialists/hospitals)

19 Plus

- 20 • Claims
- 21 • Reserves

22 SELF FUNDING FORMULA:

23 Rates = Administrator + Claims + Stop Loss + Reserves

25 **Pros of a Self-funded Contract**

- 26 • Greater Plan Flexibility
- 27 • Pricing/premium structure established by the organization
- 28 • Overall lower costs over time
 - 29 - Tax avoidance – State and Federal
- 30 • Ability to establish a reserve for the plan
- 31 • Easier framework to structure wellness strategies

33 **Cons of a Self-funded Contract**

- 34 • If claims come in higher than expected, the organization is responsible for funding the high claims (Reserve is established for this purpose)
- 35 • Plan subgroups (ABC Board and Community Home Trust) are responsible for paying their own claims

39 **Pros of a Fully Insured Contract**

40 Total cost is fixed

41 **Cons of a Fully Insured Contract**

- 42 • Plan Flexibility is reduced because of carrier filings with the State Department of Insurance
- 43 • Pricing is set by the Carrier
- 44 • Higher Cost over time
 - 45 Tax – State and Federal
- 46 • Wellness strategies are harder to implement, because cost is in addition to premium paid
- 47 •

48 **Recommendation:**

- 49 • Transition to a self-funded contract with United Healthcare
 - 50 - Includes increasing the County's Health Savings Account contribution from \$103.10 to \$118 per pay period
- 51 • The County will purchase stop-loss insurance to protect against catastrophic claims
- 52 • A self-funded plan will provide greater flexibility for wellness strategies
- 53 • Lower long term cost by avoiding Health Care Reform and State Premium taxes (\$440,000)

1
2 Mark Browder, referring to the slide on Fully Insured Quotes, said the quote from United Healthcare
3 ended up costing 6.35%, or \$641,000 more for the same benefits.

4 He said, based on analysis, he believes this is the right year to transition to a self-funded
5 arrangement. He reviewed the numbers provided on the 2014 Self Funded Quotes slide (#13).

6 He said that in the process of transitioning other clients from being fully insured to self funded, one
7 of the goals is to make sure that money is there to pay the bills and insure that future renewal is stable.

8 He said the analysis recommends the County keep the current funding level, as there will be claims
9 that have to be paid out in the future.

10 Mark Browder said, referring to slide 15 on Self Funding, the tax savings of self funding would be
11 about 4.5 percent.

12 Commissioner Gordon asked for the total cost figure for the stop loss insurance.

13 Mark Browder said this is on an individual basis and would equal around \$800,000.

14 Commissioner Gordon asked how the health exchanges work.

15 Mark Browder said these will not have a direct effect on the county. He said this is for people who
16 do not have coverage; so County employees cannot join the exchange, but dependents will. He said
17 enrollment will start October 1, but there are no plan designs or costs established yet. He said the insurers
18 involved are BCBS, Wellpath, and First Carolina Care.

19 Commissioner Pelissier noted the statement regarding County risk if claims come in higher than
20 expected. She asked if this risk is only for regular claims and not for catastrophic claims. She asked if any
21 of these other counties who are self insured had to pay out more than was expected.

22 Mark Browder said the counties that he manages have had no risk thus far. Regarding the other
23 question, he said there is total plan cost and the maximum cost to the county for this is 5% of where things
24 are today. He said, for individual stop loss insurance, which is for individual claims, the limit is \$100,000.
25 He said anything above that is the insurance company's responsibility.

26 Commissioner McKee said there are two sub groups that currently tag onto the insurance (ABC and
27 Community Home Trust). He asked if this will make those groups separately self-insured if the county goes
28 self -insured.

29 Frank Clifton said those groups would be responsible for their own costs now. He said if these
30 groups have a negative effect on the County plan, the cost will be the responsibility of those groups alone.

31 Commissioner McKee said his concern with Community Home Trust is that the County is effectively
32 cutting them loose.

33 Frank Clifton said the County agreement with Community Home Trust leaves them open to find a
34 better plan if possible, and this has always been the case.

35 Diane Shepherd said she talked with Community Home Trust and ABC Board, and both are aware
36 that they would be responsible for their claims as of January 1st.

37 Frank Clifton said the County could explore options for these two entities.

38 Commissioner Dorosin asked, if the County were to go self-funded, what changes would be seen
39 from an employee perspective.

40
41 Mark Browder said this is completely invisible to the employees as this is just a funding change.

42 Commissioner Dorosin asked if the recommendation to have United Healthcare as the administrator
43 is based on the established relationship with this group.

44 Mark Browder said United Healthcare was the only firm quote, and staying with this group means
45 that there will be minimum changes because of the existing relationship.

46 Mark Browder said the benefits will be the same, but everyone will get new ID cards.

47 Chair Jacobs asked where there is more flexibility with the self-funding model.

48 Mark Browder said all insurers have to file plan designs and stay within those brackets. He said that
49 over the past several years, plan designs have been implemented that carriers weren't filed for, but could
50 administer. He said that plan designs will be able to be maneuvered around based on needs and costs.

51 Frank Clifton noted that the self funded model allows employees to set up their own dependent plan.

52 Commissioner Gordon referred to attachment 2, and asked about option 1 on page 19.

53 Diane Shepherd said this discussion has been about option 2 this evening. She said option 1 is a
54 self insured plan, but it maintains the health savings account contribution at the 2012-13 level. She said the
55 only difference is an increase in the County contribution to the Health Savings Account.

1 Commissioner Gordon asked about the reasoning for this.

2 Diane Shepherd said when the high deductible plan was implemented in 2012 the rate was the
3 same for individuals, regardless of their plan. In 2013, the cost of the high deductible plan was significantly
4 lower than the traditional plans. She said this year the savings can be passed on to the employees for the
5 high deductible plan.

6 Chair Jacobs noted that this item will be brought back on the 17th for a vote.

7
8 **b. Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Member Agencies**
9 **Memorandum of Understanding Revisions**

10 The Board considered and provided input on draft revisions to the Memorandum of Understanding
11 (MOU) between the member agencies of the Durham-Chapel Hill-Carrboro Metropolitan Planning
12 Organization (DCHC MPO).

13 Tom Altieri introduced the Metropolitan Planning Organization (MPO) staff.

14 He said the purpose of this presentation is for the Board of County Commissioners to provide input.

15 He noted that there is a transmittal letter in the packet for the Board of County Commissioners to
16 review, and the revised MOU is also in their packet with staff's comments. He said the most significant
17 revisions are: the addition of Triangle Transit to the MPO member governments and inclusion as a voting
18 member; the addition of a weighted vote for Orange County; and the addition of a 3rd voting seat on the
19 MPO staff committee. He also noted that Orange County is paying its share of the cost sharing structure
20 and is included in the MOU.

21 Tom Altieri said any comments will be forward to the MPO.

22 Commissioner Gordon said this is a good change for the MPO, and some of it is required. She
23 said, in terms of the weighted voting, Orange County was the government with the largest population which
24 only had one vote, and now it is more equitable. She said she had recommended the change which added
25 an Orange County staff member.

26 She noted that the wording on page 14, at the beginning of the fourth paragraph, "Failure to pay the
27 approved share of costs..." does not indicate by whom the costs should be paid, and this wording needs to
28 be clarified.

29 She referenced page 12, number 10, and noted that the last few words of the first paragraph, "of the
30 transportation study," will need further description or clarification.

31 Commissioner Pelissier echoed Commissioner Gordon's comments.

32 Commissioner Pelissier said she is glad that other entities are being invited to participate. She said
33 Triangle Transit has always been there and will now be able to vote.

34 Commissioner McKee said he does not like the addition of an agency, as a voting member, that has
35 a vested interest in a specific outcome. He said this is a possible conflict of interest when Triangle Transit's
36 sole purpose is to provide public transportation. He said that is why he can't vote for this.

37 Commissioner Price agreed with Commissioner McKee. Her concern is that Triangle Transit
38 members are not elected officials.

39 Commissioner Pelissier said Commissioner McKee's comments are related to the light rail project,
40 and he was opposed to that process. She said Triangle Transit is more than light rail and it provides
41 regional bus transportation. She said much of the money that comes through the MPO involves Triangle
42 Transit.

43 Commissioner McKee said it is true that he is opposed to light rail, but it is also true that he has
44 advocated for increased bus service. He said he has advocated for the east west route down 70. He
45 understands the need for public transportation, and he has no problem with TTA or anyone else serving as
46 advisors to this group. He objects to parties with a vested interest serving as a voting member. He feels
47 the Board needs to be very clear that its interest is in protecting the interests of the citizens of Orange
48 County.

49 Commissioner Price said she is not opposed to light rail or buses, but she is concerned that an
50 agency has the same power as elected officials.

51 Commissioner Gordon said she appreciates MPO staff coming, and she asked Mark Ahrendsen to
52 speak to the policy on this matter. She read this policy and asked him to clarify.

53 Mark Ahrendsen said one of the main reasons for including Triangle Transit as a voting member is
54 because it is a federal requirement to provide a seat for the local transit authority on the MPO.

1 Commissioner McKee said the Board was asked to provide feedback, and he is providing feedback
2 that he is opposed to this, even if it is a requirement.

3 Commissioner Pelissier noted that the majority of the TTA board members are elected officials.
4 She said the only members that are not elected officials are from Wake County. She said all of the Durham
5 and Orange County members are elected officials.

6
7 **c. Work Group and Charge for an Assessment of Jail Alternative Programs**

8 The Board considered the creation of a work group and charge for the assessment of Jail
9 Alternative Programs.

10 Michael Talbert reviewed the following information:

11
12 **Background:**

13 In October, 2012, the NC Council of State authorized issuance of a 50 year land lease to Orange County
14 for approximately 6.8 acres for construction of a jail facility. The proposed new Jail is included in the
15 County's FY 2013-18 Capital Investment Plan (CIP) with an estimated total project cost of \$30,250,000. A
16 consultant has been retained to evaluate the site and determine the best configuration of the potential site,
17 along with any constraints (environmental/regulatory for example) that might impact the development. Site
18 related planning costs have been included in the CIP at \$250,000 for FY 2013-14. Construction cost
19 estimates from firms in the business of building detention facilities range from \$80,000 to \$120,000 per
20 bed. The new jail is intended to house a minimum of 250 prisoners and provide support spaces needed for
21 such a facility. Site design costs are planned for FY 2015-16, and Architectural/Engineering costs are
22 included in FY 2016-17, with construction costs in FY 2017-18.

23
24 The proposed new Jail project involves the review of jail alternative programs, individual program's
25 effectiveness and impact on the inmate population of the Orange County Jail. At the August 30, 2012 Board
26 work session, District Court Judge Joseph M. Buckner presented an overview of Court Programs to the
27 Board. Attachment 1 is the Power Point presented by Judge Buckner that outlines Court Programs.

28
29 On May 14, 2013 the Board reviewed a proposal from Solutions for Local Government, Inc., to assess Jail
30 Alternative Programs in Orange County. Before planning for a new jail begins, a comprehensive
31 assessment of jail alternative programs needs to be completed. The Board indicated that the creation of a
32 work group to address alternatives to incarceration programs operating in Orange County and the impact
33 each program may have on inmate population could be a feasible solution. A work group could review
34 alternatives to incarceration programs operating in Orange County and provide recommendations to the
35 Board.

36
37 **Possible composition of a Jail Alternatives Work Group:**

38 County Commissioners 2
39 Senior Resident Superior Court Judge or Designee 1
40 Chief District Court Judge or Designee 1
41 District Attorney or Designee 1
42 Public Defender or Designee 1
43 Clerk of Court or Designee 1
44 Sheriff or Designee 1
45 Jail Administrator or Designee 1
46 Department of Social Services representative 1
47 Mental Health representative 1
48 Faith Community representative 1
49 Project to End Homelessness representative 1
50 Staff/Legal Support 1
51 Client- one or two
52 Add- municipal police chief
53 Add-parole/probation

54
55 **Suggested Charge of the Jail Alternatives Work Group**

1 The Charge for the Jail Alternatives Work Group is to investigate and make recommendations to the Board
 2 of County Commissioners concerning alternatives to incarceration programs operating in Orange County
 3 and review the impact each program may have on the inmate population of the Orange County Jail.
 4 Including but not limited to the following programs:

5 Pretrial Release
 6 Pretrial Diversion
 7 Drug Court
 8 Family Court
 9 Adult Probation

- 10
 11 1. Analysis of program history organization purpose and objectives
 12 2. Collection and analysis of program data, statistics, participation, and outcomes.
 13 3. Analysis of program impact on inmate population.

14 The Work Group is directed to submit a Report back to the Board of County Commissioners by March 31,
 15 2014.

16
 17 Commissioner Dorosin asked if the recommendation is that this workgroup have 15 people, or if this
 18 is just a suggested list of people.

19 Michael Talbert said this basically represents those in the alternatives community that could play a
 20 role or have input in the process.

21 Chair Jacobs said he suggested adding the client.

22 Commissioner Dorosin said he just wondered if Michael Talbert had an opinion on optimal size for a
 23 group like this.

24 Michael Talbert said he does not feel there is an optimal size.

25 Commissioner McKee said this is not too many. He said he was involved in the Emergency
 26 Services work group, and not everyone shows up at all meetings. He said it is important to have all
 27 affected parties involved.

28 Commissioner Price agreed with the listing.

29 Commissioner Pelissier she wanted to suggest more stakeholders, to include a municipal police
 30 chief or their representative, as well as someone from the drug treatment area. She noted that the Orange
 31 County program is incomplete and she referred to attachment 2, page 5. She noted new program -
 32 Outreach Court.

33 Commissioner Pelissier, referring to the charge, said she does not want to limit this to just Orange
 34 County programs. She said the County should look across the state and see what other communities are
 35 doing to reduce the jail population.

36 Chair Jacobs said he was going to suggest that. He was concerned with some of the references on
 37 the bottom of page 6. He feels the program should not be limited.

38 Commissioner Price asked about next steps.

39 Frank Clifton said that if the Board agrees with the concept staff will move forward to draw up a
 40 contract with the consultant, and agencies will be notified regarding involvement. He said the organization
 41 process can then begin.

42 Commissioner Dorosin asked about the relationship of the consultant and this work group. He
 43 asked if the consultant is going to work for the work group.

44 Michael Talbert said one option is for the work group to meet first to identify and confirm the charge.
 45 He said this could then be brought back and a consultant can be recommended.

46 Frank Clifton said a consultant provides some uniformity.

47 Commissioner Dorosin said originally the consultant came to the Board with a contract. He said the
 48 Board of County Commissioners did not approve that, but is creating this work group instead, along with
 49 the consultant. He just wants to understand the vision for what this workgroup will be doing.

50 Frank Clifton said the hope is that this will work out like the Emergency Services Workgroup.

51 Commissioner McKee said he would hope would happen is the same thing that happened with the
 52 Emergency Services work group. He hopes this will be a process of delving into the options that are the
 53 best fit for Orange County.

54 Commissioner Dorosin asked if a consultant was already selected by the Board before the
 55 Emergency Services Workgroup got to work with them.

1 Commissioner McKee said the Board of Commissioners did not select the consultant.

2 Commissioner Price said she thought this group would be more like the Rogers Road Task Force
3 where the group invited others to participate. She said that invitations can be sent out based on the
4 charge.

5 Commissioner Pelissier agreed with Commissioner McKee. She said the consultant can provide the
6 information to a work group. She thinks the Board should go ahead with a consultant, and then set up a
7 work group. She noted that it would be impossible for the Board to sort through all of the suggestions.

8 Chair Jacobs envisioned similarly that the consultant would be staff to the work group. He said this
9 consultant would then come back to the Board periodically. He said the workgroup would review and revise
10 the charge and would then come back to the Board of County Commissioners; after this, the consultant
11 would be brought in to work for the work group. He said this would also provide a facilitator and adjudicator
12 who has no stake in the outcome.

13 Commissioner McKee said he knows the Board is not choosing a board member tonight, but he
14 would recommend Commissioner Pelissier to be one of the Commissioners to this committee.

15 Chair Jacobs said he would be interested on being on this group as well.

16 He asked if there were any other suggestions for changes to the list.

17 He reviewed previous suggestions to add Outreach Court on page 5, and perhaps something in the
18 charge regarding investigation of programs operating outside of Orange County.

19 Commissioner Gordon asked if Chair Jacobs wants the work group to tweak the membership or
20 charge.

21 Chair Jacobs said he does not feel the group should tweak the membership, but the group should
22 review the charge. He said the charge cannot be changed without Board approval.

23 Commissioner Gordon said she liked the way Emergency Services work group functioned. She
24 asked if the Emergency Services workgroup met before the contract was given to the consultant. .

25 Michael Talbert said the workgroup met once or twice before coming to the Board to ask to spend
26 that money. He said the Board reviewed the charge at that point. He said the charge was tweaked as
27 things went along.

28 Commissioner Gordon suggested the group meet once and look at the charge. She said this might
29 allow them to have some input before the contract is approved.

30 She said the steps would be to approve the group membership, then the charge. She said the next
31 step is to appoint the members and have the group convene, and then review the proposed consultant's
32 contract and revised charge, which will come back to the Board for approval.

33 Commissioner Pelissier said she would suggest someone from probation be added to the list of
34 representatives.

35 Commissioner Pelissier said she would like to be on this workgroup.

36 Commissioner Price suggested having two people that have been clients.

37 Don O'Leary suggested the Board check with Aries Cox probation department as a resource.

38 Chair Jacobs said the group may need to talk about who the post incarcerated member or client
39 should be.

40 Commissioner Price asked why three attorneys are needed in the group.

41 Commissioner McKee said there have been some active service representatives and some not so
42 active representatives on the Emergency Services work group.

43 Chair Jacobs reviewed the slight adjustment to charge, and the addition of probation, municipal
44 police chief, drug treatment representative and possibly one or two clients.

45 He noted that this is 18 so far with possible stipulation that the work group will consider who to
46 recommend for a client, as well as whether more than one is needed.

47 Frank Clifton suggested the Board should appoint one Board member to be a chair and one to be
48 vice chair when making appointments.

49 Commissioner Gordon clarified that there is no consultant at this point.

50 Commissioner Price asked about diversity.

51 Chair Jacobs said the Board has very little control over many of these and this will not be known
52 until the suggestions come back.

53 Commissioner Gordon said, once the names come back, citizen representatives can also be
54 appointed to balance things if needed.

1 Michael Talbert summarized that 18 participants will move forward with each organization asking for
 2 a representative or designee. These will be brought back, along with the adjusted charge and the work
 3 group will then be created and the first meeting scheduled.

4 Chair Jacobs suggested that the desire for diversity be communicated in this process.

5
 6 **8. Reports-NONE**

7
 8 **9. County Manager's Report**

9 Frank Clifton introduced Cheryl Young as a new Assistant County Manager.

10
 11 **10. County Attorney's Report** NONE

12
 13 **11. Appointments**

14
 15 **a. Research Triangle Regional Partnership Board – Appointment(s)**

16 The Board considered making appointment(s) to the Research Triangle Regional Partnership Board
 17 (RTRP).

18 A motion was made by Commissioner Price, seconded by Commissioner McKee to appoint
 19 Margaret Cannell to this position:

- 20
 21 (1) Position to complete the 1 remaining year of a 2-year term (6/30/2012-6/30/2014 –currently
 22 vacant)- Hillsborough Chamber Executive Director Margaret Cannell

23
 24 VOTE: UNANIMOUS

- 25
 26 (2) Position to begin a new 2-year term -6/30/13 to 6/30/2015 –already appointed - Commissioner
 27 Price

28
 29 **b. Community Home Trust Board of Directors – Appointment**

30 The Board considered making a BOCC appointment to the Community Home Trust Board Directors.

31
 32 A motion was made by Commissioner McKee seconded by Commissioner Pelissier to appoint
 33 Commissioner Rich to the Community Home Trust Board Directors.

34 VOTE: Ayes, 4; Nays, 2 (Commissioner Dorosin and Commissioner Price)

35
 36 Commissioner Dorosin said since he had been the representative to this group, he suggested that
 37 this Board needed more diversity and he nominated Commissioner Price; Commissioner Price seconded.

38 VOTE: Ayes, 2; Nays, 4 (Chair Jacobs, Commissioner Gordon, Commissioner Pelissier, Commissioner
 39 McKee)

40
 41 **12. Board Comments**

42 Commissioner Price attended the North Carolina Association of County Commissioners (NCACC)
 43 annual conference, and as part of this there was a youth conference. She said this was primarily high
 44 school students from Future Farmers of America and 4H. She said their representative did very well. She
 45 noted that the students participate in a budget game used in the School of Government. She said this was
 46 a good event and something the Board should support.

47 Commissioner Gordon – none

48 Commissioner Dorosin – none

49 Commissioner McKee said he attended the Burlington Graham MPO meeting and Orange County's
 50 membership in this MPO was finally approved after many months. He said there was an issue over voting,
 51 and one member had held up the approval. He said this will likely come before the Board next for approval.

52 Commissioner Pelissier asked the Board to consider volunteering for, or donating to Project
 53 Connect on October 10th. She said this is sponsored by the Partnership to End Homelessness and is
 54 supported 100 percent by donations.

1 Commissioner Pelissier said she and Chair Jacobs toured the new jail facilities in Guilford County
 2 during the NCACC conference. She said it was good to see a new jail and she hopes the County will
 3 confer with people who have recently built a jail, to see what can be learned.

4 Commissioner Pelissier said the Triangle Transit board unanimously voted to invest the \$5 million to
 5 complete the application for the light rail project. She said Triangle Transit hosted an interagency meeting
 6 last week to give an update on the light rail. She said at their last Triangle Transit meeting people
 7 expressed concerns from the New Hope Creek advisory committee, and this resulted in TTA looking at new
 8 rail lines. She said that public feedback is working, and there will be more community sessions in
 9 November. She said that people are concerned with federal and state monies, but a lot of communities are
 10 looking at other ways to fund the project.

11 Chair Jacobs said the Eno Users Group met today and the Lake Orange Homeowners Association
 12 was present. He said this seemed to be an amicable and productive meeting. He congratulated Ellie
 13 Kinnaird and Lindy Pendergrass upon their retirement. He said that a resolution of appreciation will be
 14 presented to Senator Kinnaird at a future meeting.

15 Chair Jacobs noted that there is a meeting at 6:30 next Tuesday at the Maple View Education
 16 Center regarding the White Cross Fire Substation. He said that Mebane will hold a meeting at 6:00 that
 17 same night regarding their master recreation plan. He noted that the official dedication of Northside will be
 18 held at 10 am on the 21st of September. He said there was an open house regarding the Eno Access
 19 Management Plan preparatory to the public hearing next week.

20 Chair Jacobs said, as the Triangle JCOG representative, he participated in an exercise from the
 21 group's last meeting on how to better serve and engage your colleagues. He asked the Board to share
 22 their thoughts on how to be better served.

23
 24 **13. Information Items**

- 25 • June 18, 2013 BOCC Meeting Follow-up Actions List
- 26 • Tax Collector's Report – Numerical Analysis
- 27 • BOCC Chair Letter Regarding Petitions from June 18, 2013 Regular Meeting

28
 29 **14. Closed Session -NONE**

30
 31 **15. Adjournment**

32 A motion was made by Commissioner Dorosin, seconded by Commissioner Price to adjourn the
 33 meeting at 10:59.

34 VOTE: UNANIMOUS

35
 36
 37 Barry Jacobs, Chair

38
 39 Donna S. Baker, CMC
 40 Clerk to the Board
 41

1
2
3 DRAFT

MINUTES
BOARD OF COMMISSIONERS
BUDGET WORK SESSION
September 12, 2013
7:00 p.m.

9 The Orange County Board of Commissioners met for a Work Session on
 10 Thursday, September 12, 2013 at 7:00 p.m. at the Southern Human Services Center in
 11 Chapel Hill, N.C.

12
 13 **COUNTY COMMISSIONERS PRESENT:** Chair Jacobs and Commissioners Alice M.
 14 Gordon, Earl McKee, Bernadette Pelissier, Renee Price and Penny Rich

15 **COUNTY COMMISSIONERS ABSENT:** Mark Dorosin

16 **COUNTY ATTORNEYS PRESENT:** John Roberts

17 **COUNTY STAFF PRESENT:** County Manager Frank Clifton, Assistant County
 18 Managers Clarence Grier, Michael Talbert, Cheryl Young and Clerk to the Board Donna
 19 Baker (All other staff members will be identified appropriately below)

20
 21 **NOTE: ALL DOCUMENTS REFERRED TO IN THESE MINUTES ARE IN THE**
 22 **PERMANENT AGENDA FILE IN THE CLERK'S OFFICE.**

23
 24 Chair Jacobs went through items at the Commissioners' places:

- 25
 26 - Yellow Sheet – Item 1- Library Strategic Plan
 27 - White PowerPoint - Item 1 - Library Strategic Plan
 28 - Southern Library Evaluation Update- Item 2 –Southern Branch Library Siting
 29 Criteria
 30 - PowerPoint – Item 3 – Whitted Meeting Room Schematic Design Review
 31 - Blue and pink sheets – Item 4 – Strategic Communications Plan/County Logo,
 32 The blue sheets contain the Strategic Communications Plan (current plan)
 33 developed in 1999 and the pink sheets contain the May 21, 2013 minutes.

34
 35 **Addition of closed session:**

36 A motion was made by Commissioner McKee, seconded by Commissioner
 37 Pelissier to add a closed session for the purpose of:

38 To consider the qualifications, competence, performance, character, fitness,
 39 conditions of appointment, or conditions of initial employment of an individual public
 40 officer or employee or prospective public officer or employee; or to hear or investigate a
 41 complaint, charge, or grievance by or against an individual public officer or employee.
 42 NCGS § 143-318.11(a)(6); and.

43
 44 VOTE: UNANIMOUS

45
 46 **1. DRAFT 2013-2016 Library Strategic Plan**

47 Lucinda Munger said this is a follow up to the May 14th meeting where the Board
 48 saw the first draft of the library strategic plan. She said this plan has a different format
 49 that is based on Board comments, feedback and request for more detail.

50 She reviewed the following PowerPoint slides:
 51

1 **Library DRAFT Strategic Plan**

2 2013-2016

3 *Presented September 12, 2013*

4 For Board discussion and feedback, in preparation of proposed adoption at next
5 available Board meeting

7 **Plan Overview**

- 8 ▪ *Purpose:*
 - 9 - *To set the direction of and inform future library planning in a*
 - 10 *higher-level framework*
- 11 ▪ *Time Frame:*
 - 12 - *Fall 2013 through July 2016*
- 13 ▪ *Evaluation:*
 - 14 - *Peer library comparisons using state and national data*
 - 15 - *Surveys and feedback from staff and community*
 - 16 - *Full evaluation to be completed for commencement of future*
 - 17 *planning in 2016*

19 **Building on Our Strengths**

20 Community Needs Assessment results commended the library in four areas:

21 Staff Funding Facilities Programming

22 FY 2012-13 OCPL Statistics

- 23 ▪ Operational Budget: \$1,790,445 (an increase of 14% since 2010)
- 24 ▪ Circulation: 444,261 items borrowed (an increase of 64% since 2010)
- 25 ▪ Registered Customers: 29,573 (an increase of 9% since 2010)
- 26 ▪ Annual Programming Attendance: 8,746 residents (an increase of 13% since
- 27 2010)
- 28 ▪ Annual Number of Library Visitors: 198,240 (an increase of 12% since 2010)
- 29 - Aligning the Plan with Community Priorities

31 **Aligning the Plan with Community Priorities**

32 OCPL Strategic Priorities

- 33 1. Collections and Materials
- 34 2. Community Connections
- 35 3. Services and Community Space
- 36 4. Technology Tools and Training Library

38 **Guiding Principles**

39 Vision

- 40 ▪ We empower people by providing a place and a face to explore, enjoy, and
- 41 engage.

42 Mission

- 43 ▪ The Orange County Public Library aims to be the heart of the community by:
 - 44 - being a welcoming gathering place for all
 - 45 - having a clear focus on the future and responding with creativity and
 - 46 innovation
 - 47 - offering relevant services, programs, collections and technologies
 - 48 - serving the entire community through collaborative efforts with
 - 49 organizations, educational institutions, and town and County
 - 50 governments
 - 51 - providing free and equal access to the resources and materials
 - 52 community members need to be informed and engaged

53

1 **Strategic Priorities**

2 Strategic Priority #1 – Library Collections and Materials

- 3 ▪ Focus Area #1 – Consider customer preferences and demand within material
- 4 selection
- 5 ▪ Focus Area #2 – Collections should be easy to find by customers
- 6 ▪ Focus Area #3 – Promote the collection of materials available from OCPL

8 **Strategic Priorities**

9 Strategic Priority #2 – Community Connections

- 10 ▪ Focus Area #1 – Community engagement
- 11 ▪ Focus Area #2 – Outreach in the community (“beyond the walls”)
- 12 ▪ Focus Area #3 – Raise awareness of library services
- 13 ▪ Focus Area #4 – Collaborate with local organizations

15 **Strategic Priorities**

16 Strategic Priority #3 – Services and Community Space

- 17 ▪ Focus Area #1 – Deliver high quality customer service (“find a way to yes”)
- 18 ▪ Focus Area #2 – Offer programs that educate, engage, and entertain
- 19 ▪ Focus Area #3 – Provide inviting, functional library facilities

21 **Strategic Priorities**

22 Strategic Priority #4 – Technology Tools and Training

- 23 ▪ Focus Area #1 – Community-focused technology center
- 24 ▪ Focus Area #2 – Prioritize training opportunities
- 25 ▪ Focus Area #3 – Use technology as an evaluation tool

27 **How the Plan Supports the Site Criteria**

28 *The Strategic Plan is aligned with the guiding principles of the site selection*
 29 *criteria to support the development of future library services*

30 *Site Selection Criteria:*

31 *Preliminary Phase (“dirt”)*

32 *Primary Phase: Strategic Plan focuses on future library services*

33 *Once the Board selects a final site for library development, a dialogue can begin*
 34 *with the community regarding services.*

36 **Measuring our Success**

37 Community Input

- 38 ▪ Conversations with the Director
- 39 ▪ Online Surveys
- 40 ▪ OCPL Customer Advisors
- 41 ▪ Community Review Group

42 Data Review

- 43 ▪ Real –time data provided by library automation system
- 44 ▪ State and National Library Peer reviews and comparisons
- 45 ▪ Project Timeline updates on library website
- 46 ▪ Performance measurements from the FY13-14 Budget
- 47 ▪

48 **Future Funding**

49 Possible Budgetary Implications:

50 Many items in this plan can be implemented at low or no cost.

51 Capital Investment Plan:

52 FY2016-17 Southern Branch Library

1 *Future* Possible re-design of Main Library interior for
 2 increased flexibility/adaptability to support current and
 3 future customer needs, services and technology

4 Operations:

5 *FY2014-15* Full-time Library Communications Specialist

6 *Future* Ongoing technology investment

7 *Future* Ongoing investment in all formats of library collections

8
 9 **Conclusion:**

10 **Feedback and Q&A**

11
 12 Lucinda Munger, referring to slide 7, Strategic Priority focus area #3, said there
 13 will be budgetary implications with the possible hiring of a full time communications
 14 specialist. She said this is currently a part time position, but the vision is to create a full
 15 time position within the next 3 years. This person would be responsible for marketing
 16 and communicating library services to the community.

17 Lucinda Munger said once the Board selects a site, there will be a study of
 18 demographics regarding the population surrounding that site. This will help determine
 19 the services that will be offered and the square footage required for those services. She
 20 said the current formula for square footage is .7 square foot per capita. She said library
 21 space is becoming smaller but more adaptable.

22 Lucinda Munger, discussing slide 1- Measuring our Success, said she would like
 23 to recruit an intern from the Library Sciences and Masters of Public Administration
 24 Program to analyze feedback and create a formal report for the Board and county
 25 manager, by June of 2014.

26 She referred to the Yellow sheet as an example of the library website timeline
 27 updates.

28 She noted that there is an update to the CIP amount, which is now \$8,125,000.

29 Commissioner Pelissier asked who would be reviewing the performance
 30 measurements. She suggested that these might evolve and should also be reviewed
 31 with the Board of County Commissioners.

32 Lucinda Munger said part of the charge for the community group would be to
 33 provide feedback to both staff and the Board on a regular basis.

34 Commissioner Pelissier asked where staff is seeing the increase in involvement
 35 and activities.

36 Lucinda Munger said the increase has primarily been in children's programs.
 37 She also noted that there have been no adult or teen programs until the past two years,
 38 and there has been some increase there as well.

39 Commissioner Price asked if the priorities are in rank order.

40 Lucinda Munger said staff feels all of the priorities are equally important. She
 41 said the most energy and time will be spent in community connection.

42 Commissioner Price said she read that some libraries are having problems with
 43 getting e-books.

44 Lucinda Munger said this is an issue for all libraries. She said their national
 45 association is working diligently with the publishing companies to work out a better
 46 arrangement than the current situation. She noted that e-books are much more
 47 expensive than paper books and these e-books are borrowed but not owned by the
 48 library. She said there is a large collection budget, and e-books have been added,
 49 though this is harder for smaller libraries.

50 Commissioner McKee referred to page 15, priority 2, focus area 2, regarding
 51 provisional services at Northern Human Services Center. He said, considering the fact
 52 that the previous library service was suspended, he would like staff to elaborate on
 53 these plans and the thought behind them.

1 Lucinda Munger said she knows the Board has been working with the Cedar
2 Grove Community Center, and this group has coalesced around the idea of a casual
3 sort of an internet café with access to library databases. She also suggested some
4 children's programming, computer classes, and other informational classes.

5 Commissioner McKee said this is a community need. He referred to page 16,
6 focus area 4, item 5, regarding the Chapel Hill library. He noted that this section does
7 not list interoperability or a common library card to be used in both libraries. He said this
8 is and has been a point of contention.

9 Chair Jacobs said he asked about the timeframe for completion of the Cedar
10 Grove Community Center, and it is 6 months prior to Lucinda Munger's projection. He
11 suggested she amend this timeline.

12 Lucinda Munger said these timelines can be adjusted as construction
13 commences.

14 Commissioner Gordon said she was surprised to see this because she thought
15 staff was tasked to develop services in rural Orange County. She said it seems staff
16 has a plan for the Cedar Grove Community Center, but nowhere else in Orange County.
17 She thought the task was for all of Orange County

18 Lucinda Munger said the report was focused on the Northern Human Services
19 Center because it is a county owned facility, and there aren't any other governmental
20 centers staff could plan for at this time. She said that the smaller community centers
21 often cannot offer internet service. She feels this is a good start to offering services in
22 rural Orange County.

23 Commissioner Gordon said she wanted to see the overall plan for Orange
24 County for library services. She said this piecemeal approach is not what she expected.

25 Commissioner Pelissier said she is impressed with this plan, as it addresses the
26 concerns of the Board of County Commissioners and it is comprehensive but flexible.
27 She said the collaboration with elected officials is an excellent idea. She said this
28 reflects staff's forward thinking on library services.

29 Commissioner Gordon said this report is much improved from the last one the
30 Board saw in the spring. She said, when it gets to data collection, the Board does need
31 to see those performance measures in the budget as well as in the plan. She said there
32 need to be more detailed explanations of methods and more concrete examples of
33 metrics.

34 Commissioner Gordon said there is one place where the part-time specialist is
35 discussed and then another section where the full-time communications specialist is
36 discussed. She noted that hiring should be part of the budget process, not part of the
37 plan. She said that her expectation is that the strategic plan should be an overall plan
38 for the County, and then the Public Affairs Office would be in charge of communications,
39 rather than just one position for the library only. She would question hiring a
40 communications specialist for just the library.

41 Commissioner McKee said he agreed with expanding library services throughout
42 Orange County, but he feels there are two issues that raise the Northern Human
43 Services Center high up on the list. He said the first is the proposed tower location at
44 the Walnut Grove solid waste center, which will increase broadband availability. He said
45 the second factor is the location of that center, which is in the center of the northern
46 third of Orange County. He said this is an area that is currently underserved.

47 Commissioner Price agreed with Commissioner McKee. She said the
48 community continues to ask for services to return to that location. She commended
49 what is in the report about the siting of library services in rural northern Orange County,
50 and she commended the entire plan. She said it is obvious that communication is
51 happening, and someone is doing a really good job with that.

1 Lucinda Munger said this is due to the person in the communications position
2 now, Ms. Shepherd. She said this person is responsible for their community public
3 relations, and she does a great job.

4 Commissioner Rich said this is a better format than what the Board saw
5 previously. She asked for clarification on the interviews section on page 10, regarding
6 the reference to Friends' Board. She asked if the reference to a main chair is in
7 reference to the main library in Chapel Hill

8 Lucinda Munger said this refers to the main library in Hillsborough. She said
9 staff did not talk to the Friends' boards in Chapel Hill.

10 Commissioner Rich said she would suggest keeping clear communication
11 between Chapel Hill and the Orange County libraries. She said a marketing person
12 could fall under different realms. She said it is important that information get out
13 through all different avenues, including social media, and the website.

14 Lucinda Munger said staff is working to make continuous improvements to the
15 library website and the library does have a twitter and Facebook account.

16 Commissioner Rich said when she looks at strategic plans, she likes them to be
17 fluid and to be reviewed and updated regularly in order to stay live.

18 Lucinda Munger said this is part of the role of the community review group. She
19 said there will be reviews at least annually, and adjustments will be made as needed to
20 keep the plan alive.

21 Chair Jacobs said, as far as the Cedar Grove Community Center, he is
22 supportive of staff mentioning it in the plan. He said there does need to be a focus on
23 other facilities as well. He suggested she work with planning, especially as it relates to
24 the siting of telecommunication towers and the availability of public and quasi-public
25 places.

26 Chair Jacobs said he agrees with Commissioner Gordon that there needs to be
27 an overarching philosophy. He said he feels the communications position is related to
28 the Public Affairs Office. He does not feel this needs to be so specifically designated in
29 the strategic plan.

30 Chair Jacobs said the County should continue to accent interoperability with
31 Chapel Hill as a key component to making a more seamless system for the residents of
32 Orange County.

33 Chair Jacobs said it is good to be aggressive about updates, but it is best not to
34 over-commit on how often this can be done.

35 Commissioner Gordon referenced her previous comment regarding the
36 Communications Position and gave recommendations on the appropriate placement of
37 this information.

39 **2. Southern Branch Library Siting Criteria, Process Update**

40
41 Jeff Thompson reviewed the following PowerPoint slides.

43 **Southern Library Site Evaluation Update**

44 9/12/13

46 **Area Locator: (Map)**

48 **Intended Outcome:**

- 49 ▪ *Background/Feedback from 3/19/13 Regular Meeting*
- 50 ▪ *Additional Carrboro Suggested Site Evaluation*
- 51 ▪ *BOCC Feedback, Next Steps*

53 **Background/Feedback:**

- 1 ▪ *Summary of Carrboro Suggested Site Evaluation – 3/19/13*
- 2 ▪ *Eliminate Town Hall*
- 3 ▪ *Technical Phase I Due Diligence:*
- 4 ▪ *1128 Hillsborough*
- 5 ▪ *401 Fidelity*
- 6 ▪ *Preliminary “Phase 1” Review:*
- 7 ▪ *Literature Review*
- 8 ▪ *Site Visits*
- 9 ▪ *No Technical Analysis*
- 10 ▪ *(Survey, Soils, Environmental, Appraisal, Title, etc.)*

11
12 **401 Fidelity: (map)**

13
14 **1128 Hillsborough: (map)**

15
16 **Background/Feedback:**

- 17 ▪ *BOCC Feedback and Guidance*
- 18 ▪ *No decision on recommendations*
- 19 ▪ *Review more sites*
- 20 ▪ *Emphasis on:*
- 21 ▪ *honoring Carrboro partnership*
- 22 ▪ *multi-use facility*
- 23 ▪ *adequate parking*
- 24 ▪ *projected uses of rural and urban populations*
- 25 ▪ *proximity to lower/middle income neighborhoods*

26
27 **Background:**

- 28 ▪ *Additional Site Review*
- 29 ▪ *May 7, 2013 letter*
- 30 - *203 Greensboro- parking lot*
- 31 - *201 Greensboro- CVS site*
- 32 - *300 E. Main*
- 33 - *120 Brewer*

34
35 Michael Harvey reviewed the following PowerPoint slides:

36
37 **203 South Greensboro: (map)**

38 **203 South Greensboro: (map)**

39 **300 East Main; 120 Brewer Lane: (map)**

40 **300 East Main; 120 Brewer Lane: (map)**

41
42 **Staff Opinion for Continued Technical Site Review & Assessment:**

43 *Eliminate 203 Greensboro (Carrboro owned parking lot)*

- 44 ▪ *Difficult site with many constraints*
- 45 ▪ *Potential expense*
- 46 ▪ *Need for structured parking*

47
48 **Staff Opinion for Continued Technical Site Review & Assessment:**

49
50 *Eliminate 201 Greensboro (“CVS Site”)*

- 51 ▪ *Site constraints*
- 52 ▪ *Potential need for more property acquisition*

- *Expensive*

Staff Opinion for Continued Technical Site Review & Assessment:

Eliminate 300 E. Main

- *Expensive*
- *Commercial retail highest and best use, not library*

Staff Opinion for Continued Technical Site Review & Assessment:

Continue Study of 120 Brewer

Pros:

- *More reasonably priced*
- *Likely adequate parking*
- *Proximate to low/mid income housing*
- *Potential multi-use, destination (“sense of place”)*
- *Attractive to Carrboro Aldermen*

Cons:

- *Lack of direct visibility*
- *Wayfinding challenges*
- *Potential parking issues, unless exclusive parking deck assignments are arranged*

Q&A:

Michael Harvey reminded the Board that a listing of the criteria for site evaluations is included on page 7 of the abstract. He said that public comment has not been sought yet, and this will be done in phase two. He said there are detailed comments regarding the additional 4 sites on page 14 of the abstract.

He reviewed the maps of the 4 sites in slides 9-12.

He said staff believes the fourth site, 120 Brewer, has significant potential. He said it is his recommendation that the Board allow staff to do a comprehensive review of Fidelity Street, 1128 Hillsborough, and Brewer Street.

Commissioner Gordon asked how much it will cost to do the next phase of due diligence for each site.

Michael Harvey said this will cost \$10,000-15,000 per site, and these funds are available in the budget.

Commissioner Rich asked why this would go to phase two before getting public input.

Michael Harvey said phase two specifically involves public comment.

Commissioner Rich noted that the sites that need public comment are being eliminated.

Michael Harvey said staff is recommending the elimination of these sites, but it is the Board of County Commissioners' choice.

Commissioner Rich said it seems, looking at the sites that have been chosen, that staff is still trying to build a suburban library in an urban area. She said she does not agree with spending \$15,000 on each of these properties. She feels this is a waste of money.

Commissioner Rich asked about the price on 300 Main Street. She asked if the price of \$25 per square foot came from the developer.

Jeff Thompson said the ground floor prime space is upfront on this site and the price did come from the developer

Jeff Thompson said the Brewer property is less per sq ft because there is no visibility from the street, and it is more conducive to non-retail use

1 Commissioner Pelissier said the Brewer Lane and 300 Main would involve
2 amendments to the previously approved master plan by the town of Carrboro. She
3 asked what this would involve.

4 Jeff Thompson said, in talking with the developer, it seems that this would be
5 little more than an administrative process.

6 Realtor Ms. Van Zandt said the Brewer property was acquired late last year and
7 by incorporating it into the 300 East Main Development, it allows for expansion of the
8 parking deck on to this property. She said that the reconfiguration of the buildings
9 requires a modified permit from the town of Carrboro; however it is a minor modification
10 that does not require public hearings.

11 Commissioner Gordon asked about the boxy buildings designated as
12 placeholders.

13 Ms. Van Zandt said this refers to the boxy buildings in the second tier with no
14 windows.

15 Commissioner Gordon asked if there is any particular place at the Brewer Lane
16 site that is being considered for a library, and she asked for details on the parking
17 arrangement.

18 Ms. Van Zandt said property will consist of one building and the ground floor will
19 be non-residential. She said the top floor would be condos, and the library would be on
20 the bottom floor. She said there are currently 500 spaces in the deck that will be open
21 to the public, and there is room for a third bay that would add another 250 spaces. She
22 said this gives 750 spaces in the deck and she plans to work together with the town to
23 devise the best plan for use.

24 Commissioner Gordon asked if there would be a lease arrangement with parking
25 and the library.

26 Ms. Van Zandt said this is flexible and could be done either way, lease or
27 purchase. She said with the library there may be a preference for leasing versus
28 ownership early on.

29 Commissioner Gordon asked how this would work with the parking. She asked if
30 the county would be able to have particular spaces at particular costs.

31 Ms. Van Zandt said staff will work with Orange County on this issue. She said
32 the Arts Center and the Cat's Cradle are also there, but the Cat's Cradle does not really
33 operate until after the library is closed, so sharing of spaces does make some sense.

34 Commissioner Gordon asked about a review of the Shetley property on
35 Hillsborough Road, and she asked about the utility easement on that site.

36 She said she is not interested in seeing a library on the Shetley property. She
37 said there had been discussions about swapping properties with Carrboro, so that the
38 library would be on the Carrboro owned property. She questioned whether the
39 Aldermen are interested in a swap, and if not, she feels this site is not suitable for a
40 library because of site limitations, including the utility easement.

41 Frank Clifton said nobody on County staff would recommend the library be put
42 on the Shetley property. He said there were some discussions at one point with town
43 staff regarding a joint project that would involve a County library site on the street
44 frontage of the park property.

45 He said that, it is best to do more study to make sure a library can be built on
46 these sites before proposing them to the public.

47 Commissioner Gordon said her point is that the Board needs to find out if the
48 Aldermen are even interested in a swap.

49 Commissioner Rich asked why the Board should invest in sites with no
50 guarantee that the town or the public want them. She would like to see more public
51 comment first. She asked if staff is considering that Brewer Lane has close proximity to
52 a lower-middle class neighborhood.

53 Jeff Thompson said yes. He said this is true for Brewer Lane as well as Fidelity.

1 Commissioner Rich said the Brewer site fits into a lot of criteria. She said she
2 wants to keep this an urban library, and she keeps hearing this from others as well. Her
3 current preference is for the Brewer Lane property.

4 Commissioner Pelissier said she prefers the Brewer Lane site too; however there
5 need to be multiple sites for the public to compare and discuss. She still has concerns
6 about the Hillsborough Road site because this would require conditional use re-zoning.
7 She noted that if Carrboro were building a library it would not need re-zoning, and she
8 asked why Orange County has to have it.

9 Jeff Thompson said when staff says yes to a site this is just part of the technical
10 phase. He said the technical site overview is not just about engineering, but it also
11 includes planning and zoning, and it takes about 60 days.

12 Commissioner McKee said he has no particular objections to any of these sites.
13 He does have a concern about the Brewer site's lack of visibility and accessibility. He
14 also has a concern about the shift in the discussion from building a County library for
15 Orange County residents in the southern part of the County, to a focus on building a
16 Carrboro town library.

17 Commissioner Price said her concerns are similar to Commissioner McKee's.
18 She thought this was for the southwest region of the County. She said, when it is time
19 for public input, all of the sites need to be presented, along with the applicable pros and
20 cons.

21 Commissioner Rich said she does not think the Brewer site is a problem. She
22 said her intention is to build a County branch library in an urban setting in Carrboro. She
23 feels this is a unique setting, and it is a step in the progression of what a branch library
24 should look like. She feels this should be brought back to the public before spending
25 \$15,000 on a site that may not be used.

26 Chair Jacobs said the Fidelity Street site is owned by Carrboro. He asked if
27 Carrboro intends to give it to the county.

28 Frank Clifton said the town board has not officially said that, but it is on the table
29 for consideration.

30 Chair Jacobs said the county has three sites and then one that needs Carrboro's
31 collaboration. He this means there are multiple options to take to the public. He said
32 there are some urban and some suburban. He said that it may turn out that one site is
33 superior, but this cannot be pre-determined. He said, bringing people to Brewer Lane
34 will enhance the economic development in Carrboro, which will benefit Orange County.

35 Chair Jacobs said, if there are too many sites, this will confuse people. He said
36 the County has set expectation levels too high in the past with regard to what kind of
37 facility this will be. He said the Board wants to be clear that the County is not going to
38 duplicate the Chapel Hill library. He said the goal is to establish a library that serves the
39 southwest portion of the county and does not duplicate either central library. He said
40 these criteria should be established before this goes to the public so that there are
41 realistic expectations.

42 Chair Jacobs reviewed the Boards' thoughts thus far. He said there are 3 sites
43 that need to be investigated. He said the library is to be a branch library and public
44 expectations need to be tamped down to a realistic level. He said it needs to be
45 stressed that this library is to serve a specific segment of Orange County.

46 Frank Clifton clarified that all of these sites were recommended by the Town of
47 Carrboro.

48 Commissioner Gordon said it seems that the Board discussion is converging on
49 three sites. She said she is encouraged by the fact that Carrboro seems most favorably
50 disposed to Brewer Lane. She said it would be \$30-\$40,000 to investigate these
51 properties.

52 Frank Clifton said staff needs to sit down with the developer before the technical
53 reviews are done on each site and before the site is put before the public.

1 Commissioner Rich said she is not fond of the 201 site. She questioned why the
2 203 West Greensboro site would be ruled out if the Brewer Lane does not pan out. She
3 said she is pushing for an urban style library and the 203 Greensboro is right in the
4 middle of town with plenty of parking around.

5 Commissioner Price asked which three sites Chair Jacobs listed earlier.

6 Chair Jacobs said the three sites being discussed were 401 Fidelity Street, 1128
7 Hillsborough Road and 120 Brewer Lane. He said these sites need to go through due
8 diligence before being taken to the public.

9 Commissioner Price said she would recommend the site at 201 Greensboro
10 Street. She would like to see less emphasis on parking. She said, with several of the
11 sites, especially the Brewer Lane site, there are neighborhoods close by, and residents
12 can walk to the library. She said bus service is also widely available.

13 Michael Harvey said governmental sites are required to have allocated parking
14 sites by the Unified Development Ordinance. He said this may be a problem with the
15 203 Greensboro site.

16 Commissioner Pelissier suggested a poll.

17 Frank Clifton noted that this library will not only attract neighborhood residents,
18 but it will also attract residents from Southern Village and other areas that require
19 transportation that creates a need for parking.

20 Chair Jacobs polled the board regarding the sites that should move forward.
21 The Board decided on the following three sites:

22 1128 Hillsborough Road

23 Brewer Lane

24 401 Fidelity Street

25 Chair Jacobs said if any of these 3 sites do not work out, then the site at 201
26 Greensboro Street can be added back to the mix.

27 Commissioner McKee said the Board needs to definitively explain what
28 will replace the model of a full service library. He feels that most residents will still
29 expect to see a full service library.

30 Chair Jacobs said the term "full service" is a confusing term and should not be
31 used.

32 Lucinda Munger said one of the benefits of doing a demographic study around
33 the sites is that it will allow staff to know what services are needed and expected by the
34 residents.

35 Chair Jacobs suggested that if a Commissioner has not been to Brewer Lane, it
36 would be a good idea to take a look at the site.

37 38 **3. Whitted Meeting Room Schematic Design Review**

39 Jeff Thompson presented a series of schematic design photos in a PowerPoint
40 presentation regarding the interior of the proposed Whitted Building meeting room.

41 He said the timeline is on track for construction to begin in the spring, and the
42 facility would open in June.

43 Architect, Ken Redfoot reviewed the different interior designs and the boardroom
44 layout. He said there will be asphalt parking areas with adequate access to the building
45 and handicap parking space.

46 He reviewed three different meeting room layouts beginning with the regular
47 meeting layout. He said there will be a kitchenette area and a proposed bathroom, both
48 of which are major refinements to the plan.

49 Ken Redfoot said the sound block area had also been refined, which eliminates
50 some of the rooms that had been designated as television production rooms. He then
51 reviewed the joint meeting room and showed the table arrangement for discussion.
52 He reviewed the theater layout with a permanent dais, a center aisle and two side aisles.
53 He said the restrooms had also been adjusted to accommodate this setup.

1 He reviewed the alternate plan which is a fourth meeting layout that shows a
2 smaller permanent board room and then several flex rooms for additional office and
3 meeting space.

4 Ken Redfoot reviewed slides of the interior views.

5 Commissioner Rich asked if there would be a television monitor in front of the
6 podium for the Commissioners view.

7 Ken Redfoot said yes. He said the dais would sit 7 inches higher than the floor
8 in front and could accommodate up to 11 people.

9 He said there would be floor boxes to accommodate electrical and data to the
10 requirements, eliminating or diminishing visual wiring.

11 Commissioner Gordon asked about the large tables.

12 Ken Redfoot said the furniture has not actually been chosen yet. He said if the
13 plan is embraced tonight there will be details on moveable furniture in the future. He
14 said there will be flex spaces on either side for storage of furniture to accommodate
15 changing the room as needed.

16 Commissioner Price asked about the stage.

17 Ken Redfoot said the stage would be elevated, but the plan is simply showing a
18 space for a stage.

19 Ken Redfoot said they could drape dais with materials if a stage was needed for
20 a theatrical production. The meeting room takes top priority.

21 Commissioner McKee asked if the project is still within budget.

22 Ken Redfoot said yes. He said this is on the agenda for the 17th.

23 Chair Jacobs asked if there could be a curtain between the stage and dais if
24 needed.

25 Ken Redfoot said the production company would need to provide their own
26 curtains. He said the Board will not provide the actual stage, but will provide the
27 electrical infrastructure and what the floor can support.

28 Chair Jacobs said this space will not be for traveling road shows but more for
29 events from local churches and other organizations with limited resources. He said he
30 is open to discussion on a movable stage and curtain to accommodate small community
31 groups.

32 Chair Jacobs asked about the distance of the seating in relation to the stage.

33 Frank Clifton said the stage would be only about 12- 18 inches high.

34 Chair Jacobs said he is concerned that the seating rows are too long.

35 Ken Redfoot said this can be loosened to accommodate what Chair Jacobs requested
36 with more aisle space. He said this design is just showing the maximum.

37 Commissioner Gordon asked for details on the flex space. She asked what
38 would be happening in the rooms and what will be on the floors.

39 Ken Redfoot said these will be newly carpeted and painted with technology
40 consistent with the meeting room. He said the flex space is open to uses that would be
41 associated with the Board of County Commissioners meeting room, community events,
42 or future offices.

43 Commissioner Gordon said her understanding is that the Board of County
44 Commissioners will be the primary user. She said that the cultural center is not going to
45 use the space; so she is not sure why accommodations are being made for a theater.

46 Ken Redfoot said the stage is a Board of County Commissioners decision.

47 Commissioner Gordon said the Board of Education has decided not to use the
48 space, and the Town Board has not committed to using it. She said this is a venue for
49 the Board of County Commissioners, and there is no need to provide a temporary stage.
50 She said for the Parks and Recreation programs there is a need for an activity room,
51 and she asked if the flex space could be used for this.

52 She asked if there is any difference between a conference room and a flex
53 space.

1 Ken Redfoot said no. He said the driver of these flex spaces is the big space
2 and its size.

3 Commissioner Gordon asked about the size of the flex spaces.

4 Ken Redfoot said the flex spaces to the far left and right are approximately 800
5 square feet. He said the two down below are 1000 square feet on one side and 1200
6 square feet on the other.

7 Commissioner McKee said this room and design accommodates their meeting
8 room needs and can be adapted as needed. He said once the other potential users
9 see the space their decision about use may change.

10 Commissioner Pelissier said the cultural center did disband, but she knows
11 people that are still interested in renting the facility for community use. She said she
12 likes the plan, and she wants to keep the flex space. She would like to keep a
13 placeholder for this.

14 Jeff Thompson said there was a plan shown in February that had office space as
15 part of a space study update. He said that there was a discussion in May about adding
16 these spaces at a later date. He said it was also requested that staff reach out to the
17 arts community, and the purpose of the flex space proposal is to leave that option open.

18 Commissioner Price said the cultural center has been disbanded, but there are
19 some members hanging on to the name and some of the funding. She said there are
20 neighborhood groups who may want to use this space. She asked if the building would
21 be open during the day.

22 Chair Jacobs said it would be open if there are offices on the floor, it would be
23 open.

24 Commissioner Rich asked about the green space. She asked if this could be
25 used for closed sessions.

26 Frank Clifton answered yes, and he said this is a secure room.

27 Commissioner Rich said she likes the adaptability of the space. She would like
28 to leave space for a portable stage. She said this will all come in stages though.

29 Chair Jacobs said Commissioner McKee's point is good. He feels that this
30 space will likely get more use once it is built. He said the Board of Education had no
31 information earlier in the process and thought there would be a charge to use the space,
32 which led to the vote against it. He feels that this decision may change sometime down
33 the line.

34 Commissioner Gordon said she has reservations about this plan.

36 **4. Strategic Communications Plan/County Logo**

37 Carla Banks reviewed the proposed outline for the strategic communications
38 plan. She said the outline is tied to the goals of the Board of County Commissioners as
39 discussed in the February planning retreat, specifically goals 2, 3, and 4. She said she
40 would like to determine which elements the Commissioners would like to keep, change,
41 delete or add.

42 She began with point 1 in media relations on page 3 of the outline and asked for
43 Board feedback.

44 Commissioner Gordon asked if Carla Banks could go through her presentation
45 starting at the beginning of the outline. She said she has general questions and she
46 thought this would start with an overview, before getting into the details.

47 Carla Banks said she is proposing the outline so she has a basis to create a
48 working document based on Board input. She noted that the Board had requested the
49 opportunity to be part of that process. She said the outline's purpose was to list the
50 elements that should be in the plan and give an opportunity for things to be added.

51 Commissioner Gordon said she would prefer starting at the beginning of the
52 document.

53 Carla Banks read the purpose as outlined on page 2 of the abstract.

1 Commissioner Gordon said she wanted to start on the first page and discuss the
2 overall issues. She referenced the original Strategic Communications Plan from 1999
3 which was on the blue sheets. She said that if you compare the wording of the abstract
4 outline with the wording of the plan that is on the blue sheets, you will see a difference
5 with respect to the role of the Board. She quoted two sections on the first page of the
6 original plan to give examples of this difference. First, she read that the purpose was “to
7 promote more effective communication between and among the County Commissioners
8 and the citizens.” Second, she read “staff will develop for Board approval a single,
9 unified style for all County communications efforts to establish the County’s “identity” in
10 communication vehicles.” She said a major difference is whether the Board of County
11 Commissioners is even referenced in the outline as compared with the references
12 concerning the Board’s role stated in the 1999 plan. She feels that the Board of County
13 Commissioner’s oversight has been eliminated in the outline proposed by Carla Banks.

14 Commissioner Gordon said the Board of County Commissioners would have
15 approval for the overall communications vision in the original plan; and in this new plan
16 the Board of County Commissioners is almost invisible. She referred to the pink sheets
17 with the minutes from the May 21st meeting, and said that the Commissioners requested
18 a say in the branding, the logo and other areas. She feels this is a strategic piece that is
19 different from the staff proposal and it is important to clarify the role of the Board.

20 Carla Banks said she thought she was proposing a County- wide plan, rather
21 than a plan that was focused specifically on the Board of County Commissioners.

22 Commissioner Gordon said this is County-wide plan, but she does not see a role
23 for the Board of County Commissioners in this proposed outline.

24 Commissioner McKee said his view of the role of the Board of County
25 Commissioners, both as a whole and individual, is to provide policy and direction, not to
26 be intimately involved in the design of a logo or choice of a media outlet. He does not
27 feel comfortable discussing Board oversight of any department. He said it is easy to
28 then move into micro-management. He said he is not being critical of Commissioner
29 Gordon, but he is just trying to understand her position of their role. He sees his role as
30 policy and oversight.

31 Commissioner Gordon said she is talking about how the County communicates
32 its brand and image in efforts to reach out to citizens. She said the details are technical
33 and she is not talking about managing a department. She is talking about the Board of
34 County Commissioners having some type of role, and in this new plan the Board does
35 not seem to have a role. She said that the Board is responsible for how their image is
36 projected.

37 Commissioner Pelissier said she does not understand what Commissioner
38 Gordon wants. She said her impression is that the Board has had a role, because the
39 Board decided to hire a Public Affairs Officer that was not a Commissioner directed
40 position. She said the Board is having involvement by being allowed to review the plan.
41 She said this is similar to the Board of Health. She trusts the experts in all of the
42 departments. She said that having an overall goal of increased transparency,
43 knowledge of services, and making services readily accessible are the goals of the
44 Board. She said staff takes care of it beyond that.

45 Commissioner Rich said she is in between the two viewpoints. She said she
46 does think you hire someone to do a job, and you don’t tell them what to do on a daily
47 basis; however she feels that when you start creating websites and re-branding, the
48 elected officials should be part of those decisions about how image is projected. She
49 said maybe the Board does want to be involved in media interviews. She said there are
50 places where the Board of County Commissioners needs to be involved and some
51 where they do not. She feels the Board should have a say in branding.

52 Commissioner Price said the Board of County Commissioners needs to have
53 some review and approval of branding and logo. She said the press releases are

1 already sent for approval before going out, and that is enough vetting in that situation.
2 She said everyday issues should be left to the Public Affairs Office (PAO).

3 Chair Jacobs said he does not disagree with anyone, but he does not think the
4 PAO hears the Board or connects with them. He said he feels Carla Banks has taken
5 her lead from the Manager, and somehow there is a disconnect. He said Carla Banks is
6 their most direct public outlet, and there is no connection.

7 Chair Jacobs said Commissioner Rich was concerned about the tweets during
8 the flood, since it seemed that others were more proactive than Orange County.

9 Carla Banks said she was in the EOC and as she produced press releases, she
10 posted these to Twitter, Facebook and the website. She said she was flying solo during
11 that event and doing the best she could do under the circumstances.

12 Commissioner Rich said the twitter feeds from other entities were not connected
13 to a link to a web site to a press release. She said the other entities had a feed telling
14 residents where to go and not to go and what to do. Her concern during the flood was
15 that Orange County was not communicating quickly enough to tell people what to do.
16 She said she quick tweets rather than a link to a press release. She said she does not
17 want or need to be involved in doing this, she is just giving a criticism of what happened
18 that day.

19 Chair Jacobs said there is no mechanism or way for the Board of County
20 Commissioners to change anything or to tell the PAO what their vision is.

21 Carla Banks said that flood day she was working that effort solo and press
22 releases were going out every ten minutes in addition to updating the website, twitter,
23 and social media. She suggested the need for a secondary person to solely handle
24 Facebook or twitter.

25 Frank Clifton said he can be blamed for the logo and it is time to move on from
26 that. Secondly, he said there was no plan of any kind before Carla Banks' position was
27 created. He said no one is debating the criticisms that have been levied. He said the
28 issue is that you don't go from a-z overnight. He said some Board of County
29 Commissioners respond to requests for information and want to be involved and some
30 who don't. He said he advocated for this position under the clerk originally. However,
31 he said this is a County wide position, and not a political position. He said the Board
32 has 7 different points for opinion and the public relations person cannot call all 7 for
33 each press release. He is not opposed to constructive criticism. He said twitter is fairly
34 new to Orange County and it is a constant issue. He said the role of Orange County
35 was to be in support of Chapel Hill during the flood, as this was inside the town limits.
36 He said County staff was in the backup role, and was not there to run the show. He said
37 if the majority of the Board wants to move this function to the clerk's office, that's fine; if
38 the Board wants to take a more deeply invested role, that's fine. He said that it would
39 be hard to be spontaneous and quick to respond when seven different opinions are
40 involved.

41 Frank Clifton said the County needs some consistency. He said the constructive
42 way to address this is to have a group of Commissioners volunteer to work with the PAO
43 on any of these issues. He said Carla Banks has a lot of knowledge and will be
44 excellent to work with. He questioned what role as a political leader the Board wants to
45 have in the daily involvement of every department of County government.

46 Commissioner Pelissier said their share is not responsible for the town and it is
47 about coordination. She said there are different opinions and the Board needs to decide
48 what the majority wants. She said this position should stay in the manager's office. She
49 does not want this position to become a competition amongst and between
50 Commissioners. She said this is about County services.

51 Commissioner Rich said the conversation was not about who should have taken
52 the lead. She said, at the point of an emergency, the press releases did not work. She
53 said that the Board needs to get together and decide what the Commissioners want

1 Carla Banks' role to be. She said she does not want to micro-manage the PAO. She
2 said there is a feeling that the Board does not have a connection to Carla Banks, and
3 she is the voice of the Board of County Commissioners. She said there needs to be
4 some dialogue.

5 Commissioner Price said that emergencies fall under Emergency Services or the
6 Sheriff, and what Carla Banks did was supportive and should be commended.

7 She said her concerns with regard to image, were just that she wanted input into
8 the final design.

9 Chair Jacobs said there is just not good communication between the Board of
10 County Commissioners and the PAO. He said he used the tweets as an example.
11 He said when the Board passes a resolution about the logo, and then it does not get put
12 into the logo presentation, he gets the message that there is a dis-connect.

13 Chair Jacobs said that Commissioner Price had volunteered to work with PAO
14 on the logo. He said this is a new department, and there needs to be a pathway. He
15 said there is no mechanism for the Chair to sit down with PAO. He asked Carla Banks
16 to look at the purpose to determine how she would feed the Board of County
17 Commissioners into the process.

18 Chair Jacobs said this issue is structural and not personal.

19 Commissioner Gordon said it is important to do the strategic communications
20 plan and it is clear this will not be done tonight. She said the current plan from 1999 has
21 a paragraph under press releases that should be in the new plan. She read it as
22 follows. "The staff should develop and implement methods for addressing fast breaking
23 and/or potentially controversial public relations issues in a timely manner so that the
24 County can be in a position to anticipate these situations and respond with an
25 appropriate message quickly and effectively when dealing with matters that are
26 controversial or fast breaking."

27 She said there is also some good language in the current plan regarding
28 coordination related to emergency services, and she thought it should be included in the
29 new plan. She reviewed this language which said that there should be an "action plan
30 for communications between and among the county departments, other governmental
31 agencies, the media, and the public in times of crisis, such as natural disasters,
32 evacuations, and other emergency situations.

33 Commissioner Gordon said that stating the intent to hire a public relations
34 specialist should not be part of the plan. Instead, that is a method to implement the plan
35 and should be part of the budget process. She said there needs to be a high priority on
36 developing a strategic communications plan that takes into account the Board of County
37 Commissioners' role. She said there is a difference between micro-management and
38 having a high priority on the Board's role in setting policy. She said she believes the
39 Board does not want to micro-manage but there is a desire to have a high level of
40 control with regard to County's image.

41 Commissioner Gordon said she has a concern with the logo because it is difficult
42 to tell what the central figure in the logo is supposed to mean, and she feels it needs to
43 be re-done.

44 Chair Jacobs suggested Carla Banks discuss with the Chair and Vice Chair how
45 to re-shape this and to bring this back at the next agenda review.

46
47 **Closed Session:**

48
49 A motion was made by Commissioner Gordon, seconded by Commissioner
50 McKee to go into closed session at 10:10pm for the purpose of:

51 To consider the qualifications, competence, performance, character, fitness,
52 conditions of appointment, or conditions of initial employment of an individual public
53 officer or employee or prospective public officer or employee; or to hear or investigate a

1 complaint, charge, or grievance by or against an individual public officer or employee.
2 NCGS § 143-318.11(a)(6); and.

3 VOTE: UNANIMOUS

4

5 **RECONVENE INTO OPEN SESSION:**

6

7 A motion was made by Commissioner Gordon seconded by **Commissioner Rich** to
8 reconvene into open session at 10:36pm.

9

10 VOTE: UNANIMOUS

11

12 Adjournment

13

14 A motion was made by Commissioner Gordon, seconded by Commissioner Rich to
15 adjourn the meeting at 10:36pm.

16

17 VOTE: UNANIMOUS

18

19

20

Barry Jacobs, Chair

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22 Donna S. Baker, CMC

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Clerk to the Board

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**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

**Action Agenda
Item No. 5-b**

SUBJECT: Motor Vehicle Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

Resolution
Releases/Refunds Data Spreadsheet
Reason for Adjustment Summary

INFORMATION CONTACT:

Dwane Brinson, Tax Administrator,
919-245-2726

PURPOSE: To consider adoption of a resolution to release motor vehicle property tax values for thirty-eight (38) taxpayers with a total of forty (40) bills that will result in a reduction of revenue.

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

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

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

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

FINANCIAL IMPACT: Approval of these release/refund requests will result in a net reduction of \$4,541.44 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2013-2014 is \$25,021.80.

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

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

NORTH CAROLINA

RES-2013-074

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 _____, 2013.

Clerk to the Board of Commissioners

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

BOCC REPORT - REGISTERED MOTOR VEHICLES OCTOBER 15, 2013

| NAME | ABSTRACT NUMBER | BILLING YEAR | ORIGINAL VALUE | ADJUSTED VALUE | FINANCIAL IMPACT | REASON FOR ADJUSTMENT |
|---------------------------|-----------------|--------------|----------------|----------------|------------------|--|
| Aiken, Jerry | 1040539 | 2013 | 34,100 | 0 | (306.42) | Changed county to Durham (Illegal tax) |
| Aiken, Jerry | 1040538 | 2013 | 11,560 | 0 | (103.87) | Changed county to Durham (Illegal tax) |
| Aiken, Jerry | 1040537 | 2013 | 12,580 | 0 | (113.05) | Changed county to Durham (Illegal tax) |
| Allen, Brittany | 1036051 | 2013 | 12,040 | 10,354 | (27.56) | High mileage (Appraisal appeal) |
| Avelallemant , Leah Marie | 1042443 | 2013 | 14,310 | 0 | (250.43) | Changed county to Union (Illegal tax) |
| Basil, Natsua | 1035661 | 2013 | 8,840 | 5,733 | (50.82) | High mileage & damage (Appraisal appeal) |
| Baxley, Natalie | 974205 | 2013 | 18,610 | 0 | (316.66) | Changed county to Alamance (Illegal tax) |
| Bravo, Beatriz | 1041750 | 2013 | 9,170 | 6,602 | (39.56) | High mileage (Appraisal appeal) |
| Carlton, Jantzen | 1039091 | 2013 | 20,380 | 17,119 | (227.34) | High mileage (Appraisal appeal) |
| Cassara, John | 8579981 | 2013 | 6,130 | 0 | (81.41) | Changed county to Alamance (Illegal tax) |
| Christo, Gregory Robert | 974424 | 2013 | 13,950 | 13,950 | (97.03) | Incorrect situs (Illegal tax) |
| Colgan, Siobhan | 1041596 | 2013 | 14,290 | 12,861 | (23.38) | High mileage (Appraisal appeal) |
| Collins, Laura | 1038786 | 2013 | 35,660 | 29,998 | (87.21) | Purchase price (Appraisal appeal) |
| Ellis, Christopher | 1041004 | 2013 | 5,850 | 3,978 | (17.11) | High mileage (Appraisal appeal) |
| Fell, William Gary | 664021 | 2013 | 8,970 | 7,176 | (16.39) | High mileage (Appraisal appeal) |
| Fernandes, Andre Lima | 942770 | 2013 | 4,840 | 0 | (84.44) | Changed county to Durham (Illegal tax) |
| Fritz, Marc | 5758587 | 2013 | 16,800 | 500 | (269.89) | Holds an antique auto plate (Appraisal appeal) |
| Graham, Steve | 664499 | 2013 | 6,600 | 0 | (131.66) | Changed county to Chatham (Illegal tax) |
| Graves, Robert | 8686639 | 2013 | 5,960 | 5,960 | (73.16) | Incorrect situs (Illegal tax) |
| Greeson, John Rankin II | 656088 | 2013 | 15,285 | 12,660 | (24.00) | High mileage (Appraisal appeal) |
| Haufler, Kimberly | 1040804 | 2013 | 3,210 | 2,889 | (4.95) | High mileage (Appraisal appeal) |
| Hunter, James | 1041537 | 2013 | 12,960 | 11,664 | (19.97) | Purchase price (Appraisal appeal) |
| Leo, James | 1041762 | 2013 | 10,090 | 7,265 | (4.51) | High mileage (Appraisal appeal) |
| Loh, Richard | 1042359 | 2013 | 20,820 | 11,659 | (141.11) | High mileage (Appraisal appeal) |
| Malley, Patrick | 1042934 | 2013 | 17,720 | 0 | (319.86) | Changed county to Durham (Illegal tax) |
| Mestre, Sheila | 666685 | 2013 | 7,301 | 6,977 | (5.31) | High mileage (Appraisal appeal) |
| Mills, Katherine | 1007544 | 2013 | 6,840 | 6,840 | (50.39) | Incorrect situs (Illegal tax) |
| Nelson, Lisa | 1037377 | 2013 | 22,460 | 17,968 | (72.38) | High mileage (Appraisal appeal) |
| Nissan Infiniti LT | 1042773 | 2013 | 44,880 | 0 | (721.33) | Changed county to Durham (Illegal tax) |
| Omland, Gregory | 1042526 | 2013 | 30,670 | 24,438 | (96.00) | Purchase price (Appraisal appeal) |
| Perry, John Michael | 1042493 | 2013 | 7,740 | 6,347 | (21.46) | High mileage (Appraisal appeal) |
| Rabinowitz, James Robert | 1042573 | 2013 | 23,600 | 18,559 | (82.45) | Purchase price (Appraisal appeal) |
| Riedel, Victoria | 1001788 | 2013 | 10,630 | 0 | (97.17) | Changed county to Wake (Illegal tax) |
| Saleem, Radeyah | 659585 | 2013 | 14,930 | 12,480 | (32.19) | High mileage (Appraisal appeal) |
| Shreve, Mark Eugene | 8655678 | 2013 | 10,780 | 8,624 | (35.71) | High mileage (Appraisal appeal) |
| Slome, Shawn | 1041695 | 2013 | 12,530 | 0 | (137.39) | Changed county to Chatham (Illegal tax) |
| Stolt, Daniel David | 1042335 | 2013 | 29,880 | 29,880 | (27.31) | System error- billed for 13 months instead of 12 (Illegal tax) |
| Thompson, Cindy | 974331 | 2013 | 12,230 | 0 | (107.77) | Changed county to Alamance (Illegal tax) |
| Weaver, Edwin John Jr. | 669687 | 2013 | 13,770 | 11,291 | (38.18) | High mileage (Appraisal appeal) |
| Xia, Weijia | 1041438 | 2013 | 11,910 | 10,037 | (184.61) | Purchase price (Appraisal appeal) |
| | | | | Total | (4,541.44) | |

September 12, 2013 thru
 September 25, 2013

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 15, 2013

**Action Agenda
Item No.** 5-c

SUBJECT: Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

Resolution
Spreadsheet

INFORMATION CONTACT:

Dwane Brinson, Tax Administrator,
(919) 245-2726

PURPOSE: To consider adoption of a resolution to release property tax values for six (6) taxpayers with a total of twenty-one (21) bills that will result in a reduction of revenue.

BACKGROUND: The Tax Administration Office has received six (6) taxpayer requests for release or refund of property taxes. North Carolina General Statute 105-381(b), "Action of Governing Body" provides that "upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the Taxing Unit shall within 90 days after receipt of such a request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct liability or notify the taxpayer in writing that no release or refund will be made". North Carolina law allows the Board to approve property tax refunds for the current and four previous fiscal years.

FINANCIAL IMPACT: Approval of this change will result in a net reduction in revenue of \$9,644.84 to the County, municipalities, and special districts. The Tax Assessor recognized that refunds could impact the budget and accounted for these in the annual budget projections.

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

NORTH CAROLINA

RES-2013-075

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 _____, 2013.

Clerk to the Board of Commissioners

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

BOCC REPORT - REAL/PERSONAL OCTOBER 15, 2013

| NAME | ABSTRACT NUMBER | BILLING YEAR | ORIGINAL VALUE | ADJUSTED VALUE | FINANCIAL IMPACT | REASON FOR ADJUSTMENT |
|----------------------|-----------------|--------------|----------------|----------------|------------------|--|
| Jernigan, Angelia C. | 200563 | 2013 | 1,020 | 0 | (10.52) | No longer owns the property (Illegal tax) |
| McMichaels, Susan | 1020170 | 2013 | 500 | 0 | (5.05) | No longer owns the property (Illegal tax) |
| Meunier, Kimberly | 1022858 | 2013 | 1,000 | 0 | (10.25) | No longer owns the property (Illegal tax) |
| Nicholson, Billy Jr. | 268397 | 2013 | 5,000 | 0 | (51.24) | No longer owns the property (Illegal tax) |
| Scott, Tommy M. | 17056 | 2013 | 46,522 | 17,100 | (273.04) | Improvements destroyed (Illegal tax) |
| T-Mobile South, LLC | 317980 | 2013 | 10,869 | 1,304 | (88.77) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317981 | 2013 | 16,040 | 2,427 | (126.33) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317978 | 2013 | 18,005 | 2,751 | (140.03) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317979 | 2013 | 19,574 | 4,313 | (140.08) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317976 | 2013 | 19,338 | 3,014 | (149.85) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 318001 | 2013 | 19,025 | 2,751 | (151.61) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317974 | 2013 | 12,341 | 1,745 | (162.97) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317985 | 2013 | 18,915 | 2,864 | (265.78) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317986 | 2013 | 25,730 | 3,981 | (360.11) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317999 | 2013 | 88,519 | 53,265 | (557.16) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317997 | 2013 | 128,118 | 84,400 | (690.92) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 318000 | 2013 | 112,751 | 53,084 | (942.97) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317973 | 2013 | 85,923 | 23,027 | (967.35) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317984 | 2013 | 94,464 | 31,682 | (1,039.54) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317992 | 2013 | 185,553 | 75,259 | (1,743.08) | Changed depreciation schedule (Appraisal appeal) |
| T-Mobile South, LLC | 317990 | 2013 | 250,394 | 138,512 | (1,768.19) | Changed depreciation schedule (Appraisal appeal) |
| | | | | Total | (9,644.84) | |

September 12, 2013 thru
 September 25, 2013

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

Action Agenda

Item No. 5-d

SUBJECT: Applications for Property Tax Exemption/Exclusion

DEPARTMENT: Tax Administration

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

Exempt Status Resolution
Spreadsheet
Requests for Exemption/Exclusion

INFORMATION CONTACT:

Dwane Brinson, Tax Administrator,
(919) 245-2726

PURPOSE: To consider five (5) untimely applications for exemption/exclusion from ad valorem taxation for five (5) bills for the 2013 tax year.

BACKGROUND: North Carolina General Statutes (NCGS) require applications for exemption to be filed during the normal listing period, which is during the month of January. Exclusion for Elderly/Disabled, Circuit Breaker and Disabled American Veterans should be filed by June 1st of the tax year being applied. NCGS 105-282.1(a)(5) does allow some discretion. Upon a showing of good cause by the applicant for failure to make a timely application, an application for exemption or exclusion filed after the close of the listing period may be approved by the Department of Revenue, the board of equalization and review, the board of county commissioners, or the governing body of a municipality, as appropriate. An untimely application for exemption or exclusion approved under this subdivision applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed.

One (1) applicant is applying for exclusion based on NCGS 105-278.3, which allows for exclusion from property taxes for property used for a religious purpose.

Four (4) of the applicants are applying for homestead exclusion based on NCGS 105-277.1, which allows exclusion of the greater of twenty-five thousand dollars (\$25,000) or fifty percent (50%) of the appraised value of the residence plus the value of up to one (1) acre of land.

Based on the information supplied in the application and the above referenced General Statutes, the applicant may be approved by the Board of County Commissioners. NCGS 105-282.1(a)(5) permits approvals of such application if good cause is demonstrated by the taxpayer.

FINANCIAL IMPACT: The reduction in the County's tax base associated with approval of the exemption application will result in a reduction of FY 2013/2014 taxes due to the County, municipalities, and special districts in the amount of \$ 9,306.72.

RECOMMENDATION(S): The Interim Manager recommends the Board approve the attached resolution for the above listed application for FY 2013/2014 exemption.

NORTH CAROLINA

RES-2013-076

ORANGE COUNTY

EXEMPTION/EXCLUSION RESOLUTION

Whereas, North Carolina General Statutes 105-282.1 empowers the Board of County Commissioners to approve applications for exemption after the close of the listing period, and

Whereas, good cause has been shown as evidenced by the information packet provided, and

Whereas, the Tax Administrator has determined that the applicants could have been approved for 2013 had applications been timely.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF ORANGE COUNTY THAT the properties applying for exemption for 2013 are so approved as exempt.

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

Ayes: Commissioners _____

Noes: _____

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

WITNESS my hand and the corporate seal of said County, this ____ day of _____, 2013.

Clerk to the Board of Commissioners

Late exemption/exclusion application - GS 105-282.1(a1)

BOCC REPORT - REAL/PERSONAL
OCTOBER 15, 2013

| NAME | ABSTRACT NUMBER | BILL YEAR | ORIGINAL VALUE | TAXABLE VALUE | FINANCIAL IMPACT | REASON FOR ADJUSTMENT |
|--------------------------|-----------------|-----------|----------------|---------------|------------------|---|
| America Saraswata Sangha | 180318 | 2013 | 751,300 | 0 | (6,972.06) | Late application for exemption G.S. 105-278.3 (Religious purposes) |
| Brown, Lynwood J. Sr. | 279094 | 2013 | 122,600 | 61,300 | (942.80) | Late application for exemption G.S. 105-277.1 (Homestead exclusion) |
| Holt, Nancy | 269799 | 2013 | 160,000 | 100,761 | (543.81) | Late application for exemption G.S. 105-277.1 (Homestead exclusion) |
| Terrell, Rena | 205121 | 2013 | 192,589 | 113,858 | (646.46) | Late application for exemption G.S. 105-277.1 (Homestead exclusion) |
| Ward, John Ira Jr. | 257120 | 2013 | 109,705 | 84,705 | (201.59) | Late application for exemption G.S. 105-277.1 (Homestead exclusion) |
| | | | | Total | (9,306.72) | |

September 12, 2013 thru
September 25, 2013

FILED

September 3, 2013

SEP 12 2013

Board of Commissioners

**ORANGE COUNTY
TAX ADMINISTRATION**

Orange County in North Carolina, Hillsborough, NC

Submitted Through: Ms. Kandice Wright

Ref: Parcel Number **9844943580**; Tax Bill # **0000180318-2013-2013-0000-00**

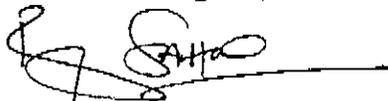
Dear Esteemed members of the Board of Commissioners:

America Saraswata Sangha is a federally sanctioned 501 c (3) non-profit recognized by IRs as a church/religious entity. Further, we are incorporated in North Carolina as a non-profit organization. We are a non-sectarian, non-denominational, membership-based spiritual organization whose purpose is to help establish and spread eternal religion. Our goal is to be and help others become good human beings. Membership in this organization is open to all irrespective of gender, ethnicity, language, religion, or country of origin.

We chose to locate at Efland in Orange County as we were warmly welcomed by the county officials and felt at home given the area's friendliness and its rich diversity. We purchased the piece of property at 3514 West Ten Road on August 2014, 2010 and used the tree-filled land to periodically meet for prayer meetings even without a building. We completed construction of the prayer retreat towards the end July 2012. We have since met regularly every weekend and at select other times, to conduct our church/temple service. We had applied for exemption from county real-estate tax as a church late during the 2012 tax year. But we were told that since the building construction was completed in July we will have to wait for the tax year 2013 to qualify for the real estate tax exemption. We were just not aware that we will have to apply again and will have to do so during the month of January. This was an inadvertent and unintended error on our part for which we beg for forgiveness and also request exemption.

There is a significant difference between the tax burden which we could absorb last year with great difficulty given we had just completed new construction. The present tax amount will cripple our finances (given the existing large mortgage payment) and detract us for the purpose for which this retreat was built. Your kind consideration of our appeal for exemption is our prayer today. We will again remain grateful to you and to Orange County for your friendliness, understanding, and many generous accommodations. Again, thank you.

With kindest regards,



Bijoy K. Sahoo, Ph.D.

President, America Saraswata Sangha

1040 Jayaguru Lane,

Efland, NC 27242

(919) 819 6998

bijovsahoo@yahoo.com

Professor, NCCU

101 Sundance Place

Chapel Hill, NC 27514

(919) 768 0403



~~FILED
SEP 17 2013
ORANGE COUNTY
TAX ADMINISTRATION~~

FILED
SEP 23 2013
ORANGE COUNTY
TAX ADMINISTRATION

Request for Tax Relief Late Application Filing

Date: 9-22-13

To Whom It May Concern:

I, (PRINT NAME) Lynwood Jesse Brown Sr., wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2013 on Parcel Identification Number (PIN) # 9864458956.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of "good cause" for failure to make a timely application. An untimely application approved under G.S. 105-282.1(a1) applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed.

I was not aware that this exemption was available to me.

I just found out about the Property Tax Relief Program.

Other (please explain)

See copy of attached letter from
T. Dwane Brinson

Thank you,

Lynwood Jesse Brown Sr.
(Signature)
By Lynwood Jesse Brown Jr. DWA

How did you learn of this exemption?

See Above



ORANGE COUNTY TAX OFFICE
ASSESSMENT DIVISION
228 S CHURTON STREET, SUITE 200
PO BOX 8181
HILLSBOROUGH, NORTH CAROLINA 27278
Telephone (919) 245-2100 Fax (919) 644-3091
T. Dwane Brinson, Tax Administrator
Lee Harris, Deputy Tax Assessor

September 4, 2013

Lynwood Brown Sr
102 Allen Ruffin Ave
Hillsborough, NC 27278

9864-45-8956

The North Carolina Department of Revenue (NCDOR) recently shared its interpretation and recommendation regarding Homestead Exemption income qualification, with respect to the requirement in North Carolina General Statute 105-277.1 that "all monies received" should be considered income, and in light of the several different interpretations that counties have taken with respect to that requirement.

In consideration of the NCDOR interpretation and recommendation, we have reviewed your 2012 Homestead Exemption application that was previously denied, and we encourage you to apply again for consideration for the 2013 tax year. Per statutory limitations, any decision on your 2013 application cannot be retroactive.

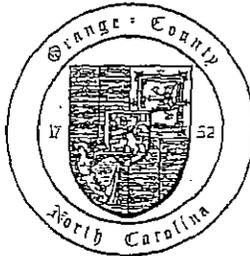
An application is enclosed for your convenience. The application is also located on the NCDOR website at: www.dornc.com/downloads/fillin/av9_2013.pdf.

Please contact Kandice Wright at 919-245-2100 if you need assistance or have any questions.

Respectfully,

T. Dwane Brinson
Tax Administrator

FILED
SEP 17 2013
ORANGE COUNTY
TAX ADMINISTRATION



**Request for Tax Relief
Late Application Filing**

Date: 9-15-2013

To Whom It May Concern:

I NANCY F HOLT, am applying for a late
(PRINT NAME)

Homestead Exemption for the year 2013 on parcel number

(PIN) # 9820893465

The reason for my late request is:

I was not aware that this exemption was available to me.

I just found out about the Property Tax Relief Program.

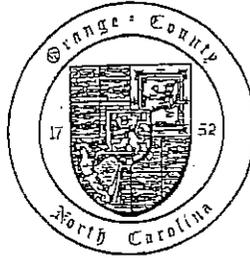
Other

Thank you,

Nancy F Holt
(Signature)

How did you find out about this exemption?

Exemption was in place in prior years. I
did not know I had to re-apply



Request for Tax Relief
Late Application Filing

FILED
AUG 26 2013
ORANGE COUNTY
TAX ADMINISTRATION

Date: August 26, 2013

To Whom It May Concern:

I Rena Terrell, am applying for a late
(PRINT NAME)

Homestead Exemption for the year 2013 on parcel number

(PIN) # 9878566607

The reason for my late request is:

I was not aware that this exemption was available to me.

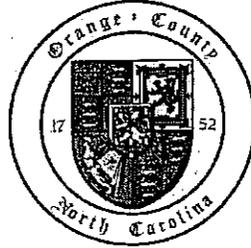
I just found out about the Property Tax Relief Program.

Other (husband's name removed due to death.)

Thank you,

Rena Terrell
(Signature)

How did you find out about this exemption?



FILED
SEP 11 2013
ORANGE COUNTY
TAX ADMINISTRATION

**Request for Tax Relief
Late Application Filing**

Date: 9-10-13

To Whom It May Concern:

I, (PRINT NAME) JOHN IRA WARD JR, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2012 on Parcel Identification Number (PIN) # 9845192937.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of "good cause" for failure to make a timely application. An untimely application approved under G.S. 105-282.1(a1) applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed.

- I was not aware that this exemption was available to me.
- I just found out about the Property Tax Relief Program.
- Other (please explain)

Thank you,

John Ira Ward Jr
(Signature)

How did you learn of this exemption?

Letter

ORD-2013-035

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

**Action Agenda
Item No.** 5-e

SUBJECT: Fiscal Year 2013-14 Budget Amendment #2

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 amendments for fiscal year 2013-14.

BACKGROUND:

Department on Aging

1. The Department on Aging has received funding notification and deferred prior-year revenue for the following programs:

- **Fundraising Gala** – ticket sale revenue totaling \$6,000 for a November event, co-sponsored by the RSVP Advisory Council and the Friends of the Seymour Center. Funds will be spent on department supplies to coordinate the event.
- **Volunteer Income Tax Assistance (VITA) Program** – receipt of \$1,188 from the United Way of the Greater Triangle, through the Compass Center, to provide free tax services, for low-to-moderate income citizens. The revenue will permit an existing permanent, part-time staff member to perform VITA administrative tasks, from November 2013 through May 2014.
- **Retired Senior Volunteer Program (RSVP)** – receipt of \$2,500 from program donations and federal grant assistance. The Corporation for National and Community Service provided a one-time grant increase of \$1,500 for technical and training assistance. The department will use the funds to purchase a laptop and VITA program supplies. As of June 30, 2013, the department collected \$1,000 in RSVP program donations, which were earmarked as deferred revenue/in-flows, for use in FY 2013-14. The department will use the funds to coordinate the annual RSVP Volunteer Recognition Event, held later this year.

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

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

2. The Department of Environment, Agriculture, Parks and Recreation (DEAPR) has received additional funds and deferred prior-year revenue for the following programs:
 - **Farm-to-Table Event** – donations totaling \$1,250 from the Soil and Water Division's Farm-to-Table event, held in late September. Funds will cover expenses for school children transportation and event supplies, including food and porta-jon rental.
 - **NC Matching Grant** - As of June 30, 2013, the department collected \$4,722 for the Soil and Water division's NC Matching grant, which were earmarked as deferred revenue/in-flows, for use in FY 2013-14. Matching funds are used for office and educational supplies, staff training and certification costs and award sponsorship. This budget amendment provides for the receipt of these additional funds.

This budget amendment provides for the receipt of these additional funds. (See *Attachment 1, column 2*)

Library Services

3. The Library has received a \$4,000 donation, from the Friends of the Library. The donation will fund department supplies needs, NC conference attendance, UNC School of Government consulting fees and programming supplies for Youth Services. This budget amendment provides for the receipt of these donated funds. (See *Attachment 1, column #3*)

Emergency Services

4. The Emergency Services Department has entered into co-location agreements with 5 Fire Departments (Orange Rural, Orange Grove, New Hope, Carrboro #1 and #2) with a total additional expense of \$42,000. These funds include both the monthly co-location fee (\$500 per month per location, which will be phased in during the fiscal year) and one-time start-up costs (\$17,500) to ensure that these stations can adequately and safely house the necessary equipment for Emergency Services. This budget amendment provides for an appropriation of \$42,000 from the General Fund's Unassigned Fund Balance to cover these expenditures for FY 2013-14. (See *Attachment 1, column 4*)
5. At its October 1, 2013 meeting, the Board of Commissioners approved the creation of a new Public Health Preparedness Coordinator position to be shared by Emergency Services (.50 FTE) and the Health Department (.50 FTE). The Health Department's portion of the position costs is covered by current budgeted funds within their contract services account, but funds of \$25,100 are needed to cover the remaining 50% costs within Emergency Services. This budget amendment provides for an appropriation of \$25,100 from the General Fund's Unassigned Fund Balance to cover the necessary position costs for FY 2013-14. (See *Attachment 1, column 5*)

Sheriff Department

6. The Sheriff's Department has received additional funds of \$25,775 from the Orange County Alcohol Beverage Control (ABC) Board for the purchase of a patrol vehicle. These funds are in addition to the annual distribution amount received from the ABC Board for FY 2013-14. This budget amendment provides for the receipt of these funds for the above mentioned purpose. *(See Attachment 1, column 6)*

Housing, Human Rights and Community Development

7. During FY 2012-13, the Department of Housing and Urban Development (HUD) sequestered approximately \$399,641 of the County's FY 2013-14 appropriation. The federal reduction significantly affected the budgets of the Section 8 Housing Choice Voucher (HCV) and HOME Investment Partnership Programs.

The Section 8 HCV Program provides rent subsidies to low-income families and individuals leasing standard housing, in the County. Federal revenues fund the program, with the exception of 0.70 FTE of the Director's personnel costs (\$97,194), funded by the County's General Fund. The federal government reduced the program's anticipated FY 2013-14 allocation by \$373,133, which funded both rental assistance payments and program administration costs. Fortunately, the sequester would not significantly affect the provision of rental assistance because most of the decrease for rental assistance equaled 6% of the anticipated rental assistance budget. However, the sequestration measure reduced the administration budget by 31.5%, which has a significant impact on the budget. To adjust, the department eliminated its operations budget (\$95,900), but a funding gap of \$141,110 still remains, thus the only other option would require reduction-in-force (RIF) measures. A RIF would require the elimination of at least two staff positions and, potentially, the federally funded portion of the Department Director's position (0.30 FTE).

The HOME Investment Partnership Program provides funding for such housing activity as the housing rehabilitation program, new construction partnerships, first-time homebuyers programs and property acquisition. Sequestration measures reduced this program budget by 13% this year. On the program side, the presence of program income generated from repayments to the program provided some additional funding for projects, however it did not cover all budget needs caused by sequestration, particularly administrative expenses. The outstanding balance of \$7,329 remains, after a HUD budget revision, made in June 2013.

To avoid reductions in staff or program assistance payments, the department requests a fund balance appropriation, from the General Fund, of \$148,439 to fund the Section 8 Program (\$141,110), in the Housing Fund, and the HOME Investment Partnership Program (\$7,329), in the Community Development Fund.

This budget amendment provides for the fund balance appropriation of \$148,439 for the above mentioned purposes. *(See Attachment 1, column 7)*

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

RECOMMENDATION(S): The Interim Manager recommends the Board approve budget amendments for fiscal year 2013-14.

Attachment 1. Orange County Proposed 2013-14 Budget Amendment

The 2013-14 Orange County Budget Ordinance is amended as follows:

| Original Budget | Encumbrance Carry Forwards | Budget as Amended Through BOA #1-E | # 1. Department on Aging receipt of revenues for the fundraising gala (\$6,000), VITA Tax Program (\$1,188), RSVP donations (\$1,500) and FY 2012-13 deferred RSVP revenues (\$1,000). | #2. DEAP receipt donations for the Farm-to-Table event (\$1,250) and deferred revenue of Soil and Water's NC Matching Grant (\$4,722). | #3. Library donation of \$4,000 for department supplies, training opportunities and consultant costs. | #4. Emergency Services increase of \$42,000 due to colocation costs with VFDs | #5. Fund Balance Appropriation from the General Fund to cover Emergency Services 50% cost of the new Public Health Preparedness Coordinator position | #6. Sheriff Department's receipt of additional funds (\$25,775) from the ABC Board for the purchase of a patrol vehicle | #7. Fund Balance appropriation of \$148,439 to support selected sequestration impacts for the department of Housing, Human Rights and Community Development. Additional reduction (\$25,584) to HOME program budget due to sequester. | Budget as Amended Through BOA #2 |
|-----------------|----------------------------|------------------------------------|--|--|---|---|--|---|---|----------------------------------|
|-----------------|----------------------------|------------------------------------|--|--|---|---|--|---|---|----------------------------------|

| General Fund Revenue | | | | | | | | | | | |
|------------------------------------|-----------------------|-------------|-----------------------|-----------------|-----------------|-----------------|------------------|------------------|------------------|-------------------|-----------------------|
| Property Taxes | \$ 139,733,522 | \$ - | \$ 139,733,522 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 139,733,522 |
| Sales Taxes | \$ 17,190,148 | \$ - | \$ 17,190,148 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 17,190,148 |
| License and Permits | \$ 313,000 | \$ - | \$ 313,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 313,000 |
| Intergovernmental | \$ 13,703,850 | \$ - | \$ 14,997,708 | \$ 1,500 | \$ 4,722 | \$ - | \$ - | \$ - | \$ 25,775 | \$ - | \$ 15,029,705 |
| Charges for Service | \$ 9,654,843 | \$ - | \$ 9,657,304 | \$ 7,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 9,664,304 |
| Investment Earnings | \$ 105,000 | \$ - | \$ 105,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 105,000 |
| Miscellaneous | \$ 796,718 | \$ - | \$ 813,250 | \$ 1,188 | \$ 1,250 | \$ 4,000 | \$ - | \$ - | \$ - | \$ - | \$ 819,688 |
| Transfers from Other Funds | \$ 1,046,300 | \$ - | \$ 1,058,800 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 1,058,800 |
| Fund Balance | \$ 5,190,118 | \$ - | \$ 5,190,118 | \$ - | \$ - | \$ - | \$ 42,000 | \$ 25,100 | \$ - | \$ 148,439 | \$ 5,405,657 |
| Total General Fund Revenues | \$ 187,733,499 | \$ - | \$ 189,058,850 | \$ 9,688 | \$ 5,972 | \$ 4,000 | \$ 42,000 | \$ 25,100 | \$ 25,775 | \$ 148,439 | \$ 189,319,824 |

| Expenditures | | | | | | | | | | | |
|---|-----------------------|-------------|-----------------------|-----------------|-----------------|-----------------|------------------|------------------|------------------|-------------------|-----------------------|
| Governing & Management | \$ 15,981,211 | \$ - | \$ 15,981,211 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 15,981,211 |
| General Services | \$ 17,646,776 | \$ - | \$ 17,646,776 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 17,646,776 |
| Community & Environment | \$ 7,103,245 | \$ - | \$ 7,134,937 | \$ - | \$ 5,972 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 7,140,909 |
| Human Services | \$ 31,459,113 | \$ - | \$ 32,366,983 | \$ 9,688 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 32,376,671 |
| Public Safety | \$ 21,445,378 | \$ - | \$ 21,445,378 | \$ - | \$ - | \$ - | \$ 42,000 | \$ 25,100 | \$ 25,775 | \$ - | \$ 21,538,253 |
| Culture & Recreation | \$ 2,495,908 | \$ - | \$ 2,495,908 | \$ - | \$ - | \$ 4,000 | \$ - | \$ - | \$ - | \$ - | \$ 2,499,908 |
| Education | \$ 86,289,802 | \$ - | \$ 86,289,802 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 86,289,802 |
| Transfers Out | \$ 5,312,066 | \$ - | \$ 5,697,855 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 148,439 | \$ 5,846,294 |
| Total General Fund Appropriation | \$ 187,733,499 | \$ - | \$ 189,058,850 | \$ 9,688 | \$ 5,972 | \$ 4,000 | \$ 42,000 | \$ 25,100 | \$ 25,775 | \$ 148,439 | \$ 189,319,824 |
| | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

| Section 8 Housing Fund Revenues | | | | | | | | | | | |
|---------------------------------------|---------------------|-------------|---------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------------|---------------------|
| Intergovernmental | \$ 4,256,839 | \$ - | \$ 4,256,839 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 4,256,839 |
| Charges for Services (Program Income) | | | | | | | | | | | |
| Transfer from General Fund | \$ 97,194 | \$ - | \$ 97,194 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 141,110 | \$ 238,304 |
| Appropriated Fund Balance | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Total Housing Fund Revenues | \$ 4,354,033 | \$ - | \$ 4,354,033 | \$ - | \$ 141,110 | \$ 4,495,143 |

| Expenditures | | | | | | | | | | | |
|--------------|--------------|------|--------------|------|------|------|------|------|------|------------|--------------|
| Housing Fund | \$ 4,354,033 | \$ - | \$ 4,354,033 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 141,110 | \$ 4,495,143 |

| Community Development Fund (HOME Program) Revenues | | | | | | | | | | | |
|--|-------------------|-------------|-------------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------------|-------------------|
| Intergovernmental | \$ 621,473 | \$ - | \$ 621,473 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ (32,913) | \$ 588,560 |
| Appropriated Fund Balance | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Transfer from General Fund | \$ 55,730 | \$ - | \$ 55,730 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 7,329 | \$ 63,059 |
| Total Revenues | \$ 677,203 | \$ - | \$ 677,203 | \$ - | \$ (25,584) | \$ 651,619 |

| Expenditures | | | | | | | | | | | |
|--------------|------------|------|------------|------|------|------|------|------|------|-------------|------------|
| HOME Program | \$ 677,203 | \$ - | \$ 677,203 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ (25,584) | \$ 651,619 |

Year-To-Date Budget Summary

Fiscal Year 2013-14

General Fund Budget Summary

| | |
|--|----------------------|
| Original General Fund Budget | \$187,733,499 |
| Additional Revenue Received Through Budget Amendment #2 (October 15, 2013) | |
| Grant Funds | \$109,504 |
| Non Grant Funds | \$1,261,282 |
| General Fund - Fund Balance for Anticipated Appropriations (i.e. Encumbrances) | |
| General Fund - Fund Balance Appropriated to Cover Anticipated and Unanticipated Expenditures | \$215,539 |
| Total Amended General Fund Budget | \$189,319,824 |
| Dollar Change in 2013-14 Approved General Fund Budget | \$1,586,325 |
| % Change in 2013-14 Approved General Fund Budget | 0.84% |

\$42,000 to cover co-location costs with 5 Fire Departments; \$25,100 to cover .50 FTE position costs in Emergency Services; \$148,439 to cover loss of Federal Sequestration funds in the Section 8 Housing and HOME Programs (BOA #2)

Authorized Full Time Equivalent Positions

| | |
|--|----------------|
| Original Approved General Fund Full Time Equivalent Positions | 826.550 |
| Original Approved Other Funds Full Time Equivalent Positions | 82.700 |
| Position Reductions during Mid-Year | |
| Additional Positions Approved Mid-Year | 4.800 |
| Total Approved Full-Time-Equivalent Positions for Fiscal Year 2013-14 | 914.050 |

includes Social Worker I (.80 FTE) time-limited position in Aging (BOA #1-B); time-limited Human Services Coord I (1.0 FTE) in Aging (BOA #1-C); two Appraiser I positions (2.0 FTE) in Revaluation Fund (BOA #1-D); Public Health Preparedness Coord (1.0 FTE) shared in Health and ES (BOA #2)

ORD-2013-036

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

**Action Agenda
Item No.** 5-f

SUBJECT: Budget Amendment #2-A – Upper Neuse River Basin Association Funding Request - Best Management Practices Credit Determination Project

DEPARTMENT: DEAPR

PUBLIC HEARING: (Y/N)

| |
|----|
| No |
| |

ATTACHMENT(S):

1. UNRBA Request for Qualifications with List of BMP Nutrient Credit Measures
2. CardnoEntrix Proposal
3. Email of Support for UNRBA Appropriation from Orange County
UNRBA Representative Pam Hemminger

INFORMATION CONTACT:

David Stancil, 919-245-2510
Tom Davis, 919-245-2510

PURPOSE: To approve Budget Amendment #2-A to provide requested funds to the Upper Neuse River Basin Association to complete a project to increase the number of Best Management Practices available for affected parties to use in meeting nutrient reductions required by the State.

BACKGROUND: The Falls Lake Nutrient Management Rules require local governments, the North Carolina Department of Transportation (NCDOT), the agricultural community, and other regulated parties located in the Falls Lake watershed to reduce nitrogen and phosphorus nutrient loading in stormwater by 40% and 77% respectively by 2036.

Best Management Practices (BMPs) must be used to achieve nutrient reductions in stormwater runoff from sources that include new development, existing development, and the agricultural community. Currently, nutrient reduction credits have been approved by the state Division of Water Resources (DWR) for only a few BMPs. As a result, regulated parties foresee significant difficulties meeting the nutrient reduction targets mandated by the Falls Lake Rules.

At this time, the Upper Neuse River Basin Association (UNRBA), of which Orange County is a member, is undertaking a project to expand the number of BMPs that have been assigned nutrient reduction credits by DWR. This process is commonly known as “expanding the BMP toolbox”. Currently, structural stormwater devices that are mainly utilized in urban areas are the primary type of BMPs that have been assigned nutrient reduction credits. As shown in the UNRBA Request for Qualifications associated with this project (Attachment 1), the UNRBA has compiled a preliminary list of 55 BMPs that do not have nutrient reduction values established for

their use. BMPs included on this list include agricultural practices, ecosystem practices such as riparian buffer enhancement measures, wastewater practices such as improving the functioning of onsite wastewater systems, programmatic practices such as street sweeping, and infrastructure enhancements such as the repair or replacement of leaking wastewater collection lines.

The consultant retained by the UNRBA estimates that the cost of analyzing the 55 potential BMPs and determining nutrient reduction credits for approximately 20 to 25 of these BMPs will range from \$258,081 to \$414,801, depending on which optional tasks are ultimately included, as shown in Attachment 2.

The final scope of the project depends, in part, upon the dedicated funding that is received from the UNRBA members for this project. At the September 18, 2013 UNRBA Board of Directors meeting, the following commitments for funding were reported:

| | |
|--|-----------------|
| NC Division of Water Resources | \$50,000 |
| City of Raleigh | up to \$150,000 |
| City of Durham | \$50,000 |
| Upper Watershed Stormwater Utility Group | \$50,000 |
| Durham County | \$25,000 |
| Town of Hillsborough | up to \$5,000 |
| Total | \$330,000 |

At this time, Orange County is being asked by the UNRBA to provide \$20,000 for the BMP nutrient credit determination project, in order to achieve \$50,000 in total funding from Durham County, the Town of Hillsborough, and Orange County.

FINANCIAL IMPACT: The UNRBA has requested that Orange County provide a total of \$20,000 over a two-year period for the BMP credit development project. The \$10,000 in County funds for FY2013-14 is proposed to come from the General Fund Unassigned Fund Balance. The General Fund Unassigned Fund Balance is approximately \$36.5 million. With approval of Budget Amendment #2 (also on the October 15, 2013 Board agenda), \$215,539 will have been appropriated from the Unassigned Fund Balance prior to this proposed action to appropriate \$10,000.

The remaining \$10,000 would be included in the County Manager's recommended budget for FY2014-15.

RECOMMENDATION(S): The Interim Manager recommends that the Board approve Budget Amendment #2-A authorizing the County to provide the requested \$10,000 from FY2013-14 General Fund Unassigned Fund Balance, with the remaining \$10,000 to be included in the Manager's recommended budget for FY2014-15.

**Instructions to Firms Submitting Qualifications
for the Upper Neuse River Basin Association (UNRBA)
Nutrient Credit Study and Credit Tool Development Project**

Thank you for agreeing to submit qualifications for the UNRBA's Nutrient Credit Study and Credit Tool Development Project. The UNRBA plans to supplement the work of the Jordan Lake Nutrient Science Advisory Board regarding credit development in order to provide communities subject to nutrient management strategies an expanded list of Best Management Practices (BMPs), or tools, to achieve their respective reduction goals. At this time, the UNRBA's technical steering committee, the Path Forward Committee, is seeking qualifications from environmental engineering firms to perform this work.

The UNRBA's technical steering committee is seeking short qualifications packages from selected firms identified by our member governments. The technical steering committee will recommend to the UNRBA Board the development of a contract to one firm, or team, to perform the desired tasks. Qualifications packages will be ranked based on the experience and expertise of the key staff members and that of the firm or team.

At this point in the project development, a specific project scope is unavailable. Therefore, we are unable to provide you with the detailed information to develop a comprehensive project proposal, schedule or definitive project cost. However, the technical steering committee will be developing cost and schedule information in order to establish a definitive project scope and, in consultation with the selected service provider, the contractual conditions necessary to complete this work. Firms are being asked to develop preliminary, screening level cost estimates and schedules indicating a prospective upper and lower bounds of these components to complete the two project tasks. These estimates do not need to be exact and, if you are awarded the contract, you will not be held to these cost estimates when a contract is developed.

This Qualifications package should contain the following information:

1. **Cover Letter**
2. **Project Leader** and key project staff in an organization chart. This chart should identify the location and firm of each key staff member.
3. **Resumes of Key Staff**, with relevant experience, highlighting your team's background in review and synthesis of research literature, and development of statistics on that info; BMP design; BMP monitoring and evaluation for nutrient performance; and development of engineering methods, formulas, modeling to describe BMP nutrient performance. Resumes should include the percent of time the proposed staff member is available for this project. Individual resumes should not exceed 1 page.
4. **Firm and Team Experience** with structural BMP design, management, performance, and installation. Please include the Firm's background relative to nutrient reductions associated with structural and non-structural BMPs, and developing regulatory credits for BMPs.
5. **Preliminary Cost Estimates and Schedules** for the following hypothetical tasks:
 - a. Credit Development
 - b. Credit Accounting Tool Development

Each section of the qualifications package should be numbered similar to the outline. **The entire qualifications package, including the preliminary cost estimates and schedules, should not exceed 15 pages.** Brief outlines of your approach to developing the preliminary cost estimates and schedules should be included. Specific instructions for the preliminary cost estimates and schedules are provided as an attachment.

Submittal instructions:

Qualifications are due at noon on Friday, June 7, 2013. Qualifications should be emailed to the UNRBA Executive Director, Mr. Forrest Westall (forrest.westall@unrba.org and forrest.westall@mcgillengineers.com), and Ms. Michelle Woolfolk, the UNRBA Path Forward Committee Chairperson (michelle.woolfolk@durhamnc.gov). All packages should be in Portable Document Format (PDF). The Executive Director may contact the firm or team with follow-up questions.

Attachment A. Instructions for Preliminary, Screening-Level Cost Estimates and Schedules

The information you should use to develop your preliminary, screening-level cost estimates and schedules are provided below. The UNRBA technical steering committee does not expect those firms invited to provide qualifications to conduct an extensive project planning analysis as part of the qualifications package. The committee is requesting the development of preliminary, screening-level estimates using a minimum level of effort. However, these estimates should have some basis in how the firm will approach the task. That basis should be included as a 1-paragraph description with each upper and lower level estimate. Estimated costs may be presented with a $\pm 10\%$ contingency to reflect a higher level of confidence, and a $\pm 15\%$ contingency to reflect a lower level of confidence. Using the list of the 5 submittal components, information under item 5 should address the following:

5.a. Credit Development

Low end estimate: Develop nutrient credits for sixteen (16) nutrient reduction measures as listed in Table A-1. The credits will be developed using data from existing studies and located in existing publically available databases. A measure of central tendency will be the basis of the removal credit recommendation assigned to each BMP. A project database will be created for this task. Sources of data and information may include but not limited to the International Stormwater BMP Database, the National Stormwater Best Management Practices Database, NC State University BMP Databases, Chesapeake Stormwater Network, the USEPA Green Infrastructure Case Studies, and other appropriate organizations or credit development processes.

Table A-1. Practices for the Low-End Credit Development Estimates

| | | | |
|-------------------------------|---|------------------------------|--|
| Over/Under-Sized Bioretention | Level Spreader/Filter Strip combined with Swale | Check Dam Grass Swale | Green Roof (revision requested to existing nutrient credit values) |
| Soil Amendments /Restoration | Volume-based Pond Retrofits | Infiltration Practices | Street Sweeping |
| Urban Tree Canopy | Permeable Pavement (Diversified) | Pond Retrofits/Upflow Filter | Check Dam Grassed Swales |
| Bio-Swales | Filter Strips with Toe Trenches | Leaf Litter Recovery | Improved Rainwater Harvesting |

High end estimate: Similar to the low end estimate, develop recommended nutrient credits for fifty-five (55) nutrient reduction measures as listed in Table A-2. Credits will be developed using data from existing studies and located in publically available databases. Instead of a measure of central tendency as the basis for assigning credit, the service provider would be expected to use an analysis of the distribution of reported removal efficiencies to incorporate uncertainty and variability into the removal efficiencies.

Table A-2. Practices for the High-End Credit Development Estimates

| | | | | |
|--|---|--|--|--|
| Over/Under-Sized Bioretention | Level Spreader/filter Strip combined with Swale | Permeable Pavement (Diversified) | Infiltration devices/ basins: permeable walkways, planters, infiltration trenches (Refine) | Flood plain restoration |
| Soil Amendments /Restoration | Pond Retrofits/ Upflow Filter | Check Dam Grassed Swales | Bio-Swales | Filter Strips with Toe Trenches |
| Leaf Litter Recovery | Urban stream restoration | Riparian buffer restoration (50-foot wide buffers) | Catch basin inserts and vortex separators | Blue Roof |
| Constructed wetlands with various designs | Sand filters | Peak flow control for water quality credits | Proprietary devices | Impoundment of urban, degraded streams |
| Enhancing or repairing existing riparian buffers | Land or forest protection | Riparian buffer restoration with varying width | Increase tree canopy | Cattle exclusion, with and without buffers |

| | | | | |
|--------------------------------------|---|--|---|---|
| Buffer restoration | Managed grazing | Cropland conversion to trees or grass | Cover crops | Conservation tillage |
| Pond creation | Pond renovation | Construction wetland | Nutrient management plans and comprehensive nutrient management plans (cropland and animal operation) | Vegetative treatment; filter strips, buffers, swales |
| Wood chip bioreactors | Manure composting | Proper manure handling, storage, and disposal | Proper animal nutrient supplementation and feeding strategies (reduce P supplementation, etc.) | Two stage channels |
| Improve functioning of septic system | Overtreatment of wastewater for credits | Improvement / regionalization of wastewater facilities. | Replace/repair leaking collection system lines | Remove illegal wastewater connections to Stormwater systems or surface waters |
| | Collect or pretreat grease | Contain sewage spills and reduce SSOs | Street Sweeping | Reduce pet waste transmission to surface waters |
| Improved biosolids management | Repairing failing BMPs | Educate commercial business owners about proper disposal to Stormwater Systems | Emission reduction (atmospheric) | Educate home owners about proper maintenance of onsite wastewater treatment systems |

Color code: aqua = ecosystem enhancements, coral=agricultural enhancements,
pink = wastewater enhancements, olive = infrastructure enhancements,
purple=programmatic enhancements.

5.b. Credit Accounting Tool Development

Low end estimate: Determine credits for existing BMPs in the Falls Lake watershed using previously published area loading to determine loading to each BMP. Use existing credits or credits determined in 5.a. above to estimate the load reduction of the BMP. Transport to the lake will not be considered.

High end estimate: To incorporate attenuation as nutrients are transported to the lake, develop delivery factors associated with watershed impoundments (i.e., West Fork Eno River Reservoir, Lake Orange, Little River Reservoir, Lake Michie, Lake Butner, Lake Rogers, and Beaverdam Impoundment) and stream channels. Delivery factors shall be based on an empirical or mechanistic watershed model (e.g., WARMF or HSPF) that can also be used to estimate jurisdictional nutrient load estimates.



Memorandum

Date: September 16, 2013
To: Forrest Westall, UNRBA
From: Alix Matos, Cardno ENTRIX and Dr. Neely Law, Center for Watershed Protection
RE: **Revised Draft Scope for the UNRBA Nutrient Project**

Cardno ENTRIX and the Center for Watershed Protection were asked by the UNRBA to develop a draft scope of work for the UNRBA Nutrient Project. The UNRBA will use this as a basis for discussions regarding scope of work and budget. This memorandum provides a draft scope for the two tasks associated with the RFQ released by the UNRBA for a Nutrient Credit Study and Credit Tool Development Project. This draft scope also includes a third task which was identified at a meeting held in Hillsborough, NC on July 29th, 2013 attended by members of the UNRBA and staff at NCDWR, the Center for Watershed Protection, and Cardno ENTRIX. The level of effort associated with this third task was modified following responses to the initial draft scope provided by you in an email dated August 9th, 2013.

This scope of work has been revised several times based on discussions and reviews with the Executive Director. Verbal and written comments from members of the UNRBA have also been considered in these revisions.

Table 1 provides draft descriptions of the work, hours, and budget associated with these three tasks. Hours and budget are provided at the subtask level to provide information for planning and review of the appropriate tasks that are needed to complete the products and work required under the RFQ. Green line items generally indicate documentation while gray line items indicate meetings, conference calls, or webinars. This scope includes the following assumptions:

- The screening process will reduce the number of nutrient reducing measures from 55 to between 20 and 25 measures. The final number of measures developed for this project will depend on discussions with UNRBA and NCDWR regarding development of additional supporting documentation for some measures. In other words, if additional documentation is requested for certain measures, this effort will reduce the number of BMPs that are included in the project.
- Variations in credits based on design parameters will be based on available data
- Based on the meeting held in Raleigh, NC on August 28th, 2013 (attended by members of the UNRBA and staff at NCDWR, the Center for Watershed Protection, and Cardno ENTRIX), the development of an accounting tool for these measures may evolve depending on the outcome of additional meetings and discussions and the results of the screening analysis.
 - Task 2 will be divided into one standard task (2.1) and two optional tasks (2.2 and 2.3). The budget associated with Task 2.1 will be increased to allow for a more formal review and selection process for the calculation tool. This budget

will come from Task 2.2 which is an optional subtask to develop the calculation tool(s) that are selected under Task 2.1. The scope of work associated with task 2.2 will be developed with this budgetary constraint pending the outcome of task 2.1.

- The budget for Task 2 assumes that a technical memorandum will be provided regarding the development of the customized tool(s) for this watershed. This scope does not include development or revisions to existing user's manuals.
- Based on the meeting held in Raleigh, NC on August 28th, 2013, Subtask 3.1 will be part of the official contract. Subtasks 3.2, 3.3, and 3.4 will be optional subtasks.
- The credit tool will not be updated to account for carbon under this proposed scope (this would be an optional task that requires additional budget).
- Stream transformations and trapping in impoundments will be estimated using pre-developed empirical methods.
- Weekly calls between the project managers and monthly calls among the team are covered in the hours allocated for technical work.

A draft schedule is provided in Figure 1. Optional subtasks are shown with blue, hatched bars.

Table 1. Scope of Work Associated with the UNRBA Nutrient Project (Credits, Tool, and Framework Issues)

| TASK 1 - Literature review and database development | | |
|---|-----------------|--------------------|
| | Budget | Total Hours |
| 1.1 Project Preparation/Support Tasks | | |
| a. Identify and Recommend attributes and quality levels based on CWP existing protocols; Identify metrics to qualify Tier 1, 2, 3 measures (include discussions with UNRBA/DWR, recognizing this translation to Tiers may change as the project progresses); Develop webinar for UNRBA/DWR to discuss; Implement revised database structure | \$9,841 | 73 |
| b. Background research to develop survey to evaluate implementation potential for measures (e.g. key stakeholder groups such as NRCS, WOC, LG stormwater departments, DWR) | \$9,358 | 65 |
| c. GIS analysis (geology, stream networks, subbasins, etc.) | \$1,160 | 12 |
| d. Develop and incorporate trapping/transformations in impoundments and streams | \$13,200 | 122 |
| e. Draft summary; incorporate comments; finalize summary of trapping | \$2,720 | 22 |
| Subtotal - Task 1.1 | \$36,278 | 294 |
| 1.2 Screening Level Literature Review - 55 BMPs | | |
| a. Review and confirm list of 55 BMPs to review with UNRBA (e.g. clarify types of measures, add specifics needed to isolate a single measure) | \$1,066 | 8 |
| b. Preliminary research and data collection for 55 BMPs (literature review of peer and non-peer literature and other data sources) | \$12,070 | 89 |
| c. Populate database with a subset of key attributes for each nutrient reduction measure | \$3,984 | 30 |
| d. Assess quality of existing and new data sources | \$2,452 | 18 |
| e. Develop survey to evaluate implementation potential for measures (e.g. key stakeholder groups such as NRCS, WOC, LG stormwater departments, DWR) | \$2,382 | 21 |
| f. Describe survey and instructions at a UNRBA BOD meeting (invite additional survey participants to meeting as needed) | \$1,450 | 10 |
| g. Implement survey tool and compile results | \$3,224 | 24 |
| h. Analyze survey and screening level database to identify 20 to 25 priority nutrient reduction measures | \$7,801 | 58 |
| i. Draft memo with recommendations for categorizing 55 measures: 1) High priority (quality data likely meets Tier 3 conditions), 2) Medium priority (e.g., requires additional data or expert elicitation/good implementation potential), and 3) Low Priority (e.g., lack of data to evaluate and low implementation potential). | \$8,594 | 66 |
| j. Webinar to present draft list of priority BMPs (including those requiring expert elicitation) and discuss with UNRBA/DWR | \$1,040 | 8 |
| k. Incorporate input from UNRBA/DWR and finalize list of priority BMPs | \$2,132 | 16 |
| l. Finalize documentation and include in Task 1 memo | \$3,805 | 28 |
| Subtotal - Task 1.2 | \$50,000 | 376 |
| 1.3 Develop Database for Priority Measures | | |
| a. Additional research to complete database for 20-25 priority measures | \$10,536 | 76 |
| b. Develop expert elicitation survey (e.g., SWCD, NSAB BMP subcommittee, DWR) survey to fill in gaps where needed (local conditions, effectiveness, etc.) | \$7,610 | 52 |
| c. Solicit input during NSAB BMP subcommittee meeting to elicit expert opinion; invite additional experts to meeting as needed | \$1,040 | 8 |
| d. Modify database based on expert elicitation | \$2,830 | 21 |

| | | |
|--|------------------|--------------|
| e. QA data entries, revise as needed | \$4,384 | 32 |
| Subtotal - Task 1.3 | \$26,400 | 189 |
| 1.4 Assessment of design parameters in credit estimation (specifications will be limited based on the available data) | | |
| a. Meeting with UNRBA/DWR to discuss lessons learned from PTRC process regarding design parameters | \$520 | 4 |
| b. Review of design parameters within database for each measure | \$4,820 | 35 |
| c. Develop recommendations for assessing impacts of specifications based on the database | \$3,160 | 20 |
| d. Develop webinar to discuss recommendations with UNRBA/DWR | \$2,200 | 16 |
| e. Incorporate input and analyze impacts of key design parameters within a BMP class when data are available (e.g., minimum implementation requirements) | \$5,060 | 38 |
| f. Draft summary of design parameters or minimum implementation requirements | \$6,306 | 46 |
| g. Conference call with UNRBA/DWR to discuss draft text | \$840 | 6 |
| h. Finalize documentation and include in Task 1 memo | \$1,160 | 10 |
| Subtotal - Task 1.4 | \$24,066 | 175 |
| 1.5 Statistical analyses | | |
| a. Review of statistical methods (e.g., provided by City of Durham, urban BMP database methods, etc.) | \$3,580 | 23 |
| b. Review of data (reformatting for stats program, exploratory analyses, identification of potential analysis methods) | \$7,840 | 56 |
| c. Develop recommendations for analytical methods based on a few example practice types | \$2,060 | 14 |
| d. Develop webinar for UNRBA/DWR to discuss recommended methods and example results | \$1,680 | 12 |
| e. Incorporate input from UNRBA/DWR and analyze datasets | \$5,060 | 38 |
| f. Draft summary of statistical analyses and outcomes | \$4,026 | 30 |
| g. Webinar to present results | \$1,680 | 12 |
| h. Finalize documentation and include in Task 1 memo | \$2,320 | 18 |
| Subtotal - Task 1.5 | \$28,246 | 203 |
| 1.6 Complete Task 1 Memo and provide database | | |
| a. Compile cost estimates for priority measures | \$7,382 | 56 |
| b. Summarize costs and credits and translate (draft recommendations) to DWR quality Tiers | \$4,770 | 36 |
| c. Finalize draft and discuss with UNRBA/DWR on a webinar | \$7,754 | 56 |
| d. Incorporate comments and finalize Task 1 Memo. Provide electronic copy to UNRBA/DWR | \$2,525 | 20 |
| e. Deliver electronic database to UNRBA/DWR | \$260 | 2 |
| Subtotal - Task 1.6 | \$22,691 | 170 |
| TOTAL - TASK 1 | \$187,681 | 1,407 |

| TASK 2 - Tool Selection and Development | | |
|--|-----------------|------------|
| 2.1 Develop a modeling framework to supplement current calculation tools | | |
| a. Meeting with the UNRBA/NCDWR to generate a unified statement of purpose for the calculation tool | \$4,264 | 32 |
| b. Draft document that compares the JFLSLAT, the WTM, and up to one additional model selected by the UNRBA for comparison and recommends a modeling approach that meets the objectives of the stated purpose of the model. | \$10,010 | 75 |
| c. Meeting with the UNRBA / NCDWR to discuss the recommended approach and obtain feedback from the group | \$2,269 | 17 |
| d. A final memorandum documenting the recommended approach. This memorandum will form the basis for the scope of work associated with the Optional tasks 2.2 and 2.3. | \$8,515 | 64 |
| | | |
| Subtotal - Task 2.1 | \$25,058 | 188 |
| OPTIONAL 2.2 Revise Selected Tool(s) for Priority Measures (include nitrogen, phosphorus, and sediment) | | |
| a. Modify Tool(s) for selected priority measures selected | \$26,466 | 194 |
| b. Refine tool to account for delivery factors | \$3,276 | 24 |
| c. Develop Tool for carbon (this is an optional task that is not included in this budget) | \$- | 0 |
| d. Revise tool to acct for local geo | \$1,620 | 14 |
| e. Draft summary of customized Tool | \$28,174 | 208 |
| OPTIONAL Subtotal - Task 2.2 | \$59,536 | 440 |
| OPTIONAL 2.3 Present customized Tool and incorporate feedback | | |
| a. Develop webinar/presentation to present revised Tool | \$4,852 | 36 |
| b. Incorporate feedback and finalize Tool | \$3,523 | 26 |
| c. Finalize Task 2 documentation | \$3,997 | 32 |
| OPTIONAL Subtotal - Task 2.3 | \$12,372 | 94 |
| | | |
| TOTAL - TASK 2 | \$96,966 | 722 |
| TASK 3 - Identification of Issues Associated with a Trading Program (screening-level framework) | | |
| 3.1 Identify stakeholders | | |
| a. Meeting with UNRBA/DWR/WOC to identify stakeholders and project participation levels (DWR, local SWCDs, WOC, NRCS, environmental groups, NPDES dischargers, EPA, WBC, etc.) | \$2,252 | 16 |
| b. Discussions with EPA and World Business Council to gage interest in participation (funding, pre-developed tools, etc.) | \$900 | 6 |
| c. Meeting with UNRBA/DWR/WOC to review results of screening level survey developed for Task 1.2 | \$1,160 | 8 |
| Subtotal - Task 3.1 | \$4,312 | 30 |
| | | |

| | | |
|---|-----------------|------------|
| OPTIONAL 3.2 Develop preliminary list of issues/data gathering | | |
| a. Regulatory constraints (e.g., accounting measures for different sectors) | \$11,025 | 20 |
| b. Economic issues/methods | \$5,586 | 48 |
| c. Logistical constraints | \$2,946 | 24 |
| d. Scaling factors for uncertainty of effectiveness | \$1,186 | 12 |
| e. Accounting for location in the watershed | \$1,586 | 12 |
| f. Identification of potential cost functions by sector (e.g., what drives costs and decisions?) | \$3,266 | 28 |
| g. Potential credit basis (e.g., nitrogen, phosphorus, both?) | \$2,586 | 20 |
| h. Maintenance and verification requirements | \$2,506 | 20 |
| i. Develop information packet for workshop (background information on trading, preliminary list of issues, description of the workshop format and objectives) | \$5,440 | 44 |
| OPTIONAL Subtotal - Task 3.2 | \$36,127 | 228 |
| OPTIONAL 3.3 Workshop with Stakeholders | | |
| a1. Introduction to concepts, structure/rules of the workshop, etc. | \$1,136 | 9 |
| a2. Brainstorming pros/cons, issues/opportunities (small group exercise -> present to full group) | \$1,180 | 10 |
| a3. Discussions on the preliminary list of issues (small group exercises to flesh out the issues, add to the list, identify potential solutions, etc.) | \$1,180 | 10 |
| a4. Nutrient Trading Game (developed for the CB; assumes no revisions are needed for this exercise) | \$1,180 | 10 |
| a5. Identification of next steps, areas of agreement/disagreement, what issues can be put to rest?, what issues need more attention? | \$590 | 5 |
| OPTIONAL Subtotal - Task 3.3 | \$5,266 | 44 |
| OPTIONAL 3.4 Develop high-level framework/identification of issues | | |
| a. Draft document describing the issues and interactions among the issues associated with a trading program | \$18,140 | 89 |
| b. Submittal to UNRBA/DWR for comment followed by a conference call for discussion | \$1,566 | 12 |
| c. Incorporation of UNRBA/DWR comments and submittal to stakeholders | \$1,706 | 14 |
| d. Workshop with stakeholders to allow input on draft and assess likelihood of participation in a trading program | \$10,139 | 46 |
| e. Finalize Task 3 document | \$11,869 | 45 |
| OPTIONAL Subtotal - Task 3.4 | \$43,419 | 206 |
| TOTAL - TASK 3 | \$89,124 | 508 |
| TASK 4 - Additional Meetings / Travel (Assume 2 year contract) | | |
| 4.1 Bi-monthly UNRBA BOD meetings | | |
| a. Bi-monthly UNRBA BOD meetings | \$11,000 | 80 |

| | | | |
|---|----------------------------|-----------------|------------|
| | Subtotal - Task 4.1 | \$11,000 | 80 |
| 4.2 Monthly NSAB meetings (50%) | | | |
| a. Monthly NSAB meetings (50%) | | \$3,900 | 30 |
| | Subtotal - Task 4.2 | \$3,900 | 30 |
| 4.3 Neely Law Expenses | | | |
| a. Travel | | \$2,940 | 0 |
| b. Overhead | | \$570 | 0 |
| | Subtotal - Task 4.3 | \$3,510 | 0 |
| 4.4. Susan Bodine Expenses | | | |
| a. Travel – now grouped into option task 3.2 budget | | \$- | 0 |
| | Subtotal - Task 4.4 | \$- | 0 |
| TOTAL - TASK 4 | | \$18,410 | 110 |
| TASK 5 - Project Management - Assumes 2 year project duration | | | |
| 5.1 Internal Team Communication | | | |
| a. Weekly PM calls (Alix and Neely); assumed accounted for in Task 1-3 hours | | \$- | 0 |
| b. Monthly Team calls/webinars; assumed accounted for in Task 1-3 hours | | \$- | 0 |
| c. Set up and management of file storage system to facilitate version control between firms | | \$1,040 | 8 |
| d. Resource and milestone tracking | | \$11,700 | 90 |
| | Subtotal - Task 5.1 | \$12,740 | 98 |
| 5.2 External Communication | | | |
| a. Bi-weekly calls with Forrest | | \$6,760 | 52 |
| | Subtotal - Task 5.2 | \$6,760 | 52 |
| 5.3 Invoices, etc. | | | |
| a. Submittal of monthly invoices | | \$3,120 | 24 |
| | Subtotal - Task 5.3 | \$3,120 | 24 |
| TOTAL - TASK 5 | | \$22,620 | 174 |

| | | |
|-----------------------------------|------------------|--------------|
| TOTAL PROJECT COST | \$414,801 | 2,922 |
| <i>TOTAL OPTIONAL TASK 2 COST</i> | <i>\$71,908</i> | <i>534</i> |
| <i>TOTAL OPTIONAL TASK 3 COST</i> | <i>\$84,812</i> | <i>478</i> |
| INITIAL CONTRACT COST | \$258,081 | 1,909 |

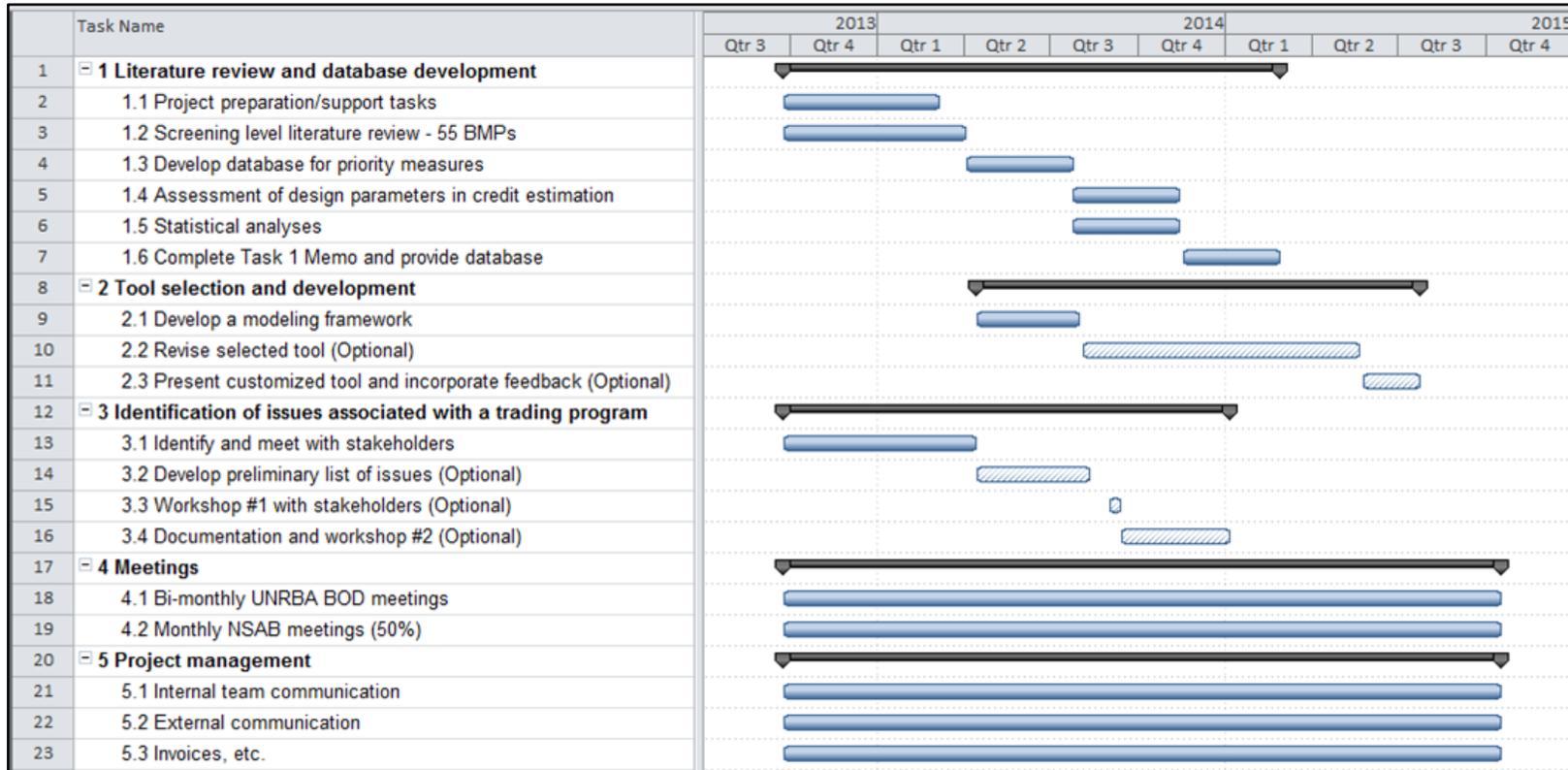


Figure 1. Draft Schedule for the UNRBA Nutrient Credits Project

Attachment 3

-----Original Message-----

From: Pam Hemminger [<mailto:pshemminger@gmail.com>]

Sent: Friday, October 04, 2013 6:45 PM

To: Barry Jacobs; Earl McKee; Alice Gordon; Bernadette Pelissier; David Stancil; Michael Talbert; Donna Baker

Subject: support of the UNRBA agenda item

Dear BOCC and Interim Manager-

As your representative to the UNRBA (or Falls Lake Watershed Association) I wanted to write you in support of an item that will be before you at your October 15, 2013 meeting. I will be out of the country during that time visiting my daughter and will not be able to speak in support of this item.

The UNRBA has voted to proceed with having a consultant bring us a Tool Box of Credits in dealing with nutrient trading in the Falls Lake area.

For Stage 1 rules of the lake, each jurisdiction is to proceed with a plan to reduce nutrients for new development and implement Best Management Practices (BMPs) in these areas for existing development (eventually). Without knowing what kind of credits we would receive for different BMPs, it would be hard to choose a plan that gives up the biggest benefit for the least cost.

The state should be developing this Toolbox of Credits but to date they only have 5 credits posted and have told us that they have no funding or plans to develop this list in the near future. The estimated cost of the Toolbox development is around \$430,000. Raleigh has issued a "challenge grant" of \$150,000 and the rest of the jurisdictions have pledged to meet their goals - ours being \$20,000 over 2 years. Hillsborough is contributing \$5,000 and Durham County is pledging \$25,000 with the city of Durham pledging much more. Most of the other entities have a storm water fee pool to pull these funds from, Orange County has to move monies from other budget lines in done outside of the budget planning during the year.

The Department of Water Resources (DWR) has given a grant of \$50,000 towards this project. Several of us met with the new chair of the EMC this week to discuss this project and other parts of the UNRBA progress. He was very receptive and supportive of our efforts. The UNRBA is much further ahead of its rules implementation than the Jordan Lake Watershed Association.

So what does Orange County get for \$20,000? In my mind this is a wonderful opportunity to procure a list of credits that we can use to reduce our nutrient loading towards our goals in Stage 1 of the rules. We do not have to develop our own list or recreate work with our own staff time. This list will be available to everyone in the UNRBA and maybe later to other watersheds in the state. We could not produce this information on our own for less than \$20,000. We are trying to stay on the schedule set forth in the Falls Lake Rules to reduce nutrient loading and improve water quality in the lake so that the EPA does not set TMDLs (total maximum daily loads) for our area or start reviewing all new development. Have you had enough acronyms for one topic?

In closing, please support the allocation of \$20,000 towards this project. The other jurisdictions have already committed their funds.

We were able to keep agriculture items on the list because of our participation in this group, which benefit Orange County. We have already committed to an increase for monitoring the lake for four years in hopes of reanalyzing the water quality in the upper part of the lake and the UNRBA has made great progress towards its goals in stage 1 while collaborating with DENR, DWR, the EMC and many other jurisdictions both inside the watershed and outside the watershed.

I would also like to be reappointed by the BOCC for another year as one of your two representatives on the UNRBA. The group would like me to chair the UNRBA for another year as we work through both the monitoring contract, the Tool Box of Credits project and some other upcoming legal requirements. The UNRBA meetings are open to anyone and we welcome your attendance. This is a complicated issue that takes a great deal of time and study. I welcome your questions and comments but will not be returning until October 23.

Thank you for your time in reading this email and I hope for your support of this item-

Pam Hemminger
Chair UNRBA and Orange County Representative

Donna - would you please send to the newer Commissioners as I did not have their emails handy before leaving on my trip.

**ORANGE COUNTY
BOARD OF COUNTY COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

**Action Agenda
Item No.** 5-g

SUBJECT: Eno River Association Conservation Easements – Funding Assistance and Approval of Budget Amendment #2-B

DEPARTMENT: Environment, Agriculture, Parks and Recreation (DEAPR) **PUBLIC HEARING: (Y/N)**

| |
|----|
| No |
|----|

ATTACHMENTS

1. Infinity Farm Location Map
2. Infinity Farm Easement Map
3. Buckquarter Creek Tract Location Map
4. Buckquarter Creek Tract Site Map

INFORMATION CONTACT:

David Stancil, 245-2510
Rich Shaw, 245-2514

PURPOSE: To consider a contribution of County funds for the acquisition of permanent conservation easements by the Eno River Association to protect significant natural resource lands at Infinity Farm (Cedar Grove Township) and along Buckquarter Creek (Eno Township); and to approve Budget Amendment #2-B.

BACKGROUND: The acquisition of conservation easements to protect highly important natural and cultural resource lands in Orange County is a longstanding goal of the Board of Commissioners, and is a priority of the Lands Legacy program. Since 2001, the County has partnered with landowners and other entities to protect 2,030 acres of prime farmland and riparian buffers with conservation easements.

Over the past several months DEAPR has worked with the Eno River Association on projects to conserve highly significant land and water resources at two locations: Infinity Farm in Cedar Grove and the Buckquarter Creek Tract located northeast of Hillsborough. The Eno River Association has gathered funding from several sources with which it intends to purchase conservation easements from the owners of both properties.

Infinity Farm is a 161-acre property located on McDade Store Road in Cedar Grove Township. Owners Joy and Robert Kwapien intend to grant a permanent conservation easement to protect a 61-acre forested area located on the West Fork Eno River and 1,000 feet upstream of the West Fork Reservoir, a drinking water source for Hillsborough. The property helps to buffer the river from farm activities and provides significant wildlife habitat. The easement will prohibit future subdivision and maintain the entire 61 acres as forestland.

The **Buckquarter Creek Tract** is 41 acres located south of St. Mary's Road and adjacent to Eno River State Park (Eno Township). The property is mature pine forest with 500 feet of frontage along Buckquarter Creek (Eno River tributary) and 5,800 feet along other streams that feed Buckquarter Creek. The landowners, Ann Bacon Hollowell and Mary Ellen

Radziemski, intent to grant a permanent conservation easement that will prohibit future development and allow only sustainable forestry outside of riparian buffers (9 acres). DEAPR staff helped prepare the conservation easement and the forest stewardship plan.

FINANCIAL IMPACT: The purchase price of the Infinity Farm easement is \$222,000 (appraised value) less a \$20,000 donation from the landowners. The Eno River Association (ERA) has secured funding to purchase this easement from a Healthy Forests grant (\$139,964), City of Raleigh (\$34,000), and Town of Hillsborough (\$3,000). **ERA requests a \$25,000 contribution from Orange County for the remainder of the purchase price.**

The purchase price of the Buckquarter Creek conservation easement is \$140,778 (appraised value). The majority of funding has been secured by the Eno River Association (ERA) through a Healthy Forests grant (\$120,778). **The ERA requests a \$20,000 contribution from Orange County for the remainder of the purchase price.** The City of Raleigh will provide ERA with additional stewardship funds (\$12,000) for this project through the Upper Neuse Clean Water Initiative.

Both properties are enrolled in the Present Use Value taxation program, so the conservation easements would not lessen the amount of property taxes paid to the County. The decrease in the properties' market value caused by the conservation easement would not lower the property value to a level that is less than their present use value.

This budget amendment provides for use of existing County funds of \$45,000 from the Lands Legacy Capital Project transferred to the Conservation Easements Capital Project. The amended Capital Project Ordinances is below:

Lands Legacy (-\$45,000) - Project # 20011

Revenues for this project:

| | Current FY 2013-14 | FY 2013-14 Amendment | FY 2013-14 Revised |
|------------------------------|-----------------------|-------------------------|-----------------------|
| Alternative Financing | \$851,472 | \$0 | \$851,472 |
| From General Fund | \$769,100 | (\$45,000) | \$724,100 |
| Donations | \$1,000 | \$0 | \$1,000 |
| Appropriated Fund Balance | \$9,337 | \$0 | \$9,337 |
| Total Project Funding | \$1,630,909 | (\$45,000) | \$1,585,909 |

Appropriated for this project:

| | Current FY 2013-14 | FY 2013-14 Amendment | FY 2013-14 Revised |
|--------------------|-----------------------|-------------------------|-----------------------|
| Lands Legacy | \$1,630,909 | (\$45,000) | \$1,585,909 |
| Total Costs | \$1,630,909 | (\$45,000) | \$1,585,909 |

Conservation Easements (\$45,000) - Project # 20006

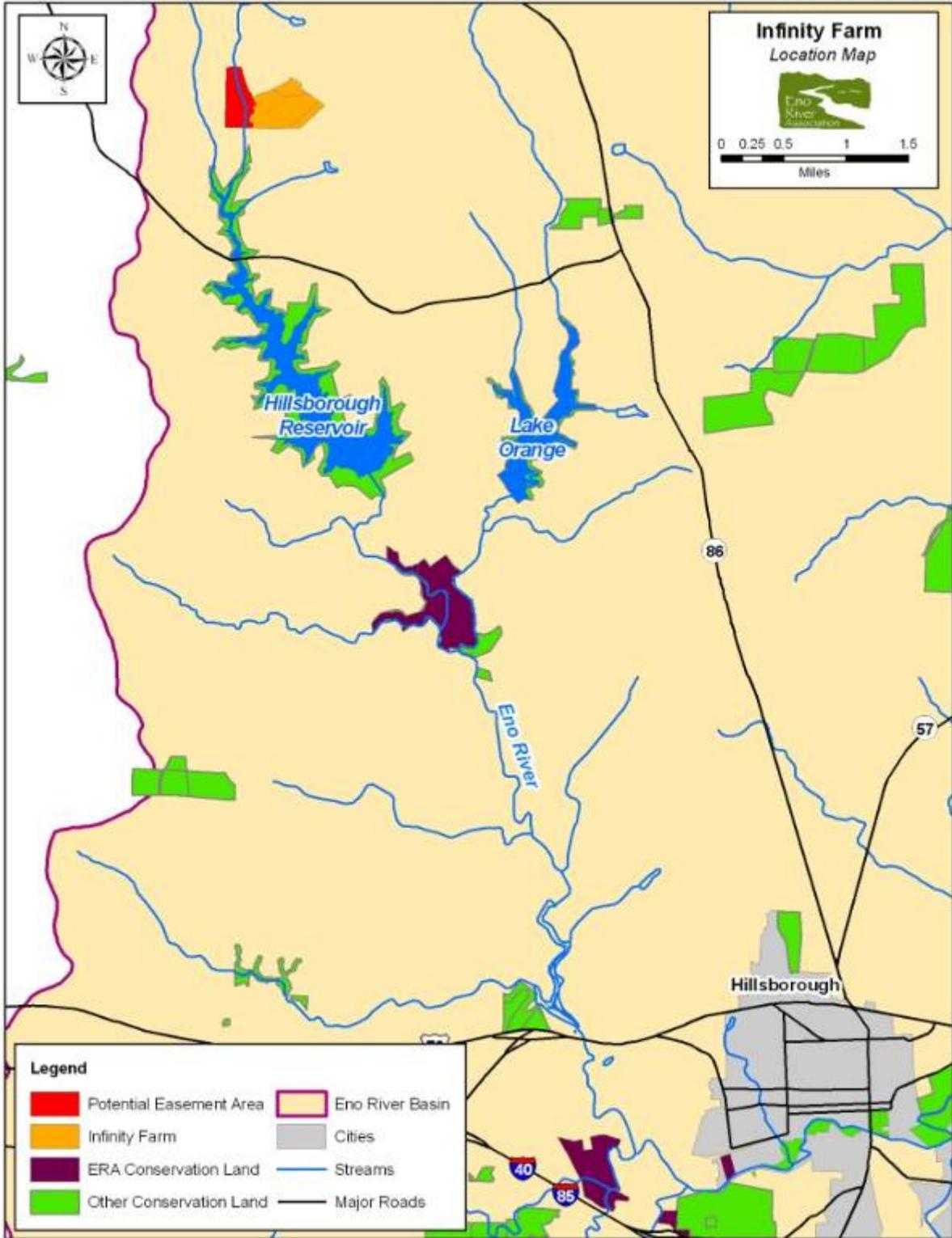
Revenues for this project:

| | Current FY 2013-14 | FY 2013-14 Amendment | FY 2013-14 Revised |
|------------------------------|-----------------------|-------------------------|-----------------------|
| Alternative Financing | \$590,632 | \$0 | \$590,632 |
| Capital Grant Funds | \$1,028,280 | \$0 | \$1,028,280 |
| From General Fund | \$364,296 | \$45,000 | \$409,296 |
| Total Project Funding | \$1,983,208 | \$45,000 | \$2,028,208 |

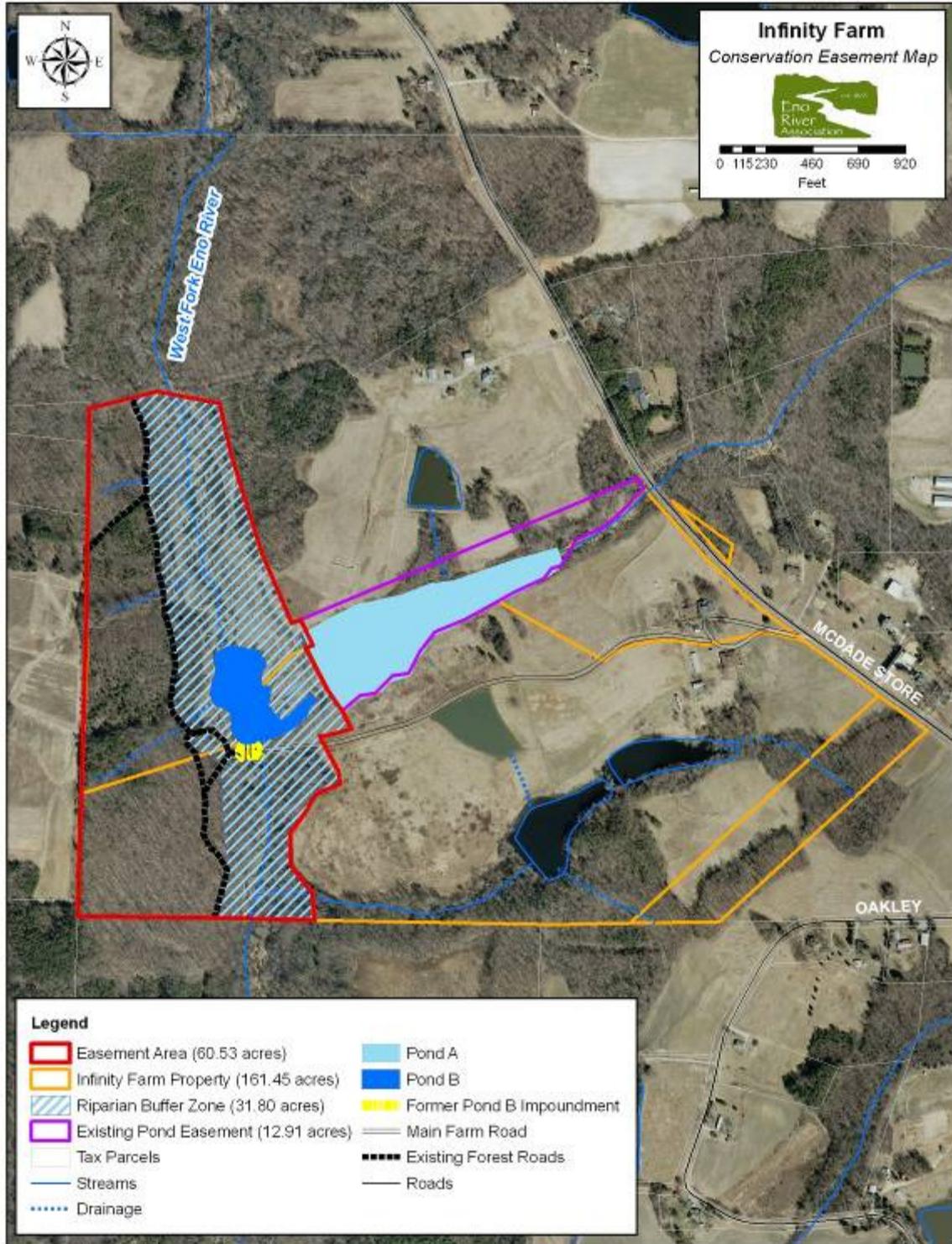
Appropriated for this project:

| | Current FY 2013-14 | FY 2013-14 Amendment | FY 2013-14 Revised |
|------------------------|-----------------------|-------------------------|-----------------------|
| Conservation Easements | \$1,983,208 | \$45,000 | \$2,028,208 |
| Total Costs | \$1,983,208 | \$45,000 | \$2,028,208 |

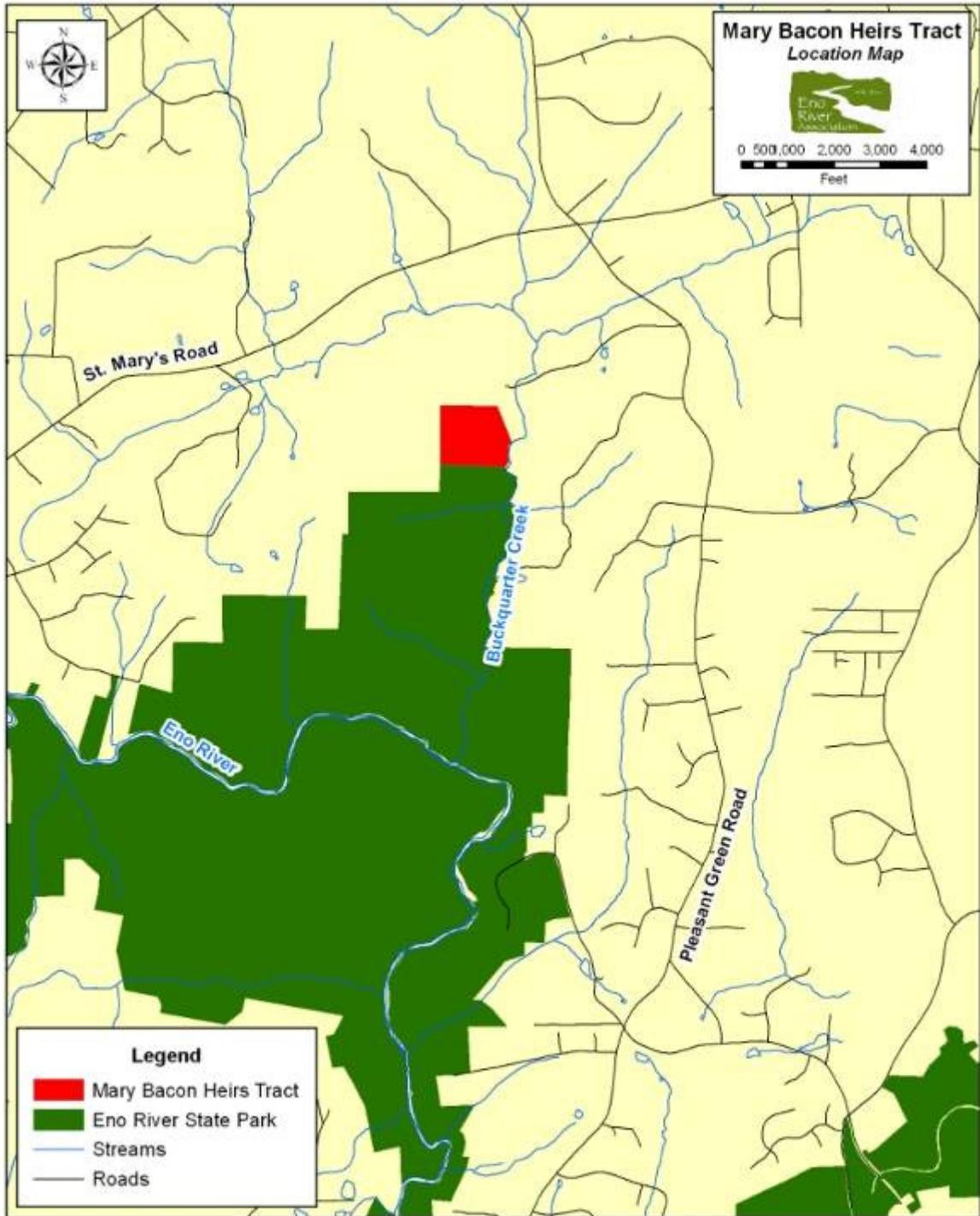
RECOMMENDATION(S): The Interim Manager recommends that the Board approve Budget Amendment #2-B authorizing the contribution of \$45,000 in existing Lands Legacy funds toward the Eno River Association's acquisition of permanent conservation easements to protect significant natural resource lands at two locations in Orange County: Infinity Farm (Cedar Grove Township) and the Buckquarter Creek Tract (Eno Township).



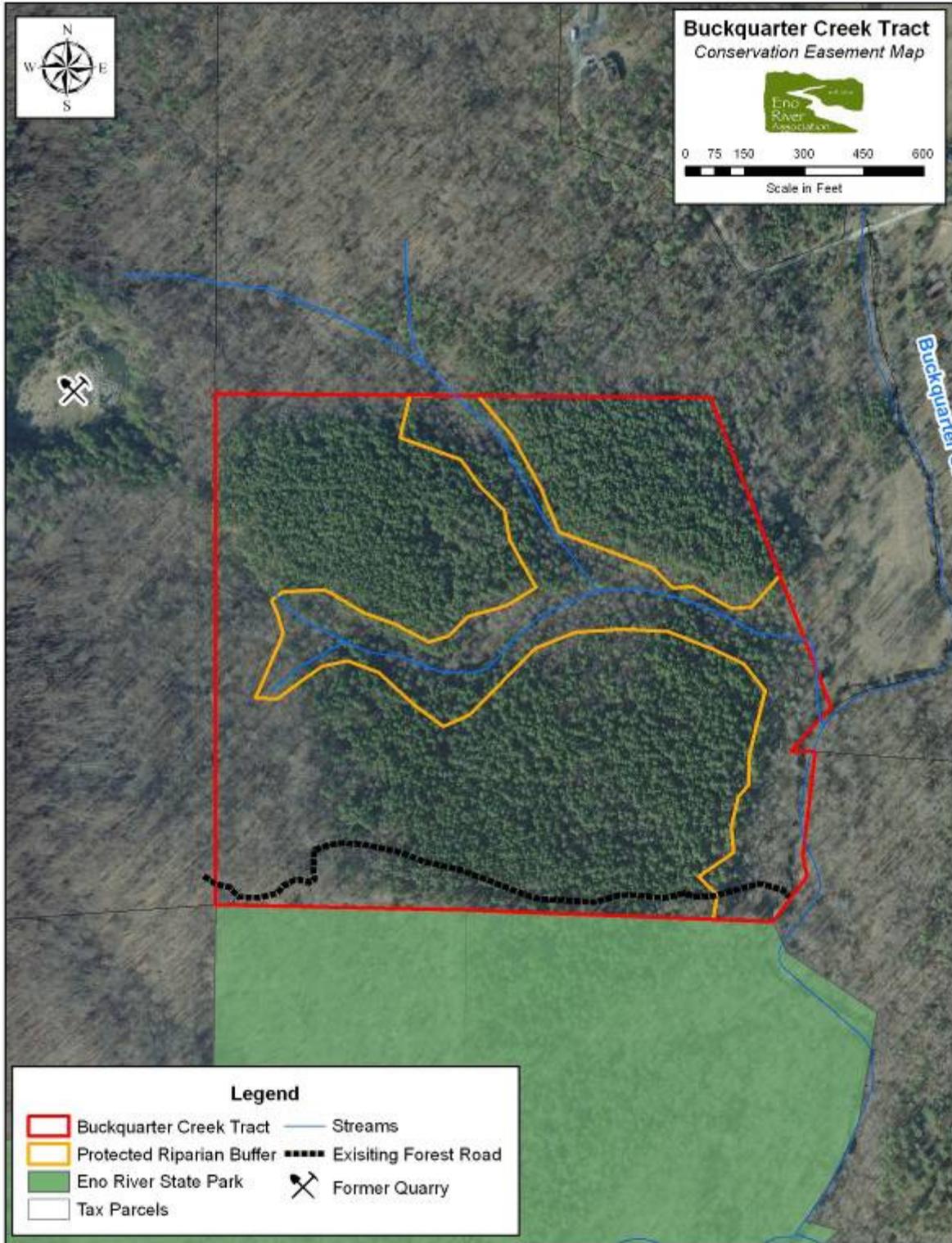
Location Map



Conservation Easement Map for Infinity Farm



Location Map



Conservation Easement Map for Buckquarter Creek tract

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

**Action Agenda
Item No.** 5-h

SUBJECT: Comprehensive Plan and Unified Development Ordinance Amendment
Outlines and Schedules for Two Upcoming Items

DEPARTMENT: Planning and Inspections

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

1. Amendment Outline to Establish Two New Zoning Overlay Districts in the Efland Area
2. Amendment Outline to Changes to the Public Hearing Process

INFORMATION CONTACT:

Perdita Holtz, Planner III, 919-245-2578
Craig Benedict, Planning Director, 919-245-2592

PURPOSE: To consider and approve process components and schedule for two upcoming government-initiated amendments to the Comprehensive Plan, Unified Development Ordinance (UDO), and Zoning Atlas.

BACKGROUND: Two items are currently being prepared by Planning staff for the February 2014 quarterly public hearing. Amendment Outlines for these proposed amendments are attached for the Board's consideration and approval:

1. Comprehensive Plan and Unified Development Ordinance Text Amendments and Zoning Atlas Amendments to **establish two new zoning overlay districts in the Efland area.** This is a reconsideration of the proposal that was denied by the Board of County Commissioners on February 5, 2013.
2. Unified Development Ordinance (UDO) Text Amendments to **change the public hearing process** that is used for Comprehensive Plan, UDO, and Zoning Atlas amendments and for Class A Special Use Permits.

FINANCIAL IMPACT: See Financial Impact included in each attached Amendment Outline.

RECOMMENDATION(S): The Interim Manager recommends the Board approve the attached Amendment Outlines and direct staff to proceed accordingly.

COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2012-13

Two New Zoning Overlay Districts in the Efland Area

A. AMENDMENT TYPE

Map Amendments

- Land Use Element Map:
From:
To:
- Zoning Map: Add Two New Zoning Overlay Districts in the Efland Area
From:
To:
- Other:

Text Amendments

- Comprehensive Plan Text:

Appendix F – Land Use and Zoning Matrix: Add tick marks to potentially allow a “Special Zoning Overlay District” in all of the Transition land use classifications.
- UDO Text:
 - UDO General Text Changes
 - UDO Development Standards
 - UDO Development Approval Processes

Section(s): Text Amendments to: Sections 2.5.7 and 4.4
 Add New Sections: 4.5, 4.6, 6.6.3 and 6.6.4.
 Renumber Existing Sections: 4.5, 4.6, and 6.6.3
 Reference Changes in Existing Sections: 4.5.1, 6.8.12, and 7.13.2.
- Other:

B. RATIONALE

1. Purpose/Mission

To reconsider the denial of a UDO text amendment to establish two new zoning overlay districts in the Efland Area. The BOCC denied the text amendment at its

February 5, 2013 meeting and additional information regarding the proposal can be found with the agenda materials from this meeting: <http://orangecountync.gov/occlerks/130909.pdf>

2. Analysis

As required under Section 2.8.5 of the Unified Development Ordinance, the Planning Director is required to: 'cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners'. The following information is offered:

The proposed zoning overlay districts are consistent with the recommendations made in the adopted Efland-Mebane Small Area Plan

(<http://orangecountync.gov/planning/documents/EflandPlanADOPTED062706.pdf>)

which called for design standards in the "core area" of Efland. The primary purpose of the overlay districts is to provide for a more village and urban style of development in an area of the county served, or intended to be served, by public water and sewer systems. The affected area is also designated as a Commercial-Industrial Transition Activity Node (CITAN) on the County's Future Land Use Map. It is pertinent to note that some of the zoning districts allowed in a CITAN land use classification allow residential uses "by right." The proposed overlay districts have been written so that the requirements will not pertain to existing or new single-family detached residential uses. All other residential uses (e.g., duplexes, multi-family) proposed in the overlay districts will be required to conform to the requirements of the overlay districts.

Because County development regulations pertain primarily to areas that are not intended to be served by public and water systems, which tends to result in larger lot sizes and lower density, some of the County's regulations are not suitable for areas intended to have denser or more intensive development on smaller lots. For example, some of the land use buffer requirement in Section 6.8 of the UDO would be infeasible to meet on a parcel of property that is less than 100 feet in width and has an area measurement typically referred to in square feet rather than in acres. However, in areas of the county slated for denser development than the outlying rural areas, smaller sized lots with buildings closer together is to be expected. Therefore, development regulations must be modified to reflect these physical differences while continuing to strive for quality development. The proposed overlay districts endeavor to encourage development while ensuring quality.

Development will still be required to meet the impervious surface limitations contained in Section 4.2 of the UDO. Because the impervious surface limitations stem from State statutes/rules, modifications to the allowable percentages are not permitted except as allowed in Section 4.2.8.

The primary reason the former proposal was denied was disagreement over whether sidewalks (publicly owned/maintained) and/or privately owned/maintained connecting walkways would be required in the Efland Village Overlay District. More information about this topic is available in the Amendment Form for the former project, viewable at: <http://orangecountync.gov/occlerks/130909.pdf> (also see the link in the former Amendment Form to the October 2011 work session materials where the BOCC

discussed and gave direction on “the sidewalk issue.”

A map showing the affected area is included at the end of this Form.

3. Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)

Objective LU-1.1:

Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available. (See also Economic Development Objectives ED-2.1, ED-2.3, ED-2.10, and Water and Wastewater Objective WW-2.)

Objective LU-3.7:

Ensure that new development patterns in non-residential nodes encourage a clustered, walkable development pattern and discourage strip development.

Objective LU-3.8:

Develop a process for implementing small area plan recommendations through the revision of County policies and regulations.

Objective LU-3.9:

Create new zoning district(s) which allow for a mixing of commercial and residential uses, a mixing of housing types, and creates a more pedestrian friendly development pattern. New districts should be applied in areas where public services exist or are planned for in the future, in areas that promote higher intensity and high density uses on the Future Land Use map.

Objective H-3.6:

Work within the Orange County government system to identify and resolve existing policies which may be at odds with historic preservation goals, green building approaches, and workforce and affordable housing efforts. (See also Cultural Resources Objective CR-3 and Economic Development Objective ED-4.1.)

4. New Statutes and Rules

Not applicable.

C. PROCESS

1. TIMEFRAME/MILESTONES/DEADLINES

a. BOCC Authorization to Proceed

June 19, 2012 (last year’s proposal)

October 15, 2013 (current proposal)

b. Quarterly Public Hearing

The current proposal is anticipated for the February 2014 quarterly public hearing, which is the earliest it can be heard and conform to Section 2.2.8 of the UDO which states that if an application is denied, the same or similar application cannot be submitted for one year.

The former proposal was heard at the November 19, 2012 joint public hearing. Meeting Minutes and a summary of the questions/comments made at the November 2012 public hearing are part of the February 5, 2013 meeting materials (<http://orangecountync.gov/occlerks/130909.pdf>).

c. BOCC Updates/Checkpoints

Early February 2014 – approval of legal ad

April 2014 - decision

d. Other

2. PUBLIC INVOLVEMENT PROGRAM

Mission/Scope: Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements.

a. Planning Board Review:

December 2013 or January 2014 – special presentation on NC counties ability to provide/maintain sidewalks (similar to October 2011 BOCC work session)

March 5, 2013 - recommendation

b. Advisory Boards:

The EMSAP Implementation Focus Group reviewed and commented on the proposed overlay districts as part of the prior process. Staff is not suggesting that the Group be reconvened for this reconsideration since significant changes to the former work are not being proposed.

c. Local Government Review:

Not applicable

d. Notice Requirements

Prior to the public hearing, notices will be mailed to affected and adjacent property owners, legal advertisements will be run, and notification signs will be posted in strategic areas of the affected area, in conformance with State Statutes and UDO requirements.

e. Outreach:

General Public: **Because significant changes to the prior materials are not being proposed, Planning staff is not suggesting a separate public meeting for these amendments.**
 An “open house” style public information meeting for the prior proposal was held on November 14, 2012 at the Efland-Cheeks Community Center. Ten people and one BOCC member attended the meeting.

Small Area Plan Workgroup: **Because significant changes to the prior materials are not being proposed, Planning staff is not suggesting additional meetings.**
 As part of the prior proposal, the EMSAP IFG met on August 29, 2012 to review and comment on the proposed overlay districts. The group decided that additional meetings were not necessary as the proposed overlay districts were consistent with the intent of the adopted EMSAP.

Other: _____

3. FISCAL IMPACT

The prior project required a fairly substantial amount of Planning staff time to complete and was accomplished by existing staff. Since significant changes are not being proposed as part of this reconsideration, staff time commitments are not expected to be significant. The legal advertisements, notification mailings, and signs will be paid using Planning Department FY13-14 funds budgeted for these purposes.

Adoption of the two new zoning overlay districts is not expected to impact County funding needs.

D. AMENDMENT IMPLICATIONS

Adoption of the amendments will mean that new development (other than detached single family houses) in the affected area will be subject to the requirements of the zoning overlay district. In some cases, such as required buffering, this is a lessening of existing regulations to reflect the smaller sized lots that exist in the affected area. In other instances, such as architectural requirements, the proposed regulations are slightly more restrictive than existing regulations.

The regulation requirements are consistent with the recommendations contained in the adopted Efland-Mebane Small Area Plan and are being proposed in order to encourage

a more urban style of development in the proposed Efland Interstate Overlay District and a more urban village style of development in the proposed Efland Village Overlay District while also promoting good planning/development practices and quality development.

E. SPECIFIC AMENDMENT LANGUAGE

Will be part of the quarterly public hearing materials. The prior work can be viewed in the February 5, 2013 BOCC meeting materials: <http://orangecountync.gov/occlerks/130205.pdf>

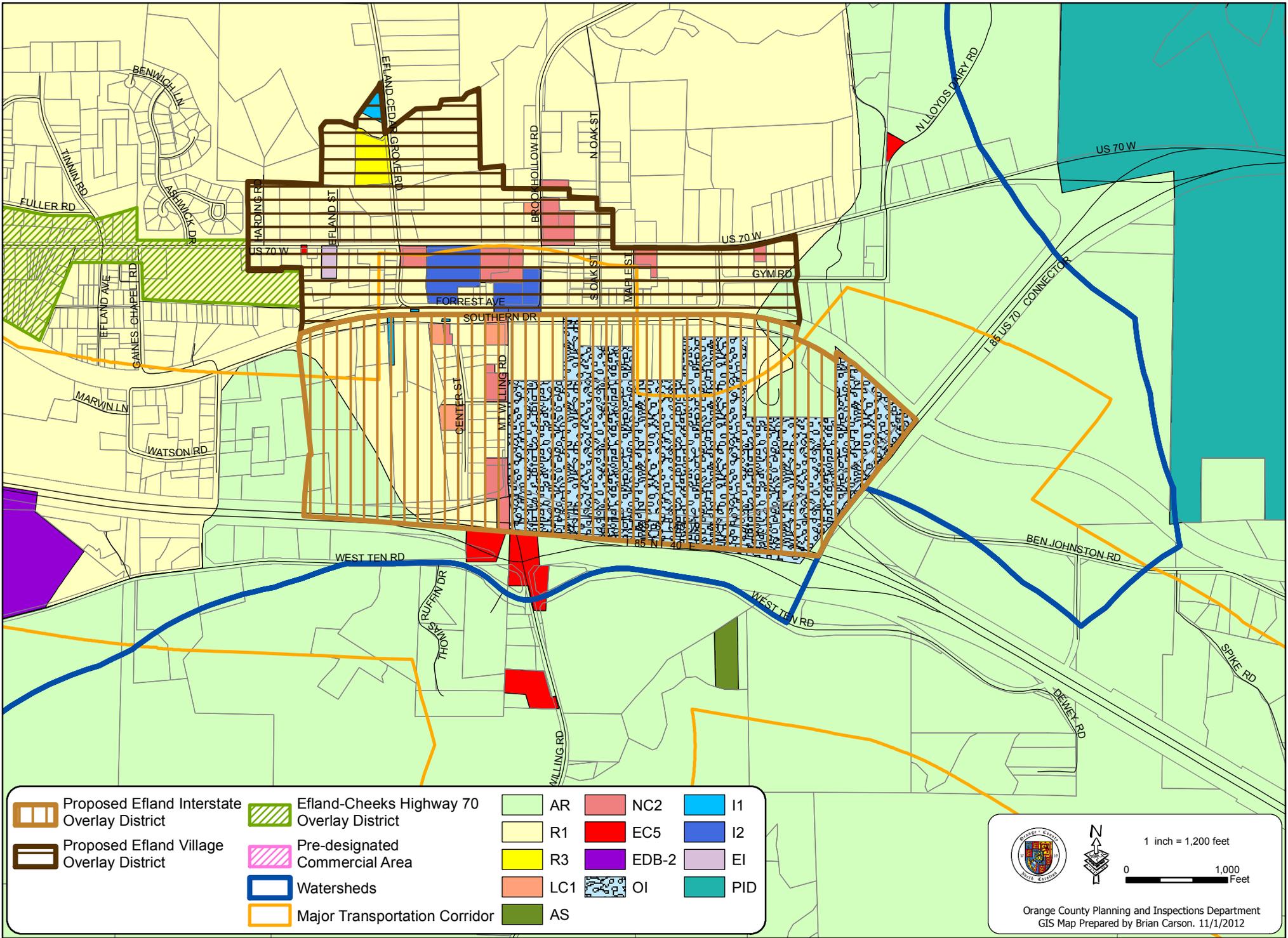
Primary Staff Contact:

Perdita Holtz, Planner III

(919) 245-2578

pholtz@orangecountync.gov

Proposed Zoning Overlay Districts



| | | | | | | | | | |
|--|---|--|---|--|-----|--|-------|--|-----|
| | Proposed Efland Interstate Overlay District | | Efland-Cheeks Highway 70 Overlay District | | AR | | NC2 | | I1 |
| | Proposed Efland Village Overlay District | | Pre-designated Commercial Area | | R1 | | EC5 | | I2 |
| | Watersheds | | EDB-2 | | R3 | | EDB-2 | | EI |
| | Major Transportation Corridor | | OI | | LC1 | | OI | | PID |
| | | | AS | | | | | | |

1 inch = 1,200 feet

 0 1,000 Feet

 Orange County Planning and Inspections Department

 GIS Map Prepared by Brian Carson, 11/1/2012

COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2013-07

Changes to Public Hearing Process

A. AMENDMENT TYPE

Map Amendments

- Land Use Element Map:
From: - - -
To: - - -
- Zoning Map:
From: - - -
To: - - -
- Other:

Text Amendments

- Comprehensive Plan Text:

Section(s):

- UDO Text:
- UDO General Text Changes
 - UDO Development Standards
 - UDO Development Approval Processes

Section(s): 2.3, 2.7, 2.8, and 5.10.2. Additional sections requiring amendments may be discovered as staff begins drafting the language.

- Other:

B. RATIONALE

- **Purpose/Mission**

To consider changes to the current public hearing process for Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas amendments and for Class A Special Use Permits. The current public hearing process is comprised of joint quarterly public hearings with the Planning Board and BOCC, which requires a quorum of both Boards.

County staff and elected officials received comments during development of the Comprehensive Plan (2008) and Unified Development Ordinance (2011) about the perceived need to streamline and speed up decisions on applications.

- **Analysis**

The topic of amending the current quarterly public hearing process has recently been brought up as part of the work on “Agricultural Support Enterprises” (ASE) because the pre-2010 ASE work included a different approval process for ASE-related projects. The September 9, 2013 BOCC work session (held at the end of the quarterly public hearing) materials contain more information about this topic: <http://orangecountync.gov/occlerks/130909.pdf>, including staff’s concern about having a different review process for only certain projects. The purpose of the work session was to obtain BOCC input/direction on the public hearing process, which staff received. There is not total agreement among BOCC members that the current process should be changed. However, a majority of the BOCC directed staff to bring forward proposed changes for public hearing and consideration.

At this time, staff is considering the following changes to the public hearing process:

- End the quarterly hearings and instead have the BOCC designate a minimum of 8 regular meetings per year where Comprehensive Plan, UDO, and Zoning Atlas amendments and applications for Class A Special Use Permits can be heard. The 8 meetings (minimum) would be designated each Fall when the BOCC approves its meeting schedule for the following calendar year.
- Stop holding the public hearings as joint hearings with the Planning Board. The Planning Board is an advisory board comprised of volunteers and there are sometimes issues of having a quorum of members present for hearings/meetings. A joint hearing cannot occur without a quorum of members from both Boards. Staff intends to propose that the Planning Board provide a recommendation to the BOCC after the public hearing. This would allow Planning Board members to either attend the public hearing or view the hearing on the internet in order to hear public comments prior to making a recommendation. Flow charts showing the current process and the process staff intends to propose are included at the end of this Form. It should be noted that staff is suggesting that the policy of having the BOCC approve the required legal advertisement would be removed as part of the streamlining effort.
- Staff is researching whether the number of public hearings items and/or anticipated time required can be limited on any one agenda in an effort to ensure land use/zoning issues do not dominate a particular BOCC meeting agenda.

As staff indicated at the work session, Orange County’s typical review timeframe in recent years (4-5 months from application deadline to BOCC decision) compares favorably to other North Carolina local governments. One of the more significant differences is that most local governments in North Carolina have a monthly public hearing cycle rather than the quarterly cycle Orange County adheres to.

It is also notable that the current process was put into place at least 20 years ago

and one of the purposes was so residents who took interest in the types of matters heard at the quarterly hearings would know in which months the hearings occur. Dissemination of information was quite different 20+ years ago when compared to today. The availability of agendas and hearing information on the internet makes it easier for interested persons to keep apprised of matters in which they are interested whereas 20+ years ago, interested people likely had to obtain hard copies of agendas/materials directly from the County Clerk.

Additional analysis will be included with the quarterly public hearing materials.

- **Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)**

Land Use Goal 6: A land use planning process that is transparent, fair, open, efficient, and responsive.

- **New Statutes and Rules**

N/A

C. PROCESS

1. **TIMEFRAME/MILESTONES/DEADLINES**

a. BOCC Authorization to Proceed

October 15, 2013

b. Quarterly Public Hearing

February 2014

c. BOCC Updates/Checkpoints

January 8, 2014 – Planning Board ORC (agenda materials are available to all interested persons)

Early February 2014 – approval of legal ad for February quarterly public hearing

d. Other

2. **PUBLIC INVOLVEMENT PROGRAM**

Mission/Scope: Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements.

a. Planning Board Review:

January 8, 2014 – ORC (Ordinance Review Committee)

March 2014 - recommendation

b. Advisory Boards:

c. Local Government Review:
Proposed text amendments will be sent to JPA partners prior to public hearing and in accordance with JPA Agreement.

Planning staff will work with the County Clerk and Manager’s office to ensure the proposed public hearing process will work smoothly with the agenda processes/systems used by these Departments.

d. Notice Requirements

Consistent with NC State Statutes – legal ad prior to public hearing

e. Outreach:

General Public:

Small Area Plan Workgroup:

Other:

3. FISCAL IMPACT

Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement will be paid from FY2013-14 Departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

D. AMENDMENT IMPLICATIONS

If adopted, the amendments would change the existing process used by Orange County to review Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas amendments and Class A Special Use Permits. See section “B” above for additional information.

E. SPECIFIC AMENDMENT LANGUAGE

Will be part of quarterly public hearing materials.

Primary Staff Contact:

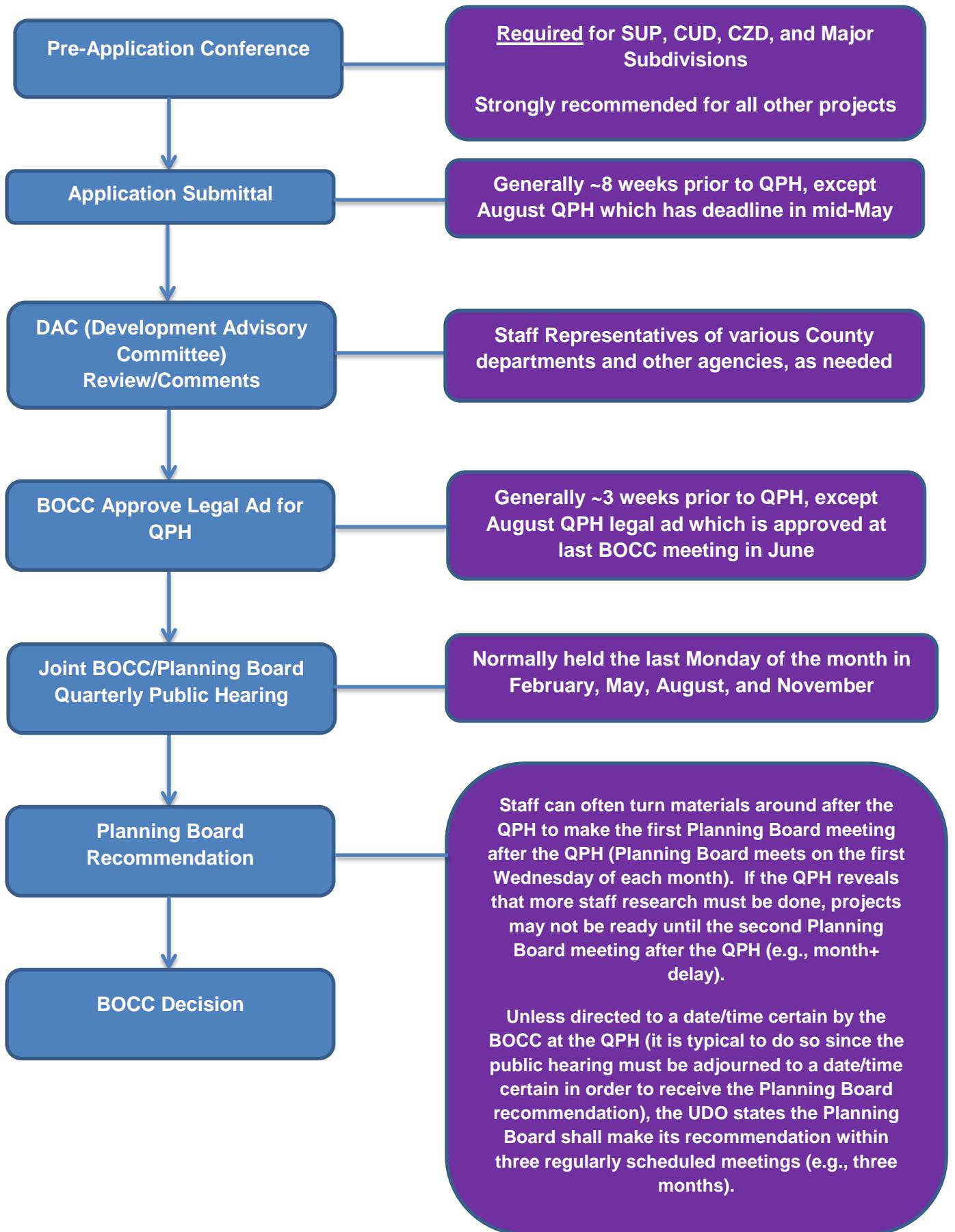
Perdita Holtz, AICP

Planning Department

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pholtz@orangecountync.gov

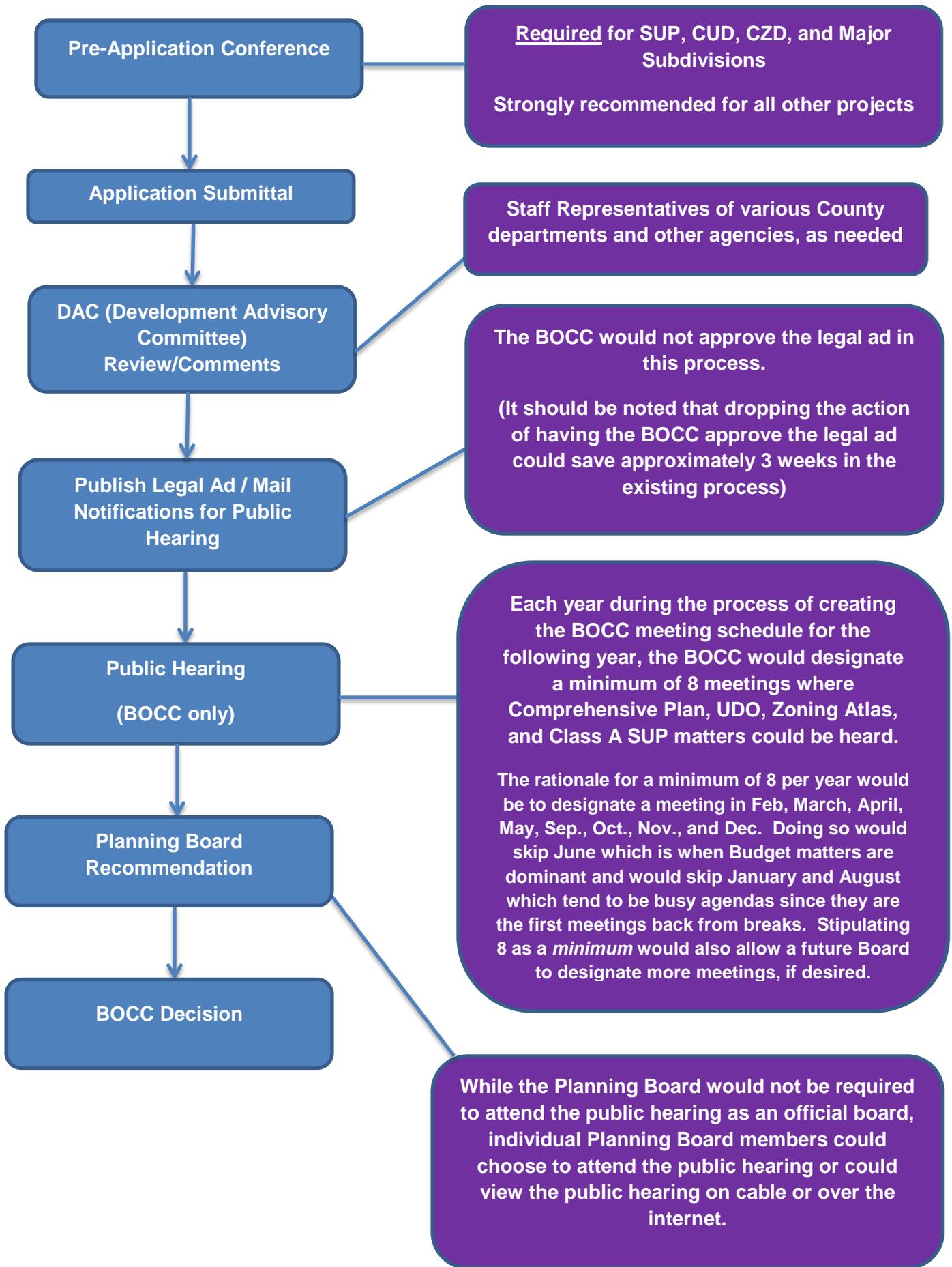
Existing Review Process for non-County-initiated actions that require a BOCC public hearing



The timeframe from Application Submittal to BOCC Decision is similar for the Existing Process and the Potential Process (a minimum of 4-5 months). The primary difference between the existing process and the potential process is the greater number of application due dates per year. There are currently 4 due dates per year, which means that if someone is ready to apply and the application due date is still 2 months away, the application can be submitted but action towards a decision would be on hold for 2 months. If there were a more frequent application deadline and public hearing schedule, the process would be more efficient for some applicants.

Orange County's timeframe from application deadline dates to decision compares favorably to most local governments in North Carolina. But one of the main differences is that most other local governments have a monthly public hearing cycle rather than the quarterly public hearing cycle Orange County adheres to.

Potential Review Process



The timeframe from Application Submittal to BOCC Decision is similar for the Existing Process and the Potential Process (a minimum of 4-5 months). The primary difference between the existing process and the potential process is the greater number of application due dates per year. There are currently 4 due dates per year, which means that if someone is ready to apply and the application due date is still 2 months away, the application can be submitted but action towards a decision would be on hold for 2 months. If there were a more frequent application deadline and public hearing schedule, the process would be more efficient for some applicants.

Orange County's timeframe from application deadline dates to decision compares favorably to most local governments in North Carolina. But one of the main differences is that most other local governments have a monthly public hearing cycle rather than the quarterly public hearing cycle Orange County adheres to.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

**Action Agenda
Item No.** 5-i

SUBJECT: Safe Routes to School Action Plan Update and Authorization of Next Steps

DEPARTMENT: Planning and Inspections

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

1. Amendment Outline Form

INFORMATION CONTACT:

Abigaile Pittman, Transportation/Land Use
Planner, 245-2567

Tom Altieri, Comprehensive Planning
Supervisor, 245-2579

Craig Benedict, 245-2592

PURPOSE: To update the BOCC on Safe Routes to School (SRTS) Action Plan pre-adoption steps, and receive authorization of next steps according to the Amendment form for the SRTS Action Plan ([Attachment 1](#)).

BACKGROUND: The NC SRTS Program works with schools, local governments and agencies, advocacy and non-profit organizations, and public health professionals at a grassroots level to identify improvements that can help make bicycling and walking to and from school a safe and healthy transportation alternative. Orange County received a Safe Routes to School (SRST) Action Plan Service Award in July 2008 for planning assistance to prepare an Action Plan for Grady A. Brown Elementary School, Cameron Park Elementary School and C.W. Stanford Middle School.

In 2009 NCDOT contracted Greenways, Incorporated and Greene Transportation Solutions to work with County staff, local agency representatives, School Team leaders and principals of the three schools to identify non-motorized infrastructure improvements that enhance safety for walking and bicycling. The draft Plan was reviewed by the North Carolina Department of Transportation (NCDOT) Bicycle and Pedestrian Division, and a final draft was completed and returned to the Planning Staff in December 2012.

April 9, 2013 BOCC Meeting

At a meeting in April the BOCC approved the Amendment Form authorizing staff to proceed with initial adoption steps that included:

- Joint staff planning meetings with Orange County Schools and the Town of Hillsborough;
- Meetings with the Orange County School Board and the Town of Hillsborough Town Board to provide information and receive endorsement to proceed; and
- The completion of updates to the draft SRTS Action Plan pertaining to the review of local planning document resources, federal and state funding sources, depicted school district boundaries, and general corrections such as the spelling of some road names, etc.

Update

- On April 30 County Planning staff met with staff from the Town of Hillsborough, Orange County Schools, Orange County Health Department, and representatives from the state Community Transformation Grant program (a related program and possible funding source). Additional conversations and meetings occurred in May, June and July to discuss the progress of pre-adoption steps;
- On May 28 County Planning staff presented an overview of the SRTS Action Plan and proposed pre-adoption steps to the Orange County School Board and received their endorsement;
- On June 10 County Planning staff presented an overview of the SRTS Action Plan and proposed pre-adoption steps to the Town of Hillsborough Board of Commissioners and received its endorsement; and
- Updates to the draft SRTS Action Plan were completed through August pertaining to the review of local planning document resources, federal and state funding sources and recent changes, revisions to depicted school district boundaries, and general corrections such as the spelling of some road names, etc. No revisions were made to project recommendations developed by the Plan steering committee.

Through this item, staff is seeking BOCC authorization to proceed with next steps to include review and adoption by Orange County Schools, the Town of Hillsborough, and Orange County.

Attachment 1 is a revised Amendment form reflecting the adoption process.

For Additional Information:

Information about the SRTS Action Plan previously submitted to the Board of County Commissioners (BOCC) on April 9, 2013 can be found at the below link:

<http://server3.co.orange.nc.us:8088/WebLink8/DocView.aspx?id=28037&dbid=0>

FINANCIAL IMPACT: Other than staff time, there is no financial impact associated with receiving, considering and authorizing the staff to proceed with adoption steps for the SRTS Action Plan. This work will be completed by existing Planning staff in the Department's Comprehensive Planning Division. Following adoption, Plan implementation will also require assistance from the NCDOT SRTS program, the Orange County Schools staff, and the Town of Hillsborough staff.

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

1. Receive the SRTS Update; and
2. Authorize Staff to proceed with the adoption process.

COMPREHENSIVE PLAN/FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

A. AMENDMENT TYPE

Map Amendments

- Land Use Element Map:
From: ---
To: ---
- Zoning Map:
From: - --
To: ---
- Other:

Text Amendments

- Comprehensive Plan Text:
- UDO Text:
 UDO General Text Changes
 UDO Development Standards
 UDO Development Approval Processes
- Other: Safe Routes to School (SRTS) Action Plan – request to proceed with adoption steps.

B. RATIONALE

1. Purpose/Mission

The purpose of the SRTS program is to:

- Enable and encourage children, including those with disabilities, to walk and bicycle to school;
- Make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and
- Facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.

2. Analysis

The required analysis will be part of the subsequent evaluation and approval of project implementation actions.

3. Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)

Chapter 9: Transportation Element Goals 1, 2, 3 and 4 and their supporting objectives address a multi-modal transportation system, promotion of public health and safety, and transportation planning that serves development. Several objectives specifically speak to the provision of bikeways and walkways.

4. New Statutes and Rules

N/A

C. PROCESS

1. TIMEFRAME/MILESTONES/DEADLINES

- a. BOCC Authorization to Proceed with Initial Adoption Steps

April 9, 2013

- b. Joint Staff Meeting with Orange County Schools and the Town of Hillsborough

April 2013

- c. Meet with Orange County School Board and the Town Board of Hillsborough to Brief and Receive Approval for Initial SRTS Adoption Steps

May 28, 2013 – Orange County School Board Meeting

June 10, 2013 – Town of Hillsborough Town Board Meeting

- d. BOCC Authorization to Proceed with Adoption Steps

October 15, 2013

- e. BOCC Public Hearing

November 19, 2013 (OUTBoard members encouraged to attend)

- f. Orange County Schools Adoption Consideration

January 13, 2014

- g. Town of Hillsborough Adoption Consideration

February 10, 2014

- h. BOCC Adoption Consideration

February 2014

2. PUBLIC INVOLVEMENT PROGRAM

The Plan development process included a public workshop completed in April 2008 that sought input from residents, including parents, teachers, principals, children, Town of Hillsborough staff, and Orange County staff.

a. Advisory Boards:

Planning Board – N/A
OUTBoard – December 18, 2013

b. Local Government Review:

Town of Hillsborough, as noted in
Section C.1. above

c. Notice Requirements

Not required for these adoption steps

d. Outreach:

General Public: The Plan development process included a public workshop completed in April 2008 that sought input from residents, including parents, teachers, principals, children, Town of Hillsborough staff, and Orange County staff.

Small Area Plan Workgroup: N/A

Other: Joint staff meetings with Orange County Schools and the Town of Hillsborough; and meetings with the Orange County School Board and the Town Board of Hillsborough.

FISCAL IMPACT

Other than staff time, there is no financial impact associated with receiving, considering and authorizing the staff to proceed with adoption steps for the SRTS Action Plan.

D. AMENDMENT IMPLICATIONS

N/A

E. SPECIFIC AMENDMENT LANGUAGE

N/A

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**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

Action Agenda

Item No. 5-j

SUBJECT: Preliminary Information and Approval to Finance Various Capital Investment Plan Projects and County Equipment

DEPARTMENT: Finance and Administrative Services

PUBLIC HEARING: (Y/N)

| |
|---|
| N |
|---|

ATTACHMENT(S):

1. Resolution Supporting an Application to the Local Government Commission for its Approval of a Financing Agreement for the County
2. Capital Investment Plan – Project Pages
3. Vehicle Replacement Fund Purchases Abstract

INFORMATION CONTACTS:

Clarence Grier, 919-245-2453
Robert Jessup, 919-933-9891

PURPOSE: To receive preliminary information and approve a resolution moving forward with financing for capital investment projects and equipment for the year.

BACKGROUND: As part of the FY2013-18 Capital Investment Plan, several projects were approved for equipment financing. The proposed projects to be financed are as follows:

| <u>Project</u> | <u>Jurisdiction</u> | <u>Amount</u> |
|--|---------------------|----------------------|
| Culbreth Middle School Science Wing | Schools - CHCCS | \$ 4,971,676 |
| HVAC Projects | County | \$ 130,000 |
| Roofing Projects | County | \$ 115,000 |
| Information Technology (including Firehouse Software and Central Permitting Software) | County | \$ 1,436,000 |
| Whitted Building Renovations | County | \$ 1,700,000 |
| Viper Radio System | County | \$ 500,000 |
| Communication System Improvements | County | \$ 709,062 |
| Vehicle Replacements | County | \$ 899,416 |
| Total | | <u>\$ 10,461,154</u> |

The County will be receiving bids from financial institutions to secure the financing. Staff anticipates financing \$10.5 million with terms between 15 to 20 years and anticipated interest rates ranging between 2.65 to 2.75 percent, which will result in an average annual debt service cost of \$650,596 to \$822,592 depending on the structure of the installment financing (interest rate and term).

FINANCIAL IMPACT: There is no financial impact related to this action. However, there will be a financial impact in proceeding with the financing. A preliminary estimate of maximum debt service applicable to the School and County projects financing would require annual debt service payments in the range of \$650,596 to \$822,592. The tax rate equivalent for the highest debt service payment is approximately .4392 cents.

RECOMMENDATION(S): The Interim Manager recommends the Board receive the preliminary information and approve the resolution moving forward with the financing of the stated capital projects and equipment financing.

**Resolution Supporting an Application to the Local Government Commission for
its Approval of a Financing Agreement for the County**

WHEREAS --

The Board of Commissioners has previously determined to carry out the acquisition and construction of various public improvements, as identified in the County's capital improvement plan.

The Board desires to finance the costs of these projects by the use of an installment financing, as authorized under Section 160A-20 of the North Carolina General Statutes.

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

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Orange County, North Carolina, that the County makes a preliminary determination to finance approximately \$10,500,000 to pay capital costs of various public improvements. The proposed list of projects and improvements to be financed appears on Exhibit A.

The Board will determine the final amount to be financed by a later resolution. The final amount financed may be slightly lower or slightly higher than \$10,500,000. Some of the financing proceeds may provide reimbursement to the County for prior expenditures on project costs, and some proceeds may be used to pay financing costs.

BE IT FURTHER RESOLVED that the Board of Commissioners makes the following findings of fact:

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

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

The County has no meaningful ability to issue non-voted general obligation bonds for this project. These projects will not produce sufficient revenues to support a self-liquidating financing. The County has in the past issued substantial amounts of voter-approved bonds, and it is appropriate for the County to balance its capital finance program between bonds and installment financing.

The County expects that in the current interest rate environment for municipal securities there would be no material difference in interest rates between general obligation bonds and installment financings for these projects.

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

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

(e) The County estimates that the maximum tax rate impact of paying debt service on the financing will be the equivalent of up to approximately 0.04 cents per \$100 of valuation. Given this low amount and based on the estimated interest rates to be payable and the proposed financing term, the County expects to be able to repay the financing within current resources, and no actual tax rate increase related to this financing will be necessary.

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

BE IT FURTHER RESOLVED as follows:

(a) The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse project expenditures from financing proceeds. The County intends that funds that have been advanced for project costs, or which may be so advanced, from the County's general fund, or any other County fund, may be reimbursed from the financing proceeds.

(b) This resolution takes effect immediately.

Exhibit A – proposed projects

| Project | Estimated Amount | Description |
|------------------------------------|-------------------------|--|
| Southern HSC (Future Planning) | \$300,000 | Expansion Master Plan and Preliminary Design Work and Planning |
| HVAC Projects | \$1,553,201 | Community Geothermal Projects |
| Roofing Projects | \$165,000 | Jail, Justice Facility, Asset Management Services, North Administrative Building |
| Information Technology | \$702,500 | Library Management System Software (ILS), Equipment, BOCC initiatives |
| Whitted Building | \$295,000 | Preliminary Design Work |
| VIPER Radio System | \$543,750 | Additional Channels for Existing Towers to increase the Viper System capacity |
| Communications System Improvements | \$164,000 | Purchase of additional Viper Radios |
| Twin Creeks Park - Phase II | \$600,000 | Construction of a main entry road |
| Buckhorn EDD Phase 2 | \$4,256,046 | To place Water and Sewer infrastructure in the Buckhorn - Mebane Economic Development District |
| Southern Human Services Center | \$280,000 | Health Clinic and DSS Renovations |
| Information Technology | \$500,000 | Desktop, Laptop and Server Replacements |
| Vehicle Replacements | \$640,503 | Vehicle Purchases |
| | | |
| | | |

Attachment 2

APPROVED - Schools Capital Projects Summary
Fiscal Years 2013-18

| Projects by School System | Current Fiscal Year 2012-13 | Year 1 Fiscal Year 2013-14 | Year 2 Fiscal Year 2014-15 | Year 3 Fiscal Year 2015-16 | Year 4 Fiscal Year 2016-17 | Year 5 Fiscal Year 2017-18 | Five Year Total | Year 6 to Year 10 |
|--|-----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|-----------------------|-------------------------|
| Chapel Hill Carrboro City Schools | | | | | | | | |
| <i>Long Range Capital</i> | | | | | | | | |
| Pay-As-You-Go Funds ⁽¹⁾ | 2,290,782 | 2,290,782 | 2,325,144 | 2,360,021 | 2,395,421 | 2,431,353 | 11,802,720 | 12,714,884 |
| Lottery Proceeds ⁽²⁾ | 815,000 | 839,960 | 839,960 | 839,960 | 839,960 | 839,960 | 4,199,800 | 4,199,800 |
| Culbreth MS Science Wing Addition | | 600,000 | 3,854,042 | 517,634 | | | 4,971,676 | |
| Middle School #5 | | | | | 1,168,474 | 6,686,266 | 7,854,740 | 31,995,940 |
| Carrboro HS Additions | | | | | | | | 19,743,948 |
| Elementary # 12 | | | | | | | | 35,476,053 |
| QSCBs | | | | | | | | |
| Elementary # 11 | 21,500,000 | | | | | | - | |
| Total | 24,605,782 | 3,730,742 | 7,019,146 | 3,717,615 | 4,403,855 | 9,957,579 | 28,828,936 | 104,130,625 |
| Orange County Schools | | | | | | | | |
| <i>Long Range Capital</i> | | | | | | | | |
| Pay-As-You-Go Funds ⁽¹⁾ | 1,434,067 | 1,434,067 | 1,455,578 | 1,477,412 | 1,499,573 | 1,522,066 | 7,388,696 | 7,959,722 |
| Lottery Proceeds ⁽²⁾ | 506,350 | 513,851 | 513,851 | 513,851 | 513,851 | 513,851 | 2,569,255 | 2,569,255 |
| OSCBs | | | | | | | | |
| Elementary #8 | | | | | | | | 21,478,200 |
| Cedar Ridge HS Auxilliary Gym | | 3,328,750 | - | | | | 3,328,750 | |
| Cedar Ridge HS Classroom Wing | | | | 12,282,960 | | | 12,282,960 | |
| Total | 1,940,417 | 5,276,668 | 1,969,429 | 14,274,223 | 2,013,424 | 2,035,917 | 25,569,661 | 32,007,177 |
| Total all Schools | 26,546,199 | 9,007,410 | 8,988,575 | 17,991,838 | 6,417,279 | 11,993,496 | 54,398,597 | 136,137,802 |
| Revenues/Funding Source | | | | | | | | |
| General Fund (Pay-As-You-Go) | 3,724,849 | 3,724,849 | 3,780,722 | 3,837,433 | 3,894,994 | 3,953,419 | 19,191,416 | 20,674,606 |
| Lottery Proceeds | 1,321,350 | 1,353,811 | 1,353,811 | 1,353,811 | 1,353,811 | 1,353,811 | 6,769,055 | 6,769,055 |
| Debt Financing | 21,500,000 | 3,928,750 | 3,854,042 | 12,800,594 | 1,168,474 | 6,686,266 | 28,438,126 | 108,694,141 |
| QSCBs | - | | | | | | | |
| Total | 26,546,199 | 9,007,410 | 8,988,575 | 17,991,838 | 6,417,279 | 11,993,496 | 54,398,597 | 136,137,802 |

Note 1: The Article 46 one quarter cent sales tax proceeds for schools is included in the Special Revenue Projects section of the CIP.

Note 2: School Construction is guided by the Schools Adequate Public Facilities Ordinance (SAPFO) projections of capacity and need.

⁽¹⁾ Pay-As-You-Go funds reflect same funding in FY 2013-14 as in FY 2012-13, and assumes a 1.5% annual growth throughout the 5 year CIP period.

NOTE: additional PAYG funding was approved in FY 2012-13 to reflect savings in debt service in FY 2012-13.

⁽²⁾ Lottery Proceeds are assumed at the same amount throughout the 5 year CIP period, based on the most recent lottery estimates from the State. The funds will be distributed on the basis of each school system's Average Daily Membership (ADM).

**County Capital Projects
Fiscal Years 2013-18**

| Project Name Functional Service Area Department | HVAC Projects Governing and Management Asset Management Services | | | | | | Project Status Starting Date Completion Date | Approved 7/1/2000 Ongoing | |
|---|--|-----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|--|---------------------------------|-------------------------|
| | Prior Years Funding | Current Fiscal Year 2012-13 | Year 1 Fiscal Year 2013-14 | Year 2 Fiscal Year 2014-15 | Year 3 Fiscal Year 2015-16 | Year 4 Fiscal Year 2016-17 | Year 5 Fiscal Year 2017-18 | Five Year Total | Year 6 to Year 10 |
| Project Budget | | | | | | | | | |
| <i>Appropriation</i> | | | | | | | | | |
| <i>Construction/Repairs/Renovations</i> | 617,223 | | | | | | | | |
| <i>Community Geothermal (DA Bld, Jail (wells only), Historic Courthouse, CSA)</i> | 1,709,200 | | | | | | | - | 752,400 |
| <i>Jail (distribution equipment/system only)</i> | | | | | | | | - | |
| <i>Efland CC HVAC Replacement</i> | | | 20,000 | | | | | 20,000 | |
| <i>Battle Courtroom geo-thermal HVAC</i> | | 50,000 | | | | | | - | |
| <i>SHSC - proposed for geo-thermal replacement</i> | | | | | | | | - | 858,360 |
| <i>Hillsborough Commons - equipment replacement</i> | | | 45,000 | 30,000 | | | | 75,000 | |
| <i>503 W Franklin (SDC) - equipment replacement</i> | | | 30,000 | 22,500 | | | | 52,500 | |
| <i>WCOB - backup for cooling system for IT room,c/w notification system</i> | | | 35,000 | | | | | 35,000 | |
| <i>Total Project Budget Geothermal</i> | 617,223 | 1,759,200 | 130,000 | 52,500 | - | - | - | 182,500 | 1,610,760 |
| <i>General Fund Related Operating Costs</i> | | | | | | | | | |
| <i>Personnel Services</i> | | | | | | | | | |
| <i>Operations</i> | | | | | | | | | |
| <i>New Debt Service</i> | | | 168,883 | 170,131 | 170,131 | 170,131 | 170,131 | 849,408 | 1,623,820 |
| <i>Total Operating Costs</i> | | | 168,883 | 170,131 | 170,131 | 170,131 | 170,131 | 849,408 | 1,623,820 |
| <i>Revenues/Funding Source</i> | | | | | | | | | |
| <i>Transfer from General Fund</i> | 617,223 | | | | | | | | |
| <i>General Fund - Debt Service</i> | | | 168,883 | 170,131 | 170,131 | 170,131 | 170,131 | 849,408 | 1,623,820 |
| <i>Available Funds Within the Project</i> | | | | | | | | | |
| <i>Grant Funding ECCBG</i> | | | | | | | | | |
| <i>Debt Financing</i> | | 1,759,200 | 130,000 | | | | | 130,000 | 1,610,760 |
| <i>Total</i> | 617,223 | 1,759,200 | 298,883 | 222,631 | 170,131 | 170,131 | 170,131 | 1,031,908 | 3,234,580 |

Project Description/Justification

In the absence of compelling reasons to the contrary, geothermal is projected for all HVAC replacement projects recommended in this Plan. While initial costs come at a slight premium over conventional systems, the on-going operational cost savings (30-35% annually) and the speed at which the premium capital cost is recovered, outweigh the initially more expensive installation. For example, the Justice Facility, whose system has been in use since 2008, is on track to recoup the premium cost by 2016 and is experiencing a 30% savings in annual heating and cooling costs. The Link Government Services Center geothermal project was completed in 2012 and is realizing energy reductions similar to the Justice Center. The Link Center project was partially funded by ARRA grant funds. The system was sized in a manner that will accommodate any future development of the north end of the first floor. The remaining components of the Community Geothermal Project, approved for funding in 2012/13, and currently in the design phase, will serve the remaining facilities on the "East Campus", including the Jail, District Attorney's office, Historic Courthouse, and the Court Street Annex. Staff will continue to investigate opportunities for grant funding for geo-thermal projects. If grant funds become available, project timelines may move up. UPDATE: The timing of work for remaining east campus buildings has been revised as follows: 1) the well field required to serve the Historic Courthouse, Jail, Court Street Annex and DA Building will be constructed in its entirety; 2) interior work will be completed for all facilities excluding the Jail, for which interior work will be completed following occupancy of the proposed new Jail (2016/17). This will allow interior work at the Jail to be completed at lower occupancy levels; All pricing has been updated to reflect actual costs from Link Center construction. 11/14/2012 update: Geo-thermal to serve the Southern Human Services Center may be included as part of the Southern Campus development project.

**County Capital Projects
Fiscal Years 2013-18**

| Project Name Functional Service Area Department | Roofing Projects Governing and Management Asset Management Services | | | Project Status Starting Date Completion Date | | | | | Approved 7/1/2000 Ongoing |
|--|---|-----------------------------------|----------------------------------|--|----------------------------------|----------------------------------|----------------------------------|-----------------------|---------------------------------|
| | Prior Years Funding | Current Fiscal Year 2012-13 | Year 1 Fiscal Year 2013-14 | Year 2 Fiscal Year 2014-15 | Year 3 Fiscal Year 2015-16 | Year 4 Fiscal Year 2016-17 | Year 5 Fiscal Year 2017-18 | Five Year Total | Year 6 to Year 10 |
| Project Budget | | | | | | | | | |
| <i>Appropriation</i> | | | | | | | | | |
| Construction/Repairs/Renovations | 1,433,100 | | | | | | | | |
| Court Street Annex | 75,000 | | | | | | | | |
| Jail (1997 Addition) 3 sectors | | 16,000 | | | 142,000 | | 18,000 | 160,000 | |
| Justice Facility (New Courthouse) - Two flat roofs | | 35,000 | | | | | | | |
| 503 W. Franklin (Skills Development Center - 9 sectors) | | | 85,000 | | | | 69,800 | 154,800 | |
| SHSC (three sectors, incl. mechanical building) | | | | | | 325,000 | | 325,000 | |
| AMS North Administrative Bldg | | 14,000 | | | | | | | |
| AMS North Operations Warehouse 4,400 sf) | | | | 35,200 | | | | 35,200 | |
| AMS North Operations Small storage (1,600 sf) | | | | 12,800 | | | | 12,800 | |
| AMS North Motorpool Facility | | | | | 91,069 | | | 91,069 | |
| EAC (no major expenditures to be made due to future use of facility. | | | | | | | | | |
| EMS Station-Revere Road | | | | | | | | | |
| EMS Communication tower (Eno Mtn) | | | | | 2,500 | | | 2,500 | |
| Blackwood Farm House | | | | 16,225 | | | | 16,225 | |
| Cate Farm House (Twin Creeks) | | | | 20,625 | | | | 20,625 | |
| Efland Community Center (main building) | | | 30,000 | | | | | 30,000 | |
| Link Center (metal roof) | | | | | | 52,500 | | 52,500 | |
| DA Building (sector 2) | | | | | | 12,000 | | 12,000 | |
| Central Recreation | | | | | 125,000 | | | 125,000 | |
| Northern Human Services (roof work to be included in NHSC project account) | | | | | | | | | |
| New Courthouse (courtroom EPDM, 4,800 sf, 4 other sectors) | | | | 94,160 | 30,000 | | | 124,160 | |
| Battle Courtroom (2 sectors) | | 100,000 | | | | | | | |
| Total Project Budget | 1,508,100 | 165,000 | 115,000 | 179,010 | 390,569 | 389,500 | 87,800 | 1,161,879 | - |
| <i>General Fund Related Operating Costs</i> | | | | | | | | | |
| Personnel Services | | | | | | | | | |
| Operations | | | | | | | | | |
| New Debt Service | | | 15,840 | 15,840 | 15,840 | 50,215 | 50,215 | 147,949 | 251,075 |
| Total Operating Costs | | | 15,840 | 15,840 | 15,840 | 50,215 | 50,215 | 147,949 | 251,075 |
| <i>Revenues/Funding Source</i> | | | | | | | | | |
| Transfer from General Fund | 1,508,100 | - | - | 179,010 | 32,500 | 64,500 | 87,800 | 363,810 | |
| General Fund - Debt Service | | | 15,840 | 15,840 | 15,840 | 50,215 | 50,215 | 147,949 | 251,075 |
| Debt Financing | | 165,000 | 115,000 | | 358,069 | 325,000 | | 798,069 | |
| Total | 1,508,100 | 165,000 | 130,840 | 194,850 | 406,409 | 439,715 | 138,015 | 1,309,828 | 251,075 |

Project Description/Justification

Roofing replacement priorities are determined by a Roof Replacement Schedule prepared in 1998 and updated in 2003 and 2006. The Schedule was updated in 2011-12 to reflect additions and divestitures since 2006. Individual projects and their anticipated funding period are itemized above. If a deconstruction/demolition combination process is not completed and the County keeps the Northern Human Services facility in service a new roof will be needed by 2013. **01/2012 UPDATE: Based on discussions to date, it has been assumed that at least a portion of the NHSC will be removed and will not require reroofing. As such, \$100,000 has been reallocated for reroofing of the Battle Courtroom. 11/14/2012 UPDATE: The portion of the NHSC building to be retained will require a new roof; this cost is included in the NHSC project cost, not in the Roofing Project.**

**County Capital Projects
Fiscal Years 2013-18**

| Project Name Functional Service Area Department | Information Technology General Services Information Technologies | | Project Status Starting Date Completion Date | | | | | Approved 7/1/1990 Ongoing | |
|---|--|-----------------------------------|--|----------------------------------|----------------------------------|----------------------------------|----------------------------------|---------------------------------|-------------------------|
| | Prior Years Funding | Current Fiscal Year 2012-13 | Year 1 Fiscal Year 2013-14 | Year 2 Fiscal Year 2014-15 | Year 3 Fiscal Year 2015-16 | Year 4 Fiscal Year 2016-17 | Year 5 Fiscal Year 2017-18 | Five Year Total | Year 6 to Year 10 |
| Project Budget | | | | | | | | | |
| <i>Appropriation</i> | | | | | | | | | |
| <i>Professional Services</i> | | | | | | | | | |
| <i>Equipment/Furnishings - Infrastructure</i> | 3,371,613 | 650,000 | 750,000 | 450,000 | 450,000 | 450,000 | 450,000 | 2,550,000 | 2,250,000 |
| <i>Library Management Systems Software</i> | | 250,000 | | | | | | - | |
| <i>BOCC Initiatives</i> | | 50,000 | 50,000 | 50,000 | 50,000 | 50,000 | 50,000 | 250,000 | 250,000 |
| <i>Total Project Budget</i> | 3,371,613 | 950,000 | 800,000 | 500,000 | 500,000 | 500,000 | 500,000 | 2,800,000 | 2,500,000 |
| <i>General Fund Related Operating Costs</i> | | | | | | | | | |
| <i>Personnel Services</i> | | | | | | | | | |
| <i>Operations</i> | | | | | | | | | |
| <i>New Debt Service</i> | | 108,480 | 260,892 | 423,612 | 423,612 | 423,612 | 423,612 | 1,955,340 | 423,612 |
| <i>Total Operating Costs</i> | | 108,480 | 260,892 | 423,612 | 423,612 | 423,612 | 423,612 | 1,955,340 | 423,612 |
| <i>Revenues/Funding Source</i> | | | | | | | | | |
| <i>Transfer from General Fund</i> | 3,371,613 | 155,980 | 50,000 | 500,000 | 500,000 | 500,000 | 500,000 | 2,050,000 | 2,500,000 |
| <i>General Fund - Debt Service</i> | | | 260,892 | 423,612 | 423,612 | 423,612 | 423,612 | 1,955,340 | 423,612 |
| <i>Available Project Balance</i> | | 200,000 | | | | | | - | |
| <i>Debt Financing</i> | | 702,500 | 750,000 | | | | | 750,000 | |
| <i>Total</i> | 3,371,613 | 1,058,480 | 1,060,892 | 923,612 | 923,612 | 923,612 | 923,612 | 4,755,340 | 2,923,612 |

Project Description/Justification

The Information Technology project incorporates a number of technology improvement efforts the County plans to accomplish in the next five years. The improvements include, but are not limited to: server replacements and upgrades, desktop and laptop replacements, PC software upgrades, GIS software and hardware upgrades. \$50,000 has been included each year for Board of Commissioners technology initiatives. FY 2012-13 included an additional \$200,000 to bring all County computers into Win7/Office2010 compliance (paid with available funds within the project), and \$250,000 for Library Management Systems software. FY 2013-14 initiatives include \$650,000 for backup data system replacement, SAN expansion, network replacements (replace aging switches, routers, and hubs), server replacements, desktop/laptop replacements, and \$100,000 in Audio Visual upgrades to the Battle Courtroom.

**County Capital Projects
Fiscal Years 2013-18**

| Project Name Functional Service Area Department | <i>Whitted Building</i> | | | | | | | Project Status | <i>Approved</i> |
|---|----------------------------------|-----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|-----------------------|-------------------------|
| | <i>Governing and Management</i> | | | | | | | Starting Date | <i>7/1/2012</i> |
| | <i>Asset Management Services</i> | | | | | | | Completion Date | <i>6/30/2016</i> |
| | Prior Years Funding | Current Fiscal Year 2012-13 | Year 1 Fiscal Year 2013-14 | Year 2 Fiscal Year 2014-15 | Year 3 Fiscal Year 2015-16 | Year 4 Fiscal Year 2016-17 | Year 5 Fiscal Year 2017-18 | Five Year Total | Year 6 to Year 10 |
| Project Budget | | | | | | | | | |
| <i>Appropriation</i> | | | | | | | | | |
| <i>Land/Building</i> | | | | | | | | | |
| Professional Services - Design work | | | 100,000 | | | | | 100,000 | |
| Construction/Repairs/Renovations | | | 1,400,000 | | | | | 1,400,000 | |
| Generator upgrade/replacement | | 200,000 | | | | | | - | |
| Replacement of exterior doors/storefronts | | 70,000 | | | | | | - | |
| Additional controlled access doors | | 25,000 | | | | | | - | |
| Total Project Budget: | | 295,000 | 1,500,000 | - | - | - | - | 1,500,000 | - |
| <i>General Fund Related Operating Costs</i> | | | | | | | | | |
| Personnel Services | | | | | | | | | |
| Operations | | | | | | | | | |
| New Debt Service | | | 28,320 | 162,720 | 162,720 | 162,720 | 162,720 | 679,200 | 813,600 |
| Total Operating Costs | | | 28,320 | 162,720 | 162,720 | 162,720 | 162,720 | 679,200 | 813,600 |
| <i>Revenues/Funding Source</i> | | | | | | | | | |
| Transfer from General Fund | | - | 100,000 | | | | | 100,000 | |
| General Fund - Debt Service | | | 28,320 | 162,720 | 162,720 | 162,720 | 162,720 | 679,200 | 813,600 |
| Debt Financing | | 295,000 | 1,400,000 | | | | | 1,400,000 | |
| Total | | 295,000 | 1,528,320 | 162,720 | 162,720 | 162,720 | 162,720 | 2,179,200 | 813,600 |

Project Description/Justification

Funding for FY 2012-13 included: 1) 600 kW emergency power generator w/ 1000A ATS would be supplied and installed to meet the electrical needs of this facility during power outages. A smaller emergency generator at the site currently powers only refrigeration equipment for drug storage and very limited other critical areas. Opportunities for grant funding will also be explored in conjunction with Emergency Services staff. Since the Health Department will occupy the facility for the foreseeable future, emergency power sufficient to keep the clinics in operation during times of disaster is recommended. 2) Exterior door/storefront replacement is required to meet security, safety and accessibility needs for seven individual entrances at the Whitted Complex. 3) Card controlled access door installations would provide additional safety and security for this complex. 4) Funding approved for FY 2013-14 provides for renovation of the former Library space for a shared use facility that would accommodate a permanent meeting location for the Board of County Commissioners and potentially other uses, should this option be selected by the Board. Funding also includes an allowance for associated parking improvements/modifications that may be required. This is one of several facilities that was discussed with the Board at their work session on February 12, 2013.

**County Capital Projects
Fiscal Years 2013-18**

| Project Name | <i>Viper Radio System</i> | | | | | | Project Status | <i>Approved</i> | |
|---|---------------------------|-----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|------------------|-------------------|
| Functional Service Area | <i>Public Safety</i> | | | | | | Starting Date | <i>7/1/2012</i> | |
| Department | <i>Emergency Services</i> | | | | | | Completion Date | <i>6/30/2020</i> | |
| Project Budget | Prior Years Funding | Current Fiscal Year 2012-13 | Year 1 Fiscal Year 2013-14 | Year 2 Fiscal Year 2014-15 | Year 3 Fiscal Year 2015-16 | Year 4 Fiscal Year 2016-17 | Year 5 Fiscal Year 2017-18 | Five Year Total | Year 6 to Year 10 |
| <i>Appropriation</i> | | | | | | | | | |
| Additional Channels on Existing Towers | | 543,750 | 500,000 | 500,000 | | 500,000 | 500,000 | 2,000,000 | 1,000,000 |
| <i>Total Project Budget</i> | - | 543,750 | 500,000 | 500,000 | - | 500,000 | 500,000 | 2,000,000 | 1,000,000 |
| <i>General Fund Related Operating Costs</i> | | | | | | | | | |
| Personnel Services | | | | | | | | | |
| Operations | | | | | | | | | |
| New Debt Service | | | 118,701 | 227,853 | 337,005 | 337,005 | 446,157 | 1,466,721 | 1,309,824 |
| <i>Total Operating Costs</i> | | | 118,701 | 227,853 | 337,005 | 337,005 | 446,157 | 1,466,721 | 1,309,824 |
| <i>Revenues/Funding Source</i> | | | | | | | | | |
| General Fund - Debt Service | | | 118,701 | 227,853 | 337,005 | 337,005 | 446,157 | 1,466,721 | 1,309,824 |
| Capital Projects Fund Balance | | | | | | | | | |
| Debt Financing | | 543,750 | 500,000 | 500,000 | | 500,000 | 500,000 | 2,000,000 | 1,000,000 |
| <i>Total</i> | - | 543,750 | 618,701 | 727,853 | 337,005 | 837,005 | 946,157 | 3,466,721 | 2,309,824 |

Project Description/Justification

Additional Channels: Equipment and hardware on the existing towers in Orange County as well as the surrounding areas will be upgraded to allow for increased system capacity which will reduce busy signals received by field units during times of high demand. If the upgrades are not funded, the system will not be able to alleviate the current service/coverage issues. Channels and additional equipment will be added to the following locations based on the most current information from the state. Chatham Site: 3 channels/1 combiner; Hillsborough Site: 2 channels/1 combiner/1 antenna package. The tower is currently full and may require additional work to allow channels to be added; Laws Site: 3 channels; UNC Site: 2 channels. Site is maintained by UNC and may require additional work to add channels; Altamahaw Site: 1 channel; Mebane Site: 2 channels.

Towers: The addition of two towers over the next five years (costs for each tower are spread over a two year period) will expand coverage which in turn will increase capacity allowing better access for field units increasing safety and more stable interoperability. A third tower is planned in Years 6-10. Can not be funded by 9-1-1 funds.

Note: This Viper Radio System project was reviewed as part of the charge to the Emergency Services Work Group.

**County Capital Projects
Fiscal Years 2013-18**

| Project Name Functional Service Area Department | Communication System Improvements | | | | | | Project Status | Approved | |
|---|-------------------------------------|-----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|-----------------------|-------------------------|
| | Public Safety Emergency Services | | | | | | Starting Date | 7/1/2012 | |
| Project Budget | Prior Years Funding | Current Fiscal Year 2012-13 | Year 1 Fiscal Year 2013-14 | Year 2 Fiscal Year 2014-15 | Year 3 Fiscal Year 2015-16 | Year 4 Fiscal Year 2016-17 | Year 5 Fiscal Year 2017-18 | Five Year Total | Year 6 to Year 10 |
| OSSI-CAD Replacement | | 589,875 | | | | | | - | |
| 800 Mhz Radios | | 253,077 | 20,000 | 122,000 | 127,000 | 39,000 | 920,000 | 1,228,000 | |
| NextGen Phone System | | | 402,000 | | | | | 402,000 | |
| 9-1-1 Call Taker and Dispatch Software: | | | | | | | | | |
| *Emergency Police Dispatch | | | 99,000 | | | | | 99,000 | |
| *Emergency Fire Dispatch | | | 99,000 | | | | | 99,000 | |
| *Smart9-1-1 | | | | | 30,000 | | | 30,000 | |
| Paging Hardware | | | | | 150,000 | | | 150,000 | |
| P25 Compliant Radio System Consoles (E-9-1-1) | | 231,026 | 601,242 | | | | | 601,242 | |
| P25 Compliant Radios (Rural Fire Districts) | | | 150,000 | | | | | 150,000 | |
| Total Project Budget | - | 1,073,978 | 1,371,242 | 122,000 | 307,000 | 39,000 | 920,000 | 2,759,242 | - |
| General Fund Related Operating Costs | | | | | | | | | |
| Personnel Services | | | | | | | | | |
| Operations | | | | | | | | | |
| New Debt Service | | | 35,801 | 291,921 | 318,554 | 379,023 | 387,537 | 1,412,836 | 1,528,769 |
| Total Operating Costs | | | 35,801 | 291,921 | 318,554 | 379,023 | 387,537 | 1,412,836 | 1,528,769 |
| Revenues/Funding Source | | | | | | | | | |
| Transfer from General Fund | | 193,474 | | | | | | | |
| General Fund - Debt Service | | | 35,801 | 72,912 | 99,545 | 160,014 | 168,528 | 536,800 | 1,309,760 |
| From 9-1-1 Funds - Debt Service | | | | 219,009 | 219,009 | 219,009 | 219,009 | 876,036 | 219,009 |
| From 9-1-1 Funds | | 716,504 | 198,000 | | 30,000 | | | 228,000 | |
| Capital Projects Fund Balance | | | | | | | | | |
| Debt Financing - E-9-1-1 | | | 1,003,242 | | | | | 1,003,242 | |
| Debt Financing | | 164,000 | 170,000 | 122,000 | 277,000 | 39,000 | 920,000 | 1,528,000 | |
| Total | - | 1,073,978 | 1,407,043 | 413,921 | 625,554 | 418,023 | 1,307,537 | 4,172,078 | 1,528,769 |

Project Description/Justification

Note: This Communications System Improvements project was reviewed as part of the charge to the Emergency Services Work Group.

OSSI: Project funded in FY 12-13

800 MHz Radios: Portable and mobile 800 MHz radios for all Public Safety Departments County-Wide have or will be reaching seven-years of age. Replacement is necessary to ensure reliability for emergency responders. Only the Emergency Services and Sheriff's departments are included in the CIP. It will be up to each individual municipal or rural department to fund their replacement radios. It is important to establish standard features and specifications for 800 MHz radios (portables and mobiles) to ensure system reliability, optimal integration with new platforms (P25) which will be placed in service by NCSHP/VIPER starting in 2013. Regardless of funding source or user, it is critical that units purchased be standardized to ensure integration, reliability and reduce potential for field failure. The replacement of radios for Emergency Services will be phased over the next five years. The County started purchasing new 800 MHz radios in 2004 and replaced some in FY 2012-13. Year 1 (FY 2013-14) includes funding to replace a repeater, and funding in subsequent years for these original radios plus sufficient radios for new staff and begin to replenish disaster radio cache. Year 5 (FY 2017-18) includes funding of \$920,000 for replacement of Sheriff radios.

NextGen Phone System: Replacement of the main 9-1-1 switch, which is necessary to gain access to Internet (Next Generation) based services. The current switch will have reached the end of its useful life and will no longer be supported by the vendor. If the switch is not replaced, the cost of repairs /maintenance/parts will become very expensive. There is a risk that parts for this equipment will not be available in the coming years. Based on the most current vendor consultation, replacement is approved in FY 2013-2014. Pricing reflects updated quote and purchase is eligible from 9-1-1 funds if approved by 9-1-1 Board.

9-1-1 Call Taker and Dispatch Software:

EPD: ProQA Dispatch Software integrates the National Academy Protocols with today's critical computer technologies and assists telecommunicators in quickly determining the appropriate response specifically configured by local agency authorities. ProQA guides dispatchers in providing relevant Post-Dispatch and Pre-Arrival instructions prior to units arriving on scene. Pricing reflects updated quote and OSSI interface.

EFD: Fire Priority Dispatch system will allow all the benefits and safety features of a unified fire protocol system based on fire department approved parameters to combine with the latest in caller integration and response prioritization. Pricing reflects updated quote and OSSI interface.

Smart 9-1-1: Allows citizens to enter information through a secure website that would be available in the event they need to call 9-1-1. When the citizen calls 9-1-1 the data automatically displays on the 9-1-1 operators work station. The same information is also available via the web to police, fire and EMS units in the field which helps them respond more quickly and effectively. It works seamlessly in today's infrastructure as well as future Next Generation solutions.

Paging Hardware: Will provide a reliable station notification system for all County Fire and EMS stations. Can not be funded through 9-1-1 funds.

P25 Compliant Radio System Consoles: The Project 25 New Technology Standards Project (known as Project 25 or P25) is a multi-phase, multi-year project jointly conducted by the public safety communications community and industry to establish a suite of open standards (known as the Project 25 Standard) that enable the manufacture, procurement, and operation of interoperable digital wireless communications equipment and systems to satisfy the service, feature, and capability requirements of public safety practitioners and other users. Replacement of the current radio systems in the 911 center to continue to integrate with the state-wide VIPER radio network. This upgrade will outfit eleven (11) 911 console positions and furniture for two workstations. Becoming compliant will allow for the capability to provide and maintain a communications infrastructure supported by the State. **PURCHASE MAY BE ELIGIBLE FROM 9-1-1 FUND IF APPROVED BY 9-1-1 BOARD.**

P25 Compliant Radios (Rural Fire Districts): Provides for P25 compliant upgrades and programming to existing portable radios for all rural fire districts.

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**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: **September 17, 2013**

**Action Agenda
Item No. 5-I**

SUBJECT: FY 2013-2014 Purchase of Vehicles through Vehicle Replacement Internal Service Fund

DEPARTMENT: Financial and Administrative Services, Asset Management Services

PUBLIC HEARING: (Y/N)

| |
|----|
| No |
|----|

ATTACHMENT(S):
Internal Service Fund Vehicle Listing

INFORMATION CONTACT:
Clarence Grier, 919-245-2453
Paul Laughton, 919-245-2152
Jeff Thompson, 919-245-2658
Alan Dorman, 919-245-2627

PURPOSE: To approve the final list of County vehicles to be purchased through the Internal Services Fund established within the FY2013-2014 budget.

BACKGROUND: The Board of County Commissioners initially established the Vehicle Replacement Internal Service Fund during FY 2012-2013 for County vehicle purchases. The Internal Service Fund is an accounting device used to accumulate and allocate costs internally among the functions of the County. All County vehicle purchases will eventually occur through this Fund instead of through departments' operating budgets. The internal service fund centralizes all vehicle purchases, which will improve the ability to monitor vehicle acquisition and associated costs.

In June 2013 staff presented the attached list of vehicles recommended for purchase for FY 2013-2014 and committed to bringing this list back for Board approval in the fall.

The list coincides with and outlines the vehicles approved in the FY 2013-2014 budget and the amounts to be funded with and without debt financing for the BOCC's consideration. The total dollar amount of the vehicles to be purchased will be \$899,416. The vehicles will be purchased with installment financing.

FINANCIAL IMPACT: The financial impact of the purchase of the replacement vehicles is \$899,416.

RECOMMENDATION(S): The Manager recommends that the Board approve the final list of County vehicles to be purchased through the Internal Services Fund established within the FY2013-2014 budget.

Vehicle Replacement - Internal Service Fund

Purpose of Fund

In FY 2012-13, the Commissioner Approved Budget established 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. With the creation of this Vehicle Replacement Fund, vehicles purchased occur through this fund instead of the departments' operating budgets. The change centralizes vehicle purchases, which increases the effectiveness of vehicle performance and cost monitoring.

Recommendations are founded upon vehicle age, mileage, maintenance costs, fuel efficiency, and departmental mission need. The average age and accumulated mileage of the recommended replacements are 14 years and 140,000 miles, respectively.

Recommended replacement vehicle platforms are the Toyota Prius for administrative, highway and street use; the Chevrolet Captiva for moderate all-terrain use; the Chevrolet All Wheel Drive Equinox for heavy all-terrain use; the Ford Transit Connect for highway utility, service and light cargo use; the Ford F150 (both two and four wheel drive) for heavy utility use with the 4x4 option for heavy all-terrain use for Environmental Health, Emergency Services, and DEAPR missions; and the Chevrolet Tahoe for non-jail law enforcement use. All platforms are evaluated for department mission utility, durability, maintenance standardization, and fuel efficiency.

The list below outlines recommended vehicle requests for FY 2013-14. Pricing is based upon current State Contract rates. During the early fall, staff will provide a complete list of recommended, debt-financed, vehicle purchases, for the BOCC's consideration.

FY 2013-14 Recommended Vehicles

| Department | Item Description | Cost |
|--|--|-----------|
| Asset Management Services | Ford Transit Connect – replaces #532 2001 Dodge pick-up | \$24,547 |
| Department of the Environment, Agriculture, Parks and Recreation | Ford F150 4x4 Crew Cab truck – replaces #533 1996 GM truck | \$24,635 |
| | F350 15 passenger van – replaces #424 1999 Dodge passenger van | \$24,181 |
| | F550 Light dump truck – replaces #471 1995 Ford F250 dump truck | \$35,724 |
| Emergency Services | 2 Ford F150 4x4 Crew Cab Trucks – Replaces #663 2006 Ford Expedition (destroyed by fire) and #698 2006 Ford Expedition (existing EMS Supervisor); includes aftermarket upfit costs | \$95,206 |
| | Freightliner/Excellance Ambulance to replace aging Wheeled Coach ambulance unit (Emergency Medical Services); includes aftermarket upfit costs | \$236,136 |

| | | |
|--|--|-------------|
| Health | 3 Ford F150 4x4 trucks – replaces Environmental Health Ford Rangers #388 (1997), #414 (1998), and #421 (1999) | \$58,216 |
| | Toyota Prius – replaces #455 2000 Dodge Stratus | \$24,045 |
| Housing, Human Rights, and Community Development | Toyota Prius – replaces #498 2000 Dodge Intrepid | \$24,045 |
| Planning and Inspections | 2 Chevrolet Captiva Front Wheel Drive vehicles – replaces Ford Rangers #450 (2000) and #464 (2000) | \$38,045 |
| Sheriff | 6 Chevrolet Tahoes - replacements for Ford Crown Victoria Interceptors (Non-Jail Operations) | \$140,785 |
| Social Services | 4 Toyota Prius – replacements of Chevrolet Cavaliers #381 (1997) and #382 (1997); Chevrolet Malibus #441 (1999) and #442 (1999) | \$96,180 |
| Tax Administration | 3 Chevrolet Equinox All Wheel Drive vehicles – replaces Ford Crown Victorias #366 (1997) and #377 (1997); Chevrolet Malibu #444 (1999) | \$77,671 |
| FY 2013-14 Recommended Total: | | \$899,416 |
| FY 2013-14 Source of Funds: Short-term Installment Financing/Internal Reserves | | \$(899,416) |
| Net County Cost: | | \$ - |

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

**Action Agenda
Item No.** 5-k

SUBJECT: Board of Commissioners Meeting Calendar for Year 2014

DEPARTMENT: County Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

List of Meetings
Draft 2014 Calendar

INFORMATION CONTACT:

Donna Baker, 245-2130

PURPOSE: To consider final approval of the regular meeting schedule for the Board of County Commissioners for calendar year 2014.

BACKGROUND: In accordance with 143.318.12 of the North Carolina General Statutes, a schedule of regular meetings shall be filed with the Clerk to the Board of County Commissioners. The schedule must show the date, time and place of each meeting.

All meetings will begin at 7:00 p.m. unless otherwise noted.

Two changes are noted from the draft calendar – an additional work session on February 13th and location changes for the two joint meetings with school boards, with the meeting in the spring to be held at Southern Human Services Center and the one in the fall to be held at either the DSS meeting room, or if completed, the Whitted meeting room.

Until the completion of the Whitted meeting room, the locations for many meetings in Hillsborough are still designated to be held at the DSS offices, Hillsborough Commons or at the Link Government Services Center. When the Whitted meeting room is completed, staff will propose that the Board adopt a meeting calendar changes to move these meetings from DSS/Link to Whitted.

FINANCIAL IMPACT: Not applicable

RECOMMENDATION(S): The Interim Manager recommends that the Board approve the final schedule of regular meetings for calendar year 2014.

ORANGE COUNTY BOARD OF COMMISSIONERS
MEETING CALENDAR FOR YEAR 2014

DRAFT

NOTE: All meetings will begin at 7:00 pm unless otherwise indicated

| | | |
|------------------|---|--|
| January 23 | BOCC Regular Meeting | Hillsborough Commons (DSS Building) –Hillsborough |
| January 28 | BOCC Work Session | Southern Human Services Center – Chapel Hill |
| January 31 | Friday- BOCC Retreat <i>(note: meeting to be from 9:00am-4:00pm)</i> | Solid Waste Admin. Office - Chapel Hill |
| February 4 | BOCC Regular Meeting | Hillsborough Commons (DSS Building) –Hillsborough |
| February 5-7 | Manager’s Winter Conference | <i>TBD</i> |
| February 11 | BOCC Budget/Work Session (with budget) | Southern Human Services Center – Chapel Hill |
| February 13 | BOCC Work Session | Link Government Services Center –Hillsborough |
| February 18 | BOCC Regular Meeting | Southern Human Services Center –Chapel Hill |
| February 24 | Quarterly Public Hearing | Hillsborough Commons (DSS Building) - Hillsborough |
| February 27 | BOCC Joint meeting with Town of Hillsborough | Link Government Services Center –Hillsborough |
| March 1-5 | NACo Legislative Conference | Washington, D.C. |
| March 6 | BOCC Regular Meeting | Hillsborough Commons (DSS Building) –Hillsborough |
| March 11 | BOCC Dinner Meeting with Advisory Board <i>(note: meeting to start at 5:30pm)</i> | Link Government Services Center –Hillsborough |
| March 11 | BOCC Work Session | Link Government Services Center –Hillsborough |
| March 18 | BOCC Regular Meeting | Southern Human Services Center –Chapel Hill |
| March 27 | Joint Meeting with Town of Chapel Hill | Southern Human Services Center –Chapel Hill |
| April 1 | BOCC Regular Meeting | Hillsborough Commons (DSS Building) –Hillsborough |
| April 8 | BOCC Advisory Board Dinner Meeting –DSS <i>(note: meeting to start at 5:30pm)</i> | Link Government Services Center –Hillsborough |
| April 8 | BOCC Work Session | Link Government Services Center –Hillsborough |
| | | |

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|------------------------------------|--|---|
| April 10 | BOCC Budget Work Session | Southern Human Services Center – Chapel Hill |
| April 15 | BOCC Regular Meeting | Southern Human Services Center – Chapel Hill |
| April 28 | Legislative Breakfast Meeting (note: meeting to start at 8:30am) | Solid Waste Operations Center- Chapel Hill |
| April 29 | BOCC Joint Meeting with School Boards | Southern Human Services Center, Chapel Hill |
| | | |
| May 1 | County Clerk and County Attorney Evaluation (closed sessions) (note: meeting to start at 6:00pm) | Link Government Services Center –Hillsborough |
| May 8 | BOCC Regular Meeting | Hillsborough Commons (DSS Building) – Hillsborough |
| May 13 | BOCC Work Session | Southern Human Services Center – Chapel Hill |
| May 15 | BOCC Budget Work Session | Southern Human Services Center – Chapel Hill |
| May 20 | BOCC Regular Meeting | Southern Human Services Center – Chapel Hill |
| May 22 | BOCC Budget Public Hearing | Hillsborough Commons (DSS Building) – Hillsborough |
| May 27 | Quarterly Public Hearing | Hillsborough Commons (DSS Building) –Hillsborough |
| May 29 | BOCC Budget Public Hearing | Southern Human Services Center – Chapel Hill |
| | | |
| June 3 | BOCC Regular meeting | Hillsborough Commons (DSS Building) – Hillsborough |
| June 5 | BOCC Budget Work Session | Southern Human Services Center –Chapel Hill |
| June 10 | BOCC Budget Work Session | Link Government Services Center –Hillsborough |
| June 12 | BOCC Budget Work Session | Southern Human Services Center – Chapel Hill |
| June 17 | BOCC Regular Meeting | Southern Human Services Center –Chapel Hill |
| June 19-21 | NC City/County Manager's Summer Conference | <i>TBD</i> |
| | | |
| July 11-14 | NACo Conference | New Orleans, LA |
| | | |
| August 21-24 <i>(Tentative)</i> | NCACC Conference | TBA |
| | | |
| September 4 | Regular BOCC Meeting | Hillsborough Commons (DSS Building) – Hillsborough |
| September 8 | Quarterly Public Hearing | Hillsborough Commons (DSS Building)- Hillsborough |

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|--------------|---|--|
| September 11 | BOCC Work Session | Southern Human Services Center –Chapel Hill |
| September 16 | BOCC Regular Meeting | Southern Human Services Center –Chapel Hill |
| September 18 | BOCC Joint Meeting with Town of Mebane <i>(note: meeting starts tentatively at 5:30pm)</i> | City of Mebane |
| September 30 | Joint Meeting with School Boards | Hillsborough Commons (DSS Building)-Hillsborough |
| October 2 | Joint Meeting with the Fire Departments | Hillsborough Commons (DSS Building) – Hillsborough |
| October 7 | Regular BOCC Meeting | Hillsborough Commons (DSS Building) – Hillsborough |
| October 14 | BOCC Dinner Meeting with Advisory Board <i>(note: meeting starts at 5:30pm)</i> | Link Government Services Center –Hillsborough |
| October 14 | BOCC Work Session | Link Government Services Center –Hillsborough |
| October 16 | BOCC Joint Meeting with Town of Carrboro | Southern Human Services Center –Chapel Hill |
| October 21 | Regular BOCC Meeting | Southern Human Services Center –Chapel Hill |
| November 6 | Regular BOCC Meeting | Hillsborough Commons (DSS Building) - Hillsborough |
| November 11 | BOCC Work Session | Link Government Services Center - Hillsborough |
| November 18 | BOCC Regular Meeting | Southern Human Services Center – Chapel Hill |
| November 20 | Assembly of Governments Meeting | Southern Human Services Center-Chapel Hill |
| November 24 | Dinner Meeting with Planning Board <i>(meeting to begin at 5:30pm)</i> | Link Government Services Center –Hillsborough |
| November 24 | Quarterly Public Hearing <i>(meeting to start at 7:00pm)</i> | Hillsborough Commons (DSS Building) - Hillsborough |
| December 1 | Regular BOCC Meeting (Organizational Meeting) | Central Orange Sr. Center (next to Sportsplex) – Hillsborough |
| December 9 | Regular BOCC Meeting | Southern Human Services Center-Chapel Hill |

Link Government Services Center, 200 S. Cameron St., Hillsborough
DSS Building, Hillsborough Commons, 113 Mayo Street, Hillsborough
Southern Human Services Center, 2501 Homestead Rd., Chapel Hill
Central Orange Senior Center, 103 Meadowlands Drive, Hillsborough (next to Sportsplex)
Solid Waste Operations Center, 1207 Eubanks Road, Chapel Hill, N

| January | | | | | | |
|---------|----|------|----|------|-------|----|
| S | M | T | W | T | F | S |
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | D 23 | 24 | 25 |
| 26 | 27 | S 28 | 29 | 30 | SW 31 | |

28th 7:00 Work Session
31st 9:00 am - 4:00 pm Retreat

| February | | | | | | |
|----------|------|------|----|------|----|----|
| S | M | T | W | T | F | S |
| | | | | | | 1 |
| 2 | 3 | D 4 | 5 | 6 | 7 | 8 |
| 9 | 10 | S 11 | 12 | G 13 | 14 | 15 |
| 16 | 17 | S 18 | 19 | 20 | 21 | 22 |
| 23 | D 24 | 25 | 26 | G 27 | 28 | |

5--7th Managers Winter Conference
11th 7:00 pm Budget Work Session
13th Work Session
24th 7:00 QPH
27th 7:00 pm Town of Hillsborough

| March | | | | | | |
|-------|----|------|----|------|----|----|
| S | M | T | W | T | F | S |
| | | | | | | 1 |
| 2 | 3 | 4 | 5 | D 6 | 7 | 8 |
| 9 | 10 | G 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | S 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | S 27 | 28 | 29 |
| 30 | 31 | | | | | |

1st-5th NACo Legislative Conference
11th 5:30 pm Dinner 7:00 pm Wk Ses
27th 7:00 pm Town of Chapel Hill

| April | | | | | | |
|-------|-------|------|----|------|----|----|
| S | M | T | W | T | F | S |
| | | D 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | G 8 | 9 | S 10 | 11 | 12 |
| 13 | 14 | S 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | SW 28 | S 29 | 30 | | | |

8th 5:30 pm Dinner 7:00 pm Wk Ses
10th 7:00 pm Budget Work Session
28th 8:30 am Legislative Breakfast
29th 7:00 pm Schools

| May | | | | | | |
|-----|----|--------|----|------|----|----|
| S | M | T | W | T | F | S |
| | | | | G 1 | 2 | 3 |
| 4 | 5 | Elec 6 | 7 | D 8 | 9 | 10 |
| 11 | 12 | S 13 | 14 | S 15 | 16 | 17 |
| 18 | 19 | S 20 | 21 | D 22 | 23 | 24 |
| 25 | 26 | D 27 | 28 | S 29 | 30 | 31 |

1st 6:00 pm Closed Ses Atty & Clerk Eval
13th 7:00 pm Work Session
15th 7:00 pm Budget Work Session
22nd 7:00 pm Budget Public Hearing
29th 7:00 pm Budget Public Hearing
27th 7:00 pm QPH

| June | | | | | | |
|------|----|------|----|------|----|----|
| S | M | T | W | T | F | S |
| 1 | 2 | D 3 | 4 | S 5 | 6 | 7 |
| 8 | 9 | G 10 | 11 | S 12 | 13 | 14 |
| 15 | 16 | S 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | | | | | |

5th 7:00 pm Budget Work Session
10th 7:00 pm Budget Work Session
12th 7:00 pm Budget Work Session
19th-21st Manager's Annual Conference

| July | | | | | | |
|------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

11th - 14th NACo Annual New Orleans, La

| August | | | | | | |
|--------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | | | | | | |

21st - 24th ? NCACC Location not known yet

| September | | | | | | |
|-----------|-----|------|----|------|----|----|
| S | M | T | W | T | F | S |
| | 1 | 2 | 3 | D 4 | 5 | 6 |
| 7 | D 8 | 9 | 10 | S 11 | 12 | 13 |
| 14 | 15 | S 16 | 17 | M 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | D 30 | | | | |

8th 7:00 pm QPH
11th 7:00 pm Work Session
25th 5:30 pm City of Mebane
30th 7:00 pm Schools

| October | | | | | | |
|---------|----|------|----|------|----|----|
| S | M | T | W | T | F | S |
| | | | 1 | D 2 | 3 | 4 |
| 5 | 6 | D 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | G 14 | 15 | S 16 | 17 | 18 |
| 19 | 20 | S 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |

2nd 7:00 pm Fire Departments Wk Session
14th 5:30 pm Dinner 7:00 pm Wk Ses
16th 7:00pm Town of Carrboro
2nd Fire Departments Wk Session

| November | | | | | | |
|----------|------|--------|----|------|----|----|
| S | M | T | W | T | F | S |
| | | | | | | 1 |
| 2 | 3 | Elec 4 | 5 | D 6 | 7 | 8 |
| 9 | 10 | G 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | S 18 | 19 | D 20 | 21 | 22 |
| 23 | D 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | | | | | | |

11th 7:00 pm Work Session
20th 7:00 pm AOG
24th 5:30 pm Din GSC 7:00 pm QPH DSS

| December | | | | | | |
|----------|-----|-----|----|----|----|----|
| S | M | T | W | T | F | S |
| | C 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | S 9 | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 | | | |

| | |
|-------------------------------|-----------|
| Holidays | 11 |
| Regular BOCC Meetings | 19 |
| Work Sessions | 8 |
| Dinner Meetings | 4 |
| Budget Work Sessions | 6 |
| Budget Public Hearings | 2 |
| Quarterly Public Hearings | 4 |
| Assembly of Governments | 1 |
| School Boards | 2 |
| Closed Sessions | 1 |
| Towns | 4 |
| 8:30 am Legislative Breakfast | 1 |
| Retreat | 1 |
| Fire Departments Wk Session | 1 |
| Total Meetings | 54 |

- 17 D Dept of Soc Services
- 21 S Southern Human Services Cent
- 8 G Link Government Ser Cent
- 1 C Central Orange Sr Center
- 2 SW Solid Waste Adm Office
- 1 M Mebane
- 50 Location Total
- 50 Meeting days
- 4 Two meetings same day
- 54 Total Meetings**

Dates to work around

- Election Dates fall on 1st Tues after 1st Mon in May & Nov
- Chapel Hill Town Council Meets 2nd & 4th Mon
- Hillsborough Town Board Meets 2nd & 4th Mon
- Carrboro Board of Aldermen Meets Every Tuesday except the 5th
- CHCSCS Board Meets 1st & 3rd Thursday
- Orange County School Bd meets 1st & 3rd Mon
- 1s Wed Planning Board
- 4th Wed TJCOG
- Legislative Breakfast Even in April
- Odd in March

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

**Action Agenda
Item No.** 5-l

SUBJECT: Change in BOCC Regular Meeting Schedule for 2013

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 in the County Commissioners' regular meeting calendar for 2013.

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:

- Add a joint meeting between the BOCC and the City of Mebane Council for Thursday, November, 14, 2013 at 5:30pm at the West Campus Office building, downstairs meeting room, 131 W. Margaret Lane, Hillsborough, N.C.

RECOMMENDATION(S): The Interim Manager recommends the Board amend its regular meeting calendar for 2013 by:

- Add a joint meeting between the BOCC and City of Mebane Council for Thursday, November, 14, 2013 at 5:30pm at the West Campus Office building, downstairs meeting room, 131 W. Margaret Lane, Hillsborough, N.C.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

Action Agenda

Item No. 6-a

SUBJECT: Economic Development Incentive for Morinaga America Foods, Inc.

DEPARTMENT: Economic Development,
Manager's Office, Attorney's
Office

PUBLIC HEARING: (Y/N)

| |
|-----|
| Yes |
|-----|

ATTACHMENT(S):

1. Performance Agreement Between Orange County & Morinaga America Foods, Inc.
2. Resolution Authorizing a Performance-Based Inducement Grant Between Orange County & Morinaga America Foods, Inc.
3. Public Hearing Notice
4. Summary of Project Recruitment and Company Background
5. Power Point Summary
6. Aerial Site Map, Location & Proposed Infrastructure Improvements

INFORMATION CONTACT:

Steve Brantley
Economic Development, (919) 245-2326
Michael Talbert
County Manager, (919) 245-2308
John Roberts
County Attorney, (919) 245-2318

PURPOSE: To hold a public hearing on the issuance of "performance-based" economic development incentives to a private company, and to consider approval of the incentive agreement, with claw back provisions, for the recruitment of Morinaga America Foods, Inc. to Orange County.

BACKGROUND: Local and state government has the goal to promote economic development by encouraging the location of new businesses and the expansion of existing businesses. This activity serves to diversify the tax base, increase employment opportunities, and introduce new technologies and job skills to a community and for the benefit of its residents. The Local Government Act, North Carolina General Statute 158-7.1, outlines the requirements of public hearings, and the public hearing has been scheduled in compliance.

The subject property, a 21-acre site located along Ben Wilson Road and Interstates I-85/I-40, is within Orange County's Buckhorn Economic Development District. The property will also be annexed into the City of Mebane before the end of 2013, thereby creating a tax base benefit to both County and City jurisdictions. Attachments include the Performance Agreement between Orange County and Morinaga America Foods, Inc., a Resolution, the Public Hearing Notice, the recruitment history of Morinaga America Foods, Inc., and company background, and an aerial

map of the property showing both existing and proposed infrastructure (road access and utility) improvements to the site.

FINANCIAL IMPACT: Based on the Company's proposed operation and capital investment forecast of \$34 million for land, building, machinery and equipment, the "Hi-Chew" candy production facility will generate approximately \$291,720 in annual County property taxes. This will make the Morinaga America Foods operation one of Orange County's most significant corporate taxpayers among all other taxpayers, and thereby help to diversify the County's economy and tax base. The proposed Inducement Grant is calculated as a grant equal to 75% of that amount (\$218,790) for a period of up to 5 years, or, a total potential grant of \$1,093,950. In the event the Company invests as much as \$48 million, the Inducement Grant will allow for an increased annual grant, but shall not exceed \$1,545,000 total. The Inducement Grant contains performance-based measures for the Company to demonstrate that it has reached annual job creation and investment threshold levels, and include claw back provisions.

The Company will create at least 90 new production jobs with an average annual salary of \$37,979 per year, which will generate an annual payroll of \$3.4 million. Other economic benefit multipliers to the County include enhanced job skills for those employees through advanced technical training to be provided by the Orange County campus of Durham Technical Community College in Hillsborough. Also, construction employment for the new 98,000 square foot facility will create many additional skilled trade jobs.

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

1. Receive the proposal to consider the issuance of incentives to a private company for the recruitment of Morinaga America Foods, Inc. to Orange County, and to consider approval of a "performance-based" economic development incentive agreement with claw back provisions.
2. Conduct the Public Hearing and accept public and BOCC comments.
3. Close the Public Hearing.
4. Approve the "Performance-Based" economic development incentive agreement between Orange County and the Company, subject to final review by the County Attorney, and authorize the Chair to sign the agreement on behalf of the County.

**STATE OF NORTH CAROLINA
ORANGE COUNTY**

**PERFORMANCE AGREEMENT BETWEEN ORANGE COUNTY, NC AND MORINAGA
AMERICA FOODS, INCORPORATED**

This Agreement made and entered into this the ___ day of October, 2013 by and between Orange County, a body politic existing under the laws of the State of North Carolina (“County”) and Morinaga America Foods, Inc., a North Carolina corporation, with facilities to be located in Mebane, North Carolina (“Company”), for the purpose of incentivizing Company’s investment in Orange County and Mebane.

Company is a North Carolina corporation and a wholly-owned subsidiary of Morinaga & Co., Ltd., a confectionary company situated and doing business in Tokyo, Japan. Company’s Mebane Facility shall manufacture confectionaries for distribution throughout the United States. Company represents it is duly authorized to conduct business in North Carolina. It is understood that the levels of performance required by this Agreement are to be met by this group (Company and Morinaga & Co, Ltd.) as a whole at its Facility in Orange County (Mebane). Accordingly, the term “Company” as used in this Agreement refers to the entire group at such Facility.

W I T N E S S E T H

THAT WHEREAS, the County has offered to the Company an inducement package as hereinafter set forth; and

WHEREAS, the State of North Carolina and the Town of Mebane, North Carolina have offered separate inducement packages to the Company; and

WHEREAS, but for the offer of an inducement package the Company would not be locating its manufacturing Facility within Orange County; and

WHEREAS, the Company has agreed to meet and continue meeting the minimum investment and employment requirements as hereinafter set forth;

NOW, THEREFORE, the parties hereto in consideration of these mutual covenants and agreements passing from each to the other do hereby agree as follows:

1. **DEFINITIONS.** As used in this Agreement the terms below will have the following meanings:
 - A. “Affiliate.” A company that the Company controls, controls the Company, or is under common control with the Company.
 - B. “Commencement Date. The date in which the Company begins actual production operations at the Subject Property, after having obtained applicable governmental approvals, certificates of zoning compliance, and certificates of occupancy. Unless delayed by causes beyond the control of the Company, the Commencement Date is anticipated to be no later than December 1, 2015.

- C. “Company.” Morinaga America Foods, Inc. and includes its affiliates, successors, and assigns.
- D. “Eligible Property.” Includes (a) the Subject Property (as defined in Exhibit A, Legal Description of Real Property), other real property in the County, and all improvements the Company or an Affiliate of the Company constructs or installs, or causes to be constructed or installed, at the Subject Property or such other real property, including all buildings, building systems, and building improvements, and (b) all personal property (as defined in Exhibit C, Personal Property) the Company or an Affiliate of the Company purchases or leases and installs, at or relocates to, the Facility or such other real property.
- E. “Grant.” An economic incentive grant to the County pursuant to Section 2C of this Agreement.
- F. “Inducement Grant.” An economic development grant provided to Company for the purpose of securing the Company’s location of its manufacturing facility in Orange County, North Carolina. -
- G. “Minimum Taxable Investment.” The amount of \$34,000,000 which represents eighty percent (80%) of an aggregate Qualifying Expenditure made by the Company of approximately \$42,500,000.
- H. “Orange County Facility” “Mebane Facility,” or “Facility.” The Company constructed and/or owned primary and secondary structures, utilities, and operations and service areas situated on the Subject Property in Mebane, Orange County, North Carolina in and on which Company conducts its business, manufacturing, and/or operations.
- I. “Person.” Any individual, partnership, trust, estate, association, limited liability company, corporation, custodian, nominee, governmental instrumentality or agency, body politic or any other entity in its own or any representative capacity.
- J. “Personal Property.” All personal property the Company or an Affiliate owns or leases located at the Facility, including all (a) machinery and equipment, (b) furniture, furnishings, and fixtures, (c) property that is capitalized for federal or state income tax purposes, (d) all additions to any of the foregoing, and all replacements of any of the foregoing in excess of \$100,000.
- K. “Qualifying Expenditure.” All expenditures the Company, an Affiliate, or lessor to the Company or an Affiliate makes for Eligible Property which is subject to Tax in the County and is not subject to an exemption from Tax that the Company uses.
- L. “State.” The State of North Carolina.
- M. “Subject Property.” The property on which Company constructs and/or operates the Orange County Facility.

- N. "Tax" or "Taxes." *Ad valorem* property tax levied on real and personal property located in the County pursuant to Article 25, Chapter 105 of the North Carolina General Statutes or any successor statute relating to *ad valorem* property tax the County levies on property.
- O. "Term" or "Full Term." The duration of this Agreement meaning September __, 2013 through and including January 31, 2020.
- P. "Total Taxable Investment." The taxable value of all Qualifying Expenditures made by Company in and to its Orange County Facility as of January 31, 2020.

2. INDUSTRIAL INVESTMENT AND EMPLOYMENT AGREEMENT

A. INVESTMENT

1. The Company anticipates it shall directly invest a Minimum Taxable Investment, in accordance with the investment plan attached as Exhibit B, in addition to 2015 assessments in real and taxable business personal property as described in Exhibit C, on or before January 31, 2018. If the Company does not make the Minimum Taxable Investment by on or before January 31, 2018 (and as may be extended below), the amount of the Grants will be adjusted as provided in Subsection 2A3.
2. The Company shall achieve the Minimum Taxable Investment by January 31, 2018.
3. If total increase of taxable investment falls below the minimum investment levels, due to failure to meet the investment goals set forth in Exhibit B or removal of equipment, as assessed by the Orange County Tax Assessor, the amount of the following annual installment will be reduced by a pro-rata percentage of the shortfall. The baseline for measuring whether the investment goals have been met (i.e. the 2015 tax assessments) shall be adjusted (1) upward, if there is an increase in the assessment of the Company's real property and (2) downward, to reflect the natural decline in the value of the Company's personal property (existing in 2015 and acquired thereafter in the course of the new investment) as measured by the depreciation of such property in accordance with generally accepted accounting principles.

B. EMPLOYMENT

1. On or before January 31, 2018, at least 90 persons will be employed in full-time positions at the Mebane Facility ("Jobs Minimum"). The number of full-time positions shall be evidenced by one or more Quarterly Tax and Wage Reports (Form NCUI 101) filed with the N.C. Employment Security Commission. If 80% of the Jobs Minimum is not achieved on or before January 31, 2018 (or as extended as provided below), the amount of the Grants will be adjusted as provided in Section 6.
2. During the first year of operation after commencement of this Agreement, Company and County agree Company shall hire 18 full time employees at its Mebane Facility. During the second year of operation the Company shall hire an additional 67 full time employees at its Mebane Facility. During the third year of operation the Company shall hire at a minimum an additional 5 full time employees at its Mebane Facility. At the expiration of this Agreement, the Company, and its subsidiaries, shall employ, at its

Mebane Facility in Orange County, at least the equivalent of 90 full time employees in accordance with "Exhibit A". Ninety (90) new full time equivalent employees shall be hired at the Mebane Facility pursuant to the terms of this Agreement. Employees counted toward this total shall include only new employees of the Company employed and located at Company's Mebane Facility in Orange County, provided such employees are employed in Orange County on a full time basis. Employees of the Company will be eligible to participate in Company sponsored health insurance programs. For purposes of this section "90 full time equivalent employees" shall be defined as 90 actively employed individuals and shall not include vacant positions for which the Company is actively or otherwise recruiting. It is understood that vacancies occur and that when such occur the Company will immediately, or as soon as is reasonably possible thereafter, fill said vacancies. The mean wage of the 90 new full time equivalent employees shall be, as of the last day of this Agreement, at the annual rate of thirty-seven thousand nine hundred sixty-nine dollars (\$37,969.00).

C. DEVELOPMENT GRANT PARTICIPATION: Where applicable, the Company agrees to partner, through the commitment to create new jobs, with Orange County and other applicable agencies to apply for development grants that will improve and/or add water, sewer, road or other necessary infrastructure in order to facilitate the successful completion of this project. The Company agrees to meet with program representatives, and to participate in the grant request process as necessary to secure the required funding.

D. GUARANTEED MINIMUM LEVEL OF PERFORMANCE: The Company agrees that its minimum level of performance pursuant to this Agreement shall be as set out in this Section 2. Furthermore, Company agrees that failure to meet the minimum level of new employment as reflected in Section 2B shall entitle the County to reductions in inducement installments paid to the Company in an amount of four hundred fifty dollars (\$450.00) per employee not hired as reflected in Exhibit A. Company further agrees that failure to meet the minimum level of direct investment as reflected in Section 2A shall entitle County to pro rata reductions in inducement installments paid to the Company as set out in Section 3. It is agreed and understood by the parties hereto that the failure of the Company to meet the level of performance with respect to minimum level of investment or minimum level of new employment as specified herein shall not be considered a breach of this Agreement.

E. STATUTORY COMPLIANCE: The Company understands that the County's participation is contingent upon authority found in North Carolina General Statute 158-7.1 and other relevant North Carolina General Statutes and that should such statutory authority be withdrawn by the North Carolina General Assembly County may terminate this Agreement without penalty to County and without further compliance with this Agreement.

3. INDUCEMENT PACKAGE

A. COUNTY INDUCEMENT GRANT: Subject to Section 2A3 the County, upon execution of this Agreement, shall provide to the Company an inducement to offset Facility development, expansion, and acquisition costs in an amount estimated at One Million Ninety-three Thousand Nine Hundred Fifty Dollars (\$1,093,950) payable in five installments of approximately Two Hundred Eighteen Thousand Seven Hundred Ninety Dollars (\$218,790) over a five year period. The first installment shall occur on August 1, 2015 upon receipt of proof, as described in

Section 5 of this Agreement, that the minimum employment and investment numbers referenced in Section 2 of this Agreement have been met and that all outstanding local property taxes on the real and business personal property owned by the Company and located within Orange County for which a bill for such taxes have been issued to the Company, have been paid. Subsequent annual installments will occur during the month of January for the term of this Agreement with the final installment occurring in January 2019. No installment shall be required to be paid until such time as County receives proof of the payment of all outstanding property taxes and verification of employment and investment levels has been submitted to the County. Subject to Section 3C the final Inducement Grant Amount shall be determined based on the Company's Total Taxable Investment at the time of the final inducement installment and according to the formula in 3B.

B. TOTAL COUNTY COMMITMENT: The amount of the Inducement Grant is based on a taxable investment by Company in an amount of Thirty-four Million Dollars (\$34,000,000). Should Company make a taxable investment in an amount more than Thirty-four Million Dollars (\$34,000,000) County shall adjust the Inducement Grant amount according to the following formula: Amount of investment divided by 100 multiplied by the then current ad valorem tax rate (currently \$0.858 per \$100 of valuation) multiplied by 0.75 (percentage of inducement) multiplied by five (number of years). Utilizing this formula a taxable investment currently estimated at Thirty-four Million Dollars (\$34,000,000) would result in an Inducement Grant in the amount of One Million Ninety-three Thousand Nine Hundred Fifty Dollars (\$1,093,950) payable in five installments of Two Hundred Eighteen Thousand Seven Hundred Ninety Dollars (\$218,790). In the event the amount of taxable investment increases or decreases, the amount of inducement shall increase or decrease based on the formula specified herein, however the total amount of inducement shall be no more than One Million Five Hundred Forty-Five Thousand Dollars (\$1,545,000.000). Further, this example assumes a static taxable investment of Thirty-four Million Dollars (\$34,000,000) throughout the five-year term. The formula specified herein shall be applied to the taxable investment annually during the term to determine the actual amount of the five inducement installments.

C. MAXIMUM COUNTY COMMITMENT: The Inducement Grant shall not exceed One Million Five Hundred Forty-five Thousand Dollars (\$1,545,000.00), the inducement amount based on a Forty-eight Million Dollars (\$48,000,000) investment by Company.

4. EXPANSION OPPORTUNITY

Participation in this Agreement shall not exclude the Company from consideration for additional inducements from the County either during or upon completion of this Agreement. Future projects shall be considered on a case-by-case basis and induced at the discretion of the County based on new taxable investment and job creation in excess of the minimum levels outlined in Section 2 above. Any such agreement shall require a separate "Performance Agreement" which shall conform to all relevant North Carolina Statutes and/or Orange County Ordinances, Policies or Resolutions, shall be in writing, and shall be mutually agreed upon by the Parties.

5. PROOF AND CERTIFICATION

The officials of Parties to this Agreement shall furnish the necessary reports and certificates to verify that each Party's respective goals are met. Once the Company maintains its investment

and employment goals for the term of this Agreement it will no longer need to furnish these reports.

Acceptable forms of proof for taxable investment shall be the records of the County Tax Administrator. Acceptable forms of proof of payment of taxes shall be in the form of cancelled checks, and receipts of payment from the County Tax Administrator. Acceptable forms of proof for employment numbers shall be in the form of a notarized statement from a North Carolina licensed Certified Public Accountant and shall be verified by the North Carolina Employment Security Commission.

6. REMEDY

A. INDUCEMENT PACKAGE: If the County does not meet and maintain the terms set forth in the inducement package, the Company has the option to the rights set forth in Section 11A of this Agreement upon thirty (30) days written notice to the County.

B. DELAY OF INDUCEMENT PACKAGE INITIATION: If the Company believes that it will not meet employment and investment goals that are to be met pursuant to this Agreement by December 31, 2018, the onset of this Agreement may be delayed one (1) year, at the option of the Company. Written notification of a request to delay onset must be received by the County no later than December 31, 2014. In that event this Agreement shall initiate no later than December 31, 2014 and shall expire no later than January 31, 2020. In the event the employment and investment goals are not met due to causes beyond the control of the Company, the period in which such employment and investment goals are to be met shall be tolled by the period of such delay caused by such causes beyond the control of the Company (for purposes of this Section 6B causes beyond the control of the Company are limited to delay in completion of public works construction such as access road, utilities, water and sewer lines).

C. INVESTMENT AND EMPLOYMENT PACKAGE: If the Company does not meet and maintain either the investment or employment goals within the annual timetable set forth in this Agreement, and does not opt to delay the onset of this Agreement as described above, then the county will reduce the annual installment payment as set forth in Section 2D of this Agreement until such time as the Company once again meets both the investment and employment goals. Reduction shall be computed based on the percentage of the goal not met. In order to qualify for the full reimbursement, including recovery of any prior reductions, both investment and employment must meet or exceed the minimum standards outlined above prior to the natural termination of this Agreement.

7. SEVERABILITY

If any term or provision of this Agreement is held to be illegal, invalid, or unenforceable, the legality, validity, or enforceability of the remaining terms, or provisions of this Agreement shall not be affected thereby; and in lieu of such illegal, invalid or unenforceable term or provision, there shall be added by mutually agreed upon written amendment to this Agreement, a legal, valid, or enforceable term or provision, as similar as possible to the term or provision declared illegal, invalid, or unenforceable.

8. COMPLIANCE WITH THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT OF NORTH CAROLINA GENERAL STATUTES

All appropriations and expenditures pursuant to this Agreement shall be subject to the provisions of the Local Government Budget and Fiscal Control Act of the North Carolina General Statutes for cities and counties and shall be listed in the annual report submitted to the Local Government Commission by the County.

9. GOVERNING LAWS & FORUM

This Agreement shall be governed and construed by the Laws of the State of North Carolina. Any action brought to enforce or contest any term or provision of this Agreement shall be brought in the North Carolina General Court of Justice sitting in Orange County, North Carolina. The Parties hereto stipulate to the jurisdiction of said court.

10. INDEMNIFICATION

The Company hereby agrees to indemnify, protect and save the County and its officers, directors, and employees harmless from all liability, obligations, losses, claims, damages, actions, suits, proceedings, costs and expenses, including reasonable attorneys' fees, arising out of, connected with, or resulting directly or indirectly from the business, construction, maintenance, or operations of the Company or the Company's Mebane Facility or the transactions contemplated by or relating to this Agreement, including without limitation, the possession, condition, construction or use thereof, insofar as such matters relate to events subject to the control of the Company and not the County. The County hereby agrees to indemnify, protect and save the Company and its officers, directors, and employees harmless from all liability, obligations, losses, claims, damages, actions, suits, proceedings, costs and expenses, including reasonable attorneys' fees, arising out of, connected with, or resulting directly or indirectly from the performance of this Agreement attributable to the negligence or misconduct of the County, its officers or employees. The indemnification arising under this Article shall survive the Agreement's termination.

11. TERMINATION

A. COMPANY: Upon Company's meeting its Employment and Investment obligations as set out in Section 2 above and upon Company's certification to such and certification of the payment of all real and personal property taxes, as set out in Section 5 above, then upon the occurrence of any of the following events, the Company shall have the option of terminating this Agreement: Failure of the County, to provide the initial inducement installment as provided in Section 3 of this Agreement; or, under the same circumstances, failure of the County to make future inducement installments, as provided for in Section 3 of this Agreement. Should the Company exercise its option to terminate this Agreement, pursuant to this Section for failure by the County, the Company shall be entitled to retain all funds paid to or for the benefit of the Company pursuant to this Agreement. On the other hand, should the Company terminate this Agreement for any reason other than the default by the County to provide for any inducement installment to the Company, the Company shall repay to the County all funds paid to or for the benefit of the Company pursuant to this Agreement. Thereafter, the County shall have no further obligation to make inducement installments

annually or otherwise. Any such termination of this Agreement by the Company shall be in writing and shall meet notice requirements as set out herein.

B. COUNTY: The County shall have the option of terminating this Agreement upon any Abandonment of Operations by the Company, without penalty to the County, which option shall be executed by giving written notice to the Company. Abandonment of Operations shall be defined as a period in excess of eight (8) weeks during which the Company's level of Full Time Equivalent Employees or Direct Investment goes below thirty percent (30%) of the guaranteed minimum levels of performance commitments for either Full Time Equivalent Employees or Direct Investment as reflected in Section 2 above. Notwithstanding the foregoing, if the aforesaid decline in the number of full time equivalent employees or the Company's failure to make the required direct investments is attributable to an overall national economic decline (as such may be recognized by the United States Bureau of Labor Statistics), this shall not be deemed an abandonment of operations entitling the County to terminate this Agreement, and the Company shall not be deemed in default. In such event, the Company's and the County's obligations shall be suspended for one year and resume thereafter. If after one year the aforesaid decline continues the County may declare an Abandonment of Operations and proceed as set forth herein.

C. NATURAL: In any event, the above terms notwithstanding, this Agreement shall terminate upon the 31st day of January of the year in which the final financial inducement installment is made.

12. LIMITATION OF COUNTY'S OBLIGATION

NO PROVISION OF THIS AGREEMENT SHALL BE CONSTRUED OR INTERPRETED AS CREATING A PLEDGE OF THE FAITH AND CREDIT OF THE COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL DEBT LIMITATION. NO PROVISION OF THIS AGREEMENT SHALL BE CONSTRUED OR INTERPRETED AS DELEGATING GOVERNMENTAL POWERS NOR AS A DONATION OR A LENDING OF THE CREDIT OF THE COUNTY WITHIN THE MEANING OF THE STATE CONSTITUTION. THIS AGREEMENT SHALL NOT DIRECTLY OR INDIRECTLY OR CONTINGENTLY OBLIGATE THE COUNTY TO MAKE ANY PAYMENTS BEYOND THOSE APPROPRIATED IN THE COUNTY'S SOLE DISCRETION FOR ANY FISCAL YEAR IN WHICH THIS AGREEMENT SHALL BE IN EFFECT. NO PROVISION OF THIS AGREEMENT SHALL BE CONSTRUED TO PLEDGE OR TO CREATE A LIEN ON ANY CLASS OR SOURCE OF THE COUNTY'S MONEYS, NOR SHALL ANY PROVISION OF THE AGREEMENT RESTRICT TO ANY EXTENT PROHIBITED BY LAW, ANY ACTION OR RIGHT OF ACTION ON THE PART OF ANY FUTURE COUNTY GOVERNING BODY. TO THE EXTENT OF ANY CONFLICT BETWEEN THIS ARTICLE AND ANY OTHER PROVISION OF THIS AGREEMENT, THIS ARTICLE SHALL TAKE PRIORITY.

13. LIABILITY OF PUBLIC OFFICERS

No officer, agent or employee of the County or the Company shall be subject to any personal liability or accountability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or

employees shall be deemed to execute such documents in their official capacities only, and not in their individual capacities. This Section shall not relieve any such officer, agent or employee from the performance of any official duty provided by law.

14. MISCELLANEOUS

A. ENTIRE AGREEMENT: This Agreement, including all exhibits attached, constitutes the entire contract between the parties, and this Agreement shall not be amended except in writing signed by the Parties.

B. BINDING EFFECT: Subject to the specific provisions of this Agreement, this Agreement shall be binding upon and inure to the benefit of and be enforceable by the Parties and their respective successors and assigns.

C. TIME: Time is of the essence in this Agreement and each and all of its provisions.

D. CONSTRUCTION: Nothing in this Agreement shall be construed to the effect that the County has any right to influence the Company's business decisions or to receive business information from the Company (except as expressly provided in Section 2B and Section 5 hereof).

15. NOTICES

Any notices pursuant to and/or required by this Agreement shall be in writing and shall be delivered via United States Mail, certified, return receipt requested:

If to Orange County;

County Manager
200 S. Cameron Street
Hillsborough, NC 27278

If to Morinaga America Foods, Inc.;

c/o Morinaga America, Inc.
18552 MacArthur Blvd., Suite 360
Irvine, CA 92612

Any addressee may designate additional or different addresses for communications by notice given under this Section to the other Party.

“Exhibit A”

| December 31 | Baseline Employees | New Employees | Total Employees |
|---|--------------------|---------------|-----------------|
| 2014 | 0 | 18 | 18 |
| 2015 | | 67 | 85 |
| 2016 | | 5 | 90 |
| 2017 | | | |
| 2018 | | | |
| Total at Natural Termination of Agreement | | <u>90</u> | <u>90</u> |

| Comparison Details | |
|---------------------|---|
| Title | pdfDocs compareDocs Comparison Results |
| Date & Time | 9/11/2013 4:03:32 PM |
| Comparison Time | 1.70 seconds |
| compareDocs version | v3.4.7.15 |

| Sources | |
|-------------------|---|
| Original Document | [#2038152] [v1] MORINAGA AMERICA - Performance Agreement (Orange County).docDMS Information |
| Modified Document | [#2038152] [v2] MORINAGA AMERICA - (County) Performance Agreement (Orange County).docDMS information |

| Comparison Statistics | |
|-----------------------|----|
| Insertions | 21 |
| Deletions | 11 |
| Changes | 42 |
| Moves | 0 |
| TOTAL CHANGES | 74 |
| | |
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| | |

| Word Rendering Set Markup Options | |
|-----------------------------------|------------------------|
| Name | Standard |
| <u>Insertions</u> | |
| Deletions | |
| <u>Moves / Moves</u> | |
| Inserted cells | |
| Deleted cells | |
| Merged cells | |
| Formatting | Color only. |
| Changed lines | Mark left border. |
| Comments color | ByAuthorcolor options] |
| Balloons | False |

| compareDocs Settings Used | Category | Option Selected |
|-------------------------------------|----------|-----------------|
| Open Comparison Report after Saving | General | Always |
| Report Type | Word | Track Changes |
| Character Level | Word | False |
| Include Headers / Footers | Word | True |
| Include Footnotes / Endnotes | Word | True |
| Include List Numbers | Word | True |
| Include Tables | Word | True |
| Include Field Codes | Word | True |
| Include Moves | Word | False |
| Show Track Changes Toolbar | Word | True |
| Show Reviewing Pane | Word | True |
| Update Automatic Links at Open | Word | False |
| Summary Report | Word | End |
| Include Change Detail Report | Word | Separate |
| Document View | Word | Print |
| Remove Personal Information | Word | False |

Exhibit B

unit: USD

| Year | 2014 | 2015 | 2016 | 2017 | 2018 | Total |
|-----------|------------|------|------|-----------|------|------------|
| Land | 1,000,000 | | | | | 1,000,000 |
| Building | 16,000,000 | | | | | 16,000,000 |
| Equipment | 15,000,000 | | | 3,000,000 | | 18,000,000 |
| Total | 32,000,000 | 0 | 0 | 3,000,000 | | 35,000,000 |

Exhibit C

| No | Property | Y2014 | Y2015 | Y2018 |
|----|-----------------------------|-------|-------|-------|
| 1 | Land | 1 | | |
| 2 | Glucose Syrup Tank | | 4 | |
| 3 | Glucose Syrup Pump | | 1 | |
| 4 | Primary Vegetable Oil Tank | | 2 | |
| 5 | Primary Vegetable Oil Pump | | 1 | |
| 6 | Sugar Silo | | 3 | |
| 7 | Vacuum Cooker | | 8 | |
| 8 | Kneader | | 8 | |
| 9 | Open Cooker | | 1 | |
| 10 | Fondant Plant | | 1 | |
| 11 | Cooling Plate | | 24 | |
| 12 | Batch Roll, Sizing, Forming | | 4 | 4 |
| 13 | Cut&Wrapping Machine | | 4 | 4 |
| 14 | Computer Scale | | 1 | 1 |
| 15 | Bagger | | 1 | 1 |

ORANGE COUNTY BOARD OF COMMISSIONERS**RESOLUTION AUTHORIZING A PERFORMANCE-BASED INDUCEMENT GRANT
BETWEEN ORANGE COUNTY & MORINAGA AMERICA FOODS, INC.**

WHEREAS, North Carolina General Statute 158-7.1 authorizes a county to undertake an economic development project by extending assistance to a company in order to cause the company to locate or expand its operations within the county; and

WHEREAS, the Board of Commissioners of Orange County has held a public hearing to consider whether to participate in an economic development project with Morinaga America Foods, Inc., and the County has offered to the Company an inducement package as hereinafter set forth; and

WHEREAS, Morinaga America Foods, Inc. will construct a facility of approximately 98,000 sq. ft. for the manufacture of the Hi-Chew candy, making an investment of at least \$34 million and creating at least 90 new, permanent jobs in Orange County, and

WHEREAS, this economic development project will stimulate, diversify and stabilize the local economy, promote business in the County, and result in the creation of a substantial number of jobs in the County, and

WHEREAS, but for the offer of an inducement package the Company would not be locating its manufacturing facility within Orange County, and

WHEREAS, the Company has agreed to meet and continue meeting the minimum investment and employment requirements as hereinafter set forth, and

WHEREAS, the State of North Carolina and the City of Mebane, North Carolina have offered separate inducement packages to the Company;

THE BOARD OF COMMISSIONERS OF ORANGE COUNTY THEREFORE RESOLVES THAT:

1. The County is authorized to expend a maximum of up to \$1,545,000 of county funds for the Morinaga America Foods, Inc. project.
2. The attached Performance Agreement between the County and Morinaga America Foods, Inc. is approved.
3. The Chairman of the Board of Commissioners is authorized to execute the contract and any other documents necessary to the project on behalf of the County.

Adopted this the 15th day of October, 2013

Signed:

Barry Jacobs, Chair
Orange County Board of Commissioners

Attest:

Donna Baker, Clerk
Orange County Board of Commissioners

PUBLICATION INSTRUCTION: Please publish the following notice in the Special Notice Section of the Classified Advertisements on Wednesday, October 2, 2013. The County Seal should be placed above the announcement.



PUBLIC HEARING
Tuesday, October 15, 2013

SOUTHERN HUMAN SERVICES CENTER
2501 Homestead Road
Chapel Hill, NC 27516

Notice of Public Hearing Pursuant to North Carolina General Statute 158-7.1 (d) on the issuance of economic development incentives to a private company – The Orange County Board of Commissioners will hold a public hearing on the County’s proposed conveyance of a “performance-based” economic development incentive to a private company, as required by the Local Government Act, North Carolina General Statute 158-7.1 (d). The County Board of Commissioners intends, subject to public comment at the public hearing for which notice is hereby given, to approve conveyance of the incentive agreement, with claw back provisions, for the recruitment of Morinaga America Foods, Inc. to Orange County, N.C. The Inducement Grant is for a period of 5 years, and shall not exceed \$1,545,000 which is the inducement amount based on a \$48,000,000 investment by the Company. Funding for the incentive will come from fund balances on hand, and projected ad valorem taxes paid by the Company. The Company proposes to invest at least \$34 million in a new production facility, and create at least 90 new jobs. The hearing will begin at 7:00 PM on Tuesday, October 15, 2013, and will be held at Southern Human Services Center, 2501 Homestead Road, Chapel Hill. Further information can be obtained by contacting Donna Baker at (919) 245-2130. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the hearing should notify Donna Baker at (919) 245-2130 at least three days prior to the hearing that will be attended.



MORINAGA & CO., LTD.



Summary of Orange County's Recruitment of Morinaga America Foods, Inc.

Presentation to the Orange County Board of Commissioners Public Hearing on an Economic Development Incentive

October 15, 2013

Highlights:

- Summarizes Orange County's successful recruitment of the world-class Japanese confectionary & candy maker, **Morinaga & Co., Ltd.**, and its' USA subsidiary **Morinaga America, Inc.** which has selected a light manufacturing site in the Buckhorn Economic Development District for the firm's first American manufacturing operation.
- Outlines the company's plans to produce their "**Hi-Chew**" candy product, invest \$48 million in a new, construct a state-of-the-art 120,000 sq. ft. clean USDA-spec manufacturing facility, and create 90 - 120 new career opportunities with competitive salaries, health and retirement benefits for our residents.
- Describes the extensive efforts made by Orange County, the City of Mebane, the State of North Carolina, and other key players, following 11 separate visits by the company and its consultant to Orange County over the previous 19 months, and how we eventually won "Project Rainbow" throughout a highly competitive, multi-state site selection process.
- Identifies the specific site location, the required infrastructure to the property, the financial obligations and funding resources to fully develop the site, and local and state incentives.
- Notes the transformative effect regarding the County's successful recruitment of Morinaga America Foods, Inc. and how that success story illustrates Orange County's efforts to diversify our local economy and tax base, and create more and better jobs for our residents. Shows how the Board of County Commissioners' commitment to preparing our Economic Development Zones with utilities, zoning, incentives, and thoughtful use of the quarter cent sales tax for economic development, has proven to be a winning formula for the long term. And, highlights the public's commitment to economic development via its favorable vote on the quarter cent sales tax.

Company Description:

- **Morinaga & Co.**, which was founded 114 years ago in 1899 in Tokyo, Japan, is a major international confectionary & candy maker. With \$1.75 billion in global sales revenue, comprised of 53% in chocolates, caramel & biscuits, 19% in ice cream & frozen foodstuffs, 16% in health products, and 12% in cocoa/cake mix foodstuffs, the firm is Asia's equivalent to a Hershey's, Mars or Nestle.

Attachment #4

- In Japan, which is the world’s #2 overall largest candy and confectionary market (behind the USA), the Company has over 40 different product lines, where it holds the #1 Japanese domestic market-share for candy. Morinaga ranks similar to Kellogg Company in terms of retail sales.
- Among Japan’s top 3 competing confectionary makers, Morinaga ranks #1 for candy & caramel products, #2 for biscuits, and #3 for chocolate products. The chewy fruit flavored snack that holds the #1 spot within Japan, and which the company will produce here in Orange County, is called “**HI-CHEW**”.
- Morinaga is aggressively marketing HI-CHEW across the United States and has successful store displays at Target, COSTCO, 7 Eleven, and Kroger, and is found locally at the Streets at SouthPoint Mall (“It’s Sugar”, “World Market”).
- Additional product lines include frozen desserts (19%), foodstuffs (10%), and the internationally-renowned Weider-brand health care products such as energy drinks, nutritional vitamin/mineral supplements & protein bars, & collagen-based beauty products (16% of sales).
- Morinaga America, Inc., led by Mr. Masao Hoshino, was established in Los Angeles in 2008 for the purpose of introducing the company’s various product lines, starting with HI-CHEW.
- Overseas partners include serving as the trademark distributor, licensee or supplier for world-class confectionary companies such as Disney Japan, SUNKIST Growers, PEZ, Perfetti van Melle (Italy), Storck (Germany), Dare Foods (Canada) and Barry Callebaut AG (Switzerland).
- Management’s corporate philanthropy strives to be a “*company that improves the lives of children worldwide*”. The firm partners with international NGOs in developing nations, and places a special emphasis promoting healthy nutrition, and funding for school facilities and educational supplies, especially among West African countries.
- First Japanese corporation to be affiliated with the World Cocoa Foundation (WCF), which was established with the objective to foster a sustainable cocoa industry, and prevent the use of child labor in developing nations. This is achieved through the environmental protection of regions where major global chocolate corporations cultivate cocoa, and through economic and social development. Technical guidance and training support is provided to cocoa farmers through various programs that protect the natural and social environment.

Competition & Initial Site Search:

In early 2012, Morinaga and Portland, OR-based site selection consultant/engineering firm InSpec Group began a multi-state site search to identify a “Hi-Chew” manufacturing location. Competition for “Project Rainbow” included the following communities:

- Portland, OR
- Ontario, Canada
- Philadelphia, PA
- Richmond, VA
- Atlanta, GA
- North Carolina (18 total sites in 12 counties)

Attachment #4

Chronology of Events:

The State of North Carolina's "Project Rainbow" made a total of 11 site selection visits to Orange County over the previous 19 months, prior to Morinaga's September 3rd, 2013 public announcement to select our community.

- February 1, 2012 N.C. Department of Commerce first contacted Orange County regarding a site search called "Project Rainbow" for an unidentified company.
- April 5 – 6, 2012 First visit to see sites in NC & Orange County by Morinaga America & the firm's Portland, OR-based site selection consultant, InSpec Group.
- May 18, 2012 Morinaga America & consultant returned to see NC and Orange County sites.
- July 11 – 16, 2012 Morinaga America & consultant returned to Orange County.
- August 22, 2012 Consultant returned to Orange County. No other NC sites were visited.
- August 27, 2012 BOCC first met in closed session to discuss a potential incentive.

- January 11, 2013 Morinaga & Co.'s senior staff from Japan, Managing Director Toru Arai & Senior Managing Director Osamu Noda, travelled from Tokyo to see the two finalist sites in Orange County and Atlanta, and met with Governor McCrory & North Carolina Department of Commerce Secretary Sharon Decker.
- January 24, 2013 BOCC received a second closed session briefing on the project.
- January 31, 2013 Orange County was notified it had emerged as one of 2 finalist locations, along with a competing site near Atlanta.
- March 19 – 21, 2013 Morinaga America's President from Los Angeles, Masao Hoshino, visited & met with BOCC in closed session; Orange County's proposed incentive was discussed and tentatively approved.
- April 14 – 15, 2013 Consultant returned.
- June 11, 2013 Consultant returned.
- July 1, 2013 Mr. Toru Arai, who first visited Orange County in January 2013, was promoted to the position of President of Morinaga & Co., Ltd. in Japan.
- July 10 – 12, 2013 Chairman Gota Morinaga visited NC and Orange County to review our site and meet with the Governor.
- July 20, 2013 Morinaga & consultant returned to view additional acreage.
- August 30, 2013 Morinaga & consultant returned to observe the site survey.
- September 3, 2013 Official public announcement of Morinaga's decision to select Orange County.
- September 17, 2013 Consultant visit to discuss site infrastructure development.
- October 7, 2013 Masao Hoshino (President of Morinaga America, Inc.) & Keita Morinaga (son of Chairman Gota Morinaga, and head of the firm's New York office) attended the Public Hearing in Mebane.
- October 15, 2013 Masao Hoshino and Keita Morinaga attended the Orange County Public Hearing.

Morinaga's Planned Investment in Orange County:

On September 3, 2013 the company announced its' tentative decision to invest in Orange County, as follows:

- Capital Investment: \$34 - \$48 million (over 5 years)
- Employment: 90 - 120 jobs
- Average Salary: \$37,969
- Annual Payroll, w/ benefits: \$3.4 million
- Facility Size & Type: 98,000 sq. ft.

Attachment #4

- Type of Operation: Production of fruit flavored candy snack “*Hi-Chew*”
- Site Size: 21.00 acres (Buckhorn Economic Development District)

Although the Company has not committed to making any additional investment at this time, the property is large enough to accommodate an identical sized expansion. Company comments also support this long-term growth outlook for the Orange County site.

Site Location - Buckhorn Economic Development District:

- The 21.00 acre tract is part of the “W. H. Wilson Family Investment Group LLC” property, Orange County PIN # 9824459890. Located adjacent to Ben Wilson Road, south of and facing Interstate I-40/I-85, and near the Orange/Alamance county line in the City of Mebane. Site is part of a cleared 57-acre field facing the highway, and opposite the Armacell facility and Tanger Mall.
- Site is located within the County’s “Buckhorn Economic Development District” and was rezoned by the BOCC in 2012 to O/I (Office/Institutional) to promote business recruitment. Site is currently undeveloped without infrastructure. The owner is in the process of applying to the City of Mebane to have this property annexed and rezoned by the end of 2013.
- The utility infrastructure and road access improvements required to the make Orange County’s site competitive to attract Project Rainbow will also make adjacent properties in the Buckhorn Economic Development District more developable, attractive and competitive to appeal to future business prospects.
- In comparison, Morinaga’s other finalist location, near Atlanta, offered the company a lower-priced and established business park with all required infrastructure and tenants already in place, thereby giving the company a greater comfort level as it evaluated advantages (incentives, business costs, logistics, etc.) between that location and Orange County’s largely undeveloped site.

Necessary Infrastructure Improvements to the Site:

- The N. C. Department of Commerce has pre-qualified Orange County and Morinaga America Foods, Inc. as eligible co-applicants to receive a grant up to \$750,000 from the State of North Carolina’s “Community Development Block Grant” (CDBG) industrial program. **This State grant will reimburse the County for 75% of the required water & sewer extension costs, and the preliminary engineering for the access road to the site, with Orange County providing a required 25% local match for the remaining cost. The estimated total cost to extend water and sewer to the site, and design the road improvement may be approximately \$700,000, but the County’s portion will be only 25% of that amount with the CDBG’s reimbursement assistance.**
- One of the criteria specific to the CDBG program is that among the total number of jobs Morinaga commits to create in the first 3 years, at least 60% of those 90 – 120 total jobs must directly relate to persons who are qualified as coming from low or moderate incomes, prior to coming to work for the company. This population is typically a County resident who is either unemployed or underemployed, and who has an income level at, or below 80% of the County’s median income. This is the same criteria as used by the County’s affordable housing department to qualify low and moderate income residents for Section 8 housing vouchers. Morinaga’s projected average salary of \$37,969 will meet this requirement.

Attachment #4

- **The cost to extend a 12” water line a distance of 3,700 linear feet to the site is estimated at \$375,000 and the cost to extend a 10” sewer line a distance of 1,500 linear feet to the site is estimated at \$200,000.** Estimated design and construction time is 12 months. **Also, the cost to design the 2,500 foot access road, (which NCDOT has agreed to build), may cost at least \$100,000.**
- In addition to the State’s CDBG funding to reimburse Orange County for 75% of total utility and road improvements to the site, the County’s “Article 46” ¼ cent sales tax proceeds are also available, if needed. Orange County intends to contract with the firm Martin-McGill for design, engineering and environmental consulting work related to site infrastructure improvements, and for CDBG grant management services.
- **PSNC Energy** will need to extend a natural gas line from the existing 4’ line along Ben Wilson Road to the site. The cost for this line extension will be paid entirely by PSNC Energy, and at **no cost to Orange County or the company.**
- **Duke Energy** will deliver all electrical power to the property, to include installing transformers and underground power lines at the site, and at **no cost to Orange County or the company.**
- **N. C. Department of Transportation** has committed to extend the existing Ben Wilson service road adjacent along the highway and up to Morinaga’s site, **The \$500,000 cost to build the 2,500 foot access road will be fully paid by the State of North Carolina and NCDOT. There is no cost to Orange County or the company.** NCDOT has verbally committed to funding the access road from a combination of several State resources. Estimated design and construction time is 12 months.
- In future years, NCDOT anticipates a further extension of this new service road eastward toward Mattress Factory Road, which could favorably influence the State’s “Transportation Improvement Plan” (TIP) prioritization to eventually make Mattress Factory Road a full interchange. This needed interchange would serve to improve traffic flow for existing and future truck and employee vehicles throughout the Buckhorn Economic Development District.

Summary of Local & State Financial Incentives:

- The Orange County Board of County Commissioners first met in closed session on August 27, 2012 and discussed the recommended “performance-based” grant to encourage the company’s eventual selection of Orange County.
- The BOCC met a second time in closed session on January 24, 2013 to discuss the project, and met a third time on March 19, 2013 (during the visit and presentation by Morinaga America’s President Masao Hoshino) and voted to tentatively approve the proposed County incentive offer.
- The **Orange County** performance-based incentive is calculated as follows: **up to 75% of the taxable value of the project’s \$48.0 million capital investment, for as long as 5 years. This recommended grant will make possible a competitive Orange County incentive of approximately \$308,000 annually for 5 years, or, approximately \$1.5 million total.** The County’s performance grant would include a “claw-back” provision in the contract with the company to ensure that the firm’s annual target for capital investment and jobs creation is first verified before any County incentive would be provided over the initial 5-year term. The Company will also be required to provide health insurance for its employees during the incentive period, just as required by the State’s incentive grant. This information was outlined in the County’s commitment letter, dated March 19, 2013 from Orange County Manager Frank Clifton. Orange County will hold a public hearing for the proposed incentive to Morinaga as early as October 15, 2013.

Attachment #4

- The **City of Mebane**, which will annex and rezone the proposed site at the landowner's request, has tentatively approved a supplemental local incentive package to the company (specific \$ amount to be determined) of the project's \$48 million capital investment. The City of Mebane held a public hearing on October 7, 2013 for its proposed incentive to Morinaga.
- The **State of North Carolina** has offered the company a **\$264,000 grant from the "One N. C. Fund"** discretionary grant program. This State incentive has a required matching fund requirement from Orange County and the City of Mebane. Refer to the attached commitment letter, dated January 4, 2013 from the North Carolina Department of Commerce's Deputy Secretary Dale Carroll. Also, **NCDOT has committed to provide approximately \$500,000 to build a 2,500 foot road access** improvement by extending the current Ben Wilson service road parallel to the interstate up to the Company's 21-acre site. **Technical training valued at \$150,000 or higher**, for the new employees, will be provided by the Hillsborough campus of the N. C. Community College System's Durham Technical Community College.
- And finally, **pre-screening of job applicants will be provided by the State's Division of Employment Security** office in Chapel Hill office, to help identify Orange County residents who wish to gain employment with this company.

Summary of Key Financial Incentives:**State of North Carolina**

- | | |
|---|--|
| • "One NC Fund" Grant | \$264,000 |
| • Durham Technical Comm. College training | \$150,000 |
| • NCDOT Extension of Ben Wilson Road | <u>\$500,000</u> |
| | \$914,000 |
| • Community Development Block Grant | \$750,000 (maximum grant cap requested by the County) |
| | <i>(75% reimbursement of Orange County's total initial cost to extend water and sewer to site)</i> |

Orange County

- | | |
|-------------------------------------|--|
| • Performance Grant | |
| \$34 million initial investment: | \$218,790 annual grant x 5 years = \$1,093,950 total |
| \$48 million potential investment: | \$308,000 annual grant X 5 years = \$1,545,000 total |
| • Community Development Block Grant | \$ to be determined (up to \$250,000) |
| | <i>(25% co-pay of Orange County's total initial cost to extend water and sewer to site, & road design)</i> |

City of Mebane

- | | |
|---------------------|---|
| • Performance Grant | \$ to be determined |
| | <i>(1.5% of the Company's capital investment)</i> |

Recommendation to the BOCC:

Local and state government has the goal to promote economic development by encouraging the location of new businesses and the expansion of existing businesses. This activity serves to diversify the tax base, increase employment opportunities, and introduce new technologies and job skills to a community and for the benefit of its residents. The Local Government Act, North Carolina General Statute 158-7.1 outlines the requirements of public hearings, and the public hearing has been scheduled in compliance.

Attachment #4

The Manager recommends that the Board:

1. Receive the proposal to consider the issuance of incentives to a private company for the recruitment of Morinaga America Foods, Inc. to Orange County, and to consider approval of a “performance-based” economic development incentive agreement with claw back provisions.
2. Conduct the Public Hearing and accept public and BOCC comments.
3. Close the Public Hearing.
4. Approve the “Performance-Based” economic development incentive agreement between Orange County and the Company, and authorize the Chair to sign the agreement on behalf of the County.

All incentives from the County will come from the County property tax revenues that Morinaga generates after it is in operation, supplemented by proceeds from the ¼ cent sales tax.

Partners in the Successful Recruitment Process:

Key Participants:

- State of North Carolina
(Governor McCrory & Secretary of Commerce Sharon Decker)
- North Carolina Department of Commerce
(Business/Industry Development Division & Commerce Finance Division)
- Orange County
(Board of County Commissioners, Manager’s Office, Economic Development, Planning & Inspections, Legal, Financial Services, Visitor's Bureau, Public Affairs)
- City of Mebane
(Mayor, City Council & City Manager’s office)
- Durham Technical Community College
(Hillsborough campus)
- North Carolina Community Colleges System
- North Carolina Department of Transportation
- InSpec Group
(Site selection consultant from Portland, OR)

Other Participants:

- University of North Carolina at Chapel Hill
(Chancellor’s Office; Office for Innovation & Entrepreneurship)
- Progress Duke Energy
- PSNC Energy
- Research Triangle Regional Partnership
- Land owner

Chronology of Morinaga & Co., Ltd. :

- 1899: Taichiro Morinaga returns from San Francisco and establishes a candy and confectionery company with partner Hanzaburo Matsuzaki, becoming the first to introduce Western-style snacks to Japan.
- 1914: After years of research, Morinaga launches a caramel candy, Hi-Chew, designed to appeal to the Japanese market.
- 1917: Morinaga establishes a dairy operation in Japan.
- 1918: Morinaga becomes the first company to market chocolate bars in Japan.

Attachment #4

- 1920: The Company begins production of powdered baby formula.
- 1925: The Company installs machinery and begins mass production of candies and confectionery.
- 1949: The dairy operation is spun off as a separate company, Morinaga Dairy Industries.
- 1956: Morinaga begins production of ice cream.
- 1964: The Company has a new hit product with the launch of Hi-Crown Chocolate.
- 1983: The Company launches a nutritional foods division and begins a product development and marketing agreement with Weider, of the United States.
- 1995: The highly popular Weider in Jelly product line is launched.
- 2000: The Company launches a new corporate "power brand" strategy focusing on core brands and product lines.
- 2004: A new manufacturing facility is completed in Shanghai in order to supply the market in China.
- 2013: The Company selects a site in Orange County, NC to produce "Hi-Chew" candy, marking its' first major investment in the United States.

Company History:

Established in 1899 by Taichiro Morinaga, who had a pioneer spirit and the dream of *"offering nutritious and good-tasting confectionery to Japanese children,"* Morinaga & Co. Ltd. was the first Western-style confectionery manufacturer in Japan. During the past 114 years, Morinaga has carried out its corporate operations guided by the vision, *"We Offer Good Health with Delight & Taste."*

One of Japan's leading candy and confectionery manufacturers, Morinaga & Co. Ltd. is also credited with introducing Western-style treats to Japan at the dawn of the 20th century. After more than 114 years, Morinaga has remained at the top of the Japanese candy industry, producing a strong line of candies, chocolates, frozen desserts and snacks, and nutritional products. Entering the new century, Morinaga has developed a new "power brand" strategy emphasizing its core product lines, which include Milk Cocoa, Hotcake Mix, Amazake drinks, frozen desserts, and Weider in Jelly, a line of drinkable, gelatin-like drinks marketed under license from the United States' Weider Nutrition International Inc.

The company also produces a number of other licensed candy products, including Pez and Werther's Original. Morinaga operates five manufacturing facilities in the Tokyo region; the company also has a manufacturing subsidiary in Taiwan and built a new plant in Shanghai, China. The company also operates sales subsidiaries in Europe and North America, and sells its products in more than 26 countries. Listed on the Tokyo Stock Exchange, Morinaga is led by Gota Morinaga, grandson of the company's founder.

Born in Kyushu, in the north of Japan, in 1863, founder Taichiro Morinaga went to work for his uncle, a potter, in exchange for room and board after his father's death when Morinaga was just seven. Morinaga, who had no formal education, became the bookkeeper of the pottery business, and then, at the age of 18, was sent to Tokyo as the company's sales representative. Morinaga later went to work for a wholesale company, rising to become manager of a branch office in Yokohama. Yet, after extending too much credit to customers, the office went into debt. In order to repay his employer, Morinaga decided to try his luck in California.

Taichiro Morinaga moved to San Francisco in 1887 and opened a hardware store, trading in high-quality, high-priced goods--in a working class neighborhood. The business, which suffered equally from the pervasive anti-Oriental sentiment of the era, soon failed and forced Morinaga to look elsewhere for a livelihood.

Yet Morinaga's stay in the United States led him to an important discovery: candy. Japan had remained closed to outside influences for more than 250 years, finally opening its borders to foreigners only in the late 19th century. If the country's elite class had access to sweets--typically based on boiled beans--the majority of the population

Attachment #4

had limited access to confectionery products, and sugar consumption in general remained low. Milk and milk products were also absent from the Japanese diet. The opening of the country's borders stimulated interest in all things foreign, and the country's growing foreign population encouraged the import of Western-style confectionery and candy.

Taichiro Morinaga recognized that the growing foreign influence in Japan, and the country's readiness to adopt attributes of Western culture, would inevitably extend to the country's eating habits. Morinaga became determined to learn the art of candy making, in order to introduce new confectionery products to the Japanese market. Despite the anti-Asian prejudice, Morinaga found a job as a janitor at a candy factory, and there learned how to make candy.

By the end of the century, Morinaga was ready to return to Japan and start his own candy company. Before leaving, Morinaga performed his own bit of market research, questioning members of San Francisco's Japanese community and other Japanese visitors to the city on their candy preferences. Morinaga discovered that the sweet most preferred by the people he questioned was marshmallows, at the time also known as "angel food." The fluffy, egg white-and-sugar-based candy also resembled existing Japanese confections, making it a natural first product.

Morinaga founded his business with partner Hanzaburo Matsuzaki in 1899, opening a small shop in the Akasaka neighborhood of Tokyo. The business, called Morinaga Western Candy Confectionery, developed quickly as the country eagerly greeted the new candy type. Morinaga himself acted as salesman, pushing a cart from which he sold marshmallows, and other Western-styled cakes and candies. Among these were caramels. This product represented even more of a novelty in Japan in that it contained butter--at a time when dairy products still had not penetrated the Japanese diet. Morinaga's caramel sales were at first limited to his foreign customers, as the Japanese shied away from the strange product. In addition, the country's climate made it difficult to produce--and to eat--caramel, which tended to melt and become too sticky to hold in the heat and humidity.

Morinaga set out to develop a new caramel recipe for the Japanese market, and by 1914 had perfected a recipe that both appealed to the Japanese palate and also offered a longer shelf life. The new product debuted in 1914, and was packaged in a pocket-sized yellow box. Known as Hi-Chew, the product became a company flagship and one of its core products into the next century. In the meantime, the company's strong marshmallow sales inspired the adoption of a logo, an angel, in 1905--the angel logo also fit in with Morinaga's work as a missionary. The company adopted the name Morinaga Confectionery Inc. in 1912.

The success of Hi-Chew led Morinaga to seek its own source of dairy products, and in 1917 the company set up a dairy operation, which became Morinaga Dairy Industries. A year later, the company launched a new candy line, becoming the first to introduce the chocolate bar to Japan. Meanwhile, the company began extending its dairy product line, launching its first powdered baby formula in 1920. That launch marked the start of the company's involvement in the nutritional products category as well.

By the 1920s, Morinaga's sales had been growing steadily. To meet the rising demand, the company installed its first production machinery--previously, production had been by hand--and launched mass production in 1925. Over the next decades, the company continued to add to its production capacity, opening four more plants, and adopting increasingly sophisticated, modernized production techniques. By the 1980s, the company manufacturing operations had become fully automated.

Attachment #4

In the meantime, the company continued developing new product lines. Among these were baby biscuits, called Morinaga Manna, which the company began producing in 1930. In 1935, Hanzaburo Matsuzaki became company president. The company took a leaf from its Western counterparts in the 1930s, promoting holidays--such as Mother's Day starting in 1937--as a means of stimulating candy and confectionery sales.

During World War II, Morinaga turned part of its resources toward the production of penicillin, saving a good number of lives. Following the war, the company, now led by Taihei Morinaga, decided to split up its operations, separating its dairy business into a separate company, which became known as Morinaga Dairy Industries in 1949. That company then developed into one of Japan's major dairy groups. The two companies nonetheless remained closely linked, sharing the angel logo and developing common products and marketing campaigns.

The 1950s saw new expansion for the company. In 1954, its production capacity expanded with a new band oven--the first to be brought into Japan. Two years later, Morinaga extended its dessert offerings with the production of ice cream, which quickly developed into one of the company's key product lines. Another strong seller for the company came in 1957, when it introduced its popular Hotcake Mix. That line also became one of Morinaga's flagship brands.

Attempts to introduce Valentine's Day celebrations--and linking that holiday with chocolate--had been made since the 1930s by various Japanese companies. At the beginning of the 1960s, however, Morinaga at last succeeded, launching a "Chocolate for St. Valentine's Day" marketing campaign. The company had other hit products during the decade, such as Hi-Crown Chocolate, launched in 1964, and a new soft, milk-based caramel, Hi Soft, launched in 1969. At the beginning of the 1970s, the company added a new line of Twiggy chocolates as well.

Morinaga's sales continued to rise during the 1980's, nearing the equivalent of \$1 billion by the end of the decade. The company by then had opened its fifth manufacturing facility and had continued to extend its product range, launching, for example, its brand of Ottoto crackers. The company also had expanded beyond candies and confectionery to some extent, adding production of alcoholic beverages. That business, operated under the name of Fukutokucho, produced primarily sake and shochu.

Closer to the group's core was its drive into the health and nutritional foods market. The company's entry into the sector began in the early 1980s, and a 1983 licensing agreement with the United States' Weider Nutrition International to develop and market Weider-branded products for the Japanese market. The company also entered the soft drinks market, launching a rice-based health drink, Amazake, which became one of its key brands. Tofu represented another fast-growing nutritional product for the company, and formed a strong part of the group's international growth. By the end of the 1980s, the company had entered some 32 countries, backed by sales and marketing subsidiaries in the United States and The Netherlands.

Morinaga's product development continued through the 1990s. Among the most successful company products launched during the decade were its Sold Dazen chocolates, introduced in 1993. The following year marked the debut of a new product line, developed under Morinaga's partnership with Weider. The new snack, called Weider in Jelly, was the first in a range of drinkable, jelly-like snacks touted by the company as nutritional foods. The Weider line, fully launched in 1995, was credited with creating an entirely new product category. The first variations included Weider Energy In, which claimed to provide a sustained, quick energy boost; and Weider Vitamin In, which claimed to provide a full spectrum of vitamins provided by a balanced meal. Targeting a young male market, the Weider line grew steadily into the next decade, and by 2002 represented nearly 20 percent of the company's total sales.

The sustained Japanese recession into the 2000s slowed the confectionery market as well. In response, Morinaga, now led by Gota Morinaga, developed a new "Power Brand" strategy for the new century, with a focus on a

Attachment #4

limited range of key brands. As part of that effort, the company sold off its liquor operation in 2000. The company then began stepping up development of new products, to be launched under its array of "power" brands-- including Milk Cocoa, Weider in Jelly, Hotcake Mix, and Amazake. Meanwhile, the company continued to manufacture and market a number of products under license, such as the popular Pez candies and, since 2002, European favorite Werther's Original.

The company also had begun to look beyond the Japanese market, which remained its chief source of revenues. At the beginning of the 21st century, Morinaga established a manufacturing subsidiary in Taiwan, in an attempt to conquer a share of the island's market. Morinaga also targeted Hong Kong for sales. Yet its main interest lay in the huge potential of the Chinese mainland, with its consumer market of more than 1.3 billion people. The company launched construction of a manufacturing facility in Shanghai, which became operational by the end of 2004.

In September 2013, the 114-year old Company established Morinaga America Foods, Inc. as a new North Carolina-based facility to produce Hi-Chew candy. The new company, located in Mebane, Orange County, NC is a wholly-owned subsidiary of Morinaga & Co., Ltd. of Tokyo, Japan.

Updated:

9/30/2013

Steve Brantley

Director, Orange County Economic Development

Recruitment of Morinaga & Co., Ltd. & Morinaga America Foods, Inc. to Orange County

**Presented to
Orange County Board of County Commissioners**

October 15, 2013





Morinaga & Co., Ltd.

- 114-yr old company; founded in 1899.
- HQ in Tokyo, Japan.
- American subsidiary based in Irvine, CA.
- World-class confectionary & candy maker with nearly \$2 billion in annual global sales.
- Has over 40 product lines.
- Asia's equivalent to a Hershey's, Mars or Nestle; & ranks equal to Kellogg Company in sales.
- #1 candy company in Japan.
- Japan is the world's 2nd largest confectionery market.





Morinaga & Co., Ltd.

- Corporate philanthropy: *“to be a company that improves the lives of children worldwide.”*
- Partners with international NGOs in developing nations, places a special emphasis to promote healthy nutrition, & donates funding for school facilities & educational supplies in Africa.
- 1st Japanese corporation to be affiliated with the World Cocoa Foundation (WCF); works to prevent use of child labor in developing nations.



World Cocoa
Foundation



Main Product Lines

- Confectionaries



- Foodstuffs





Main Product Lines

- Frozen Desserts





Main Product Lines

- Healthcare

Direct mail

Research

Call center

Seisho-sabo is a tea that helps to control triglyceride levels (Food product for specified health use).

Kenpo-shukan combines four different ingredients to support exercise walking.

COLLAGEN DRINK includes 10,000 mg of collagen peptide.



Main Product Lines

- Weider Nutritional Supplements & Fitness

The foundation of Weider in Jelly, "The Triangle Theory"

Golfer Chie Arimura Tennis player Kei Nishikiori Figure skater Mao Asada Fencer Yuki Ota

The F. League (Futsal) Training machines and free weights complete the Weider training lab

Weider Honda Racing (SUPER-GT) JAPAN LIVESAVING ASSOCIATION NEC Green Rockets (Rugby) JBL (Basketball)

Energy in, Protein in, Amino in, and Whey Protein products



Hi-Chew

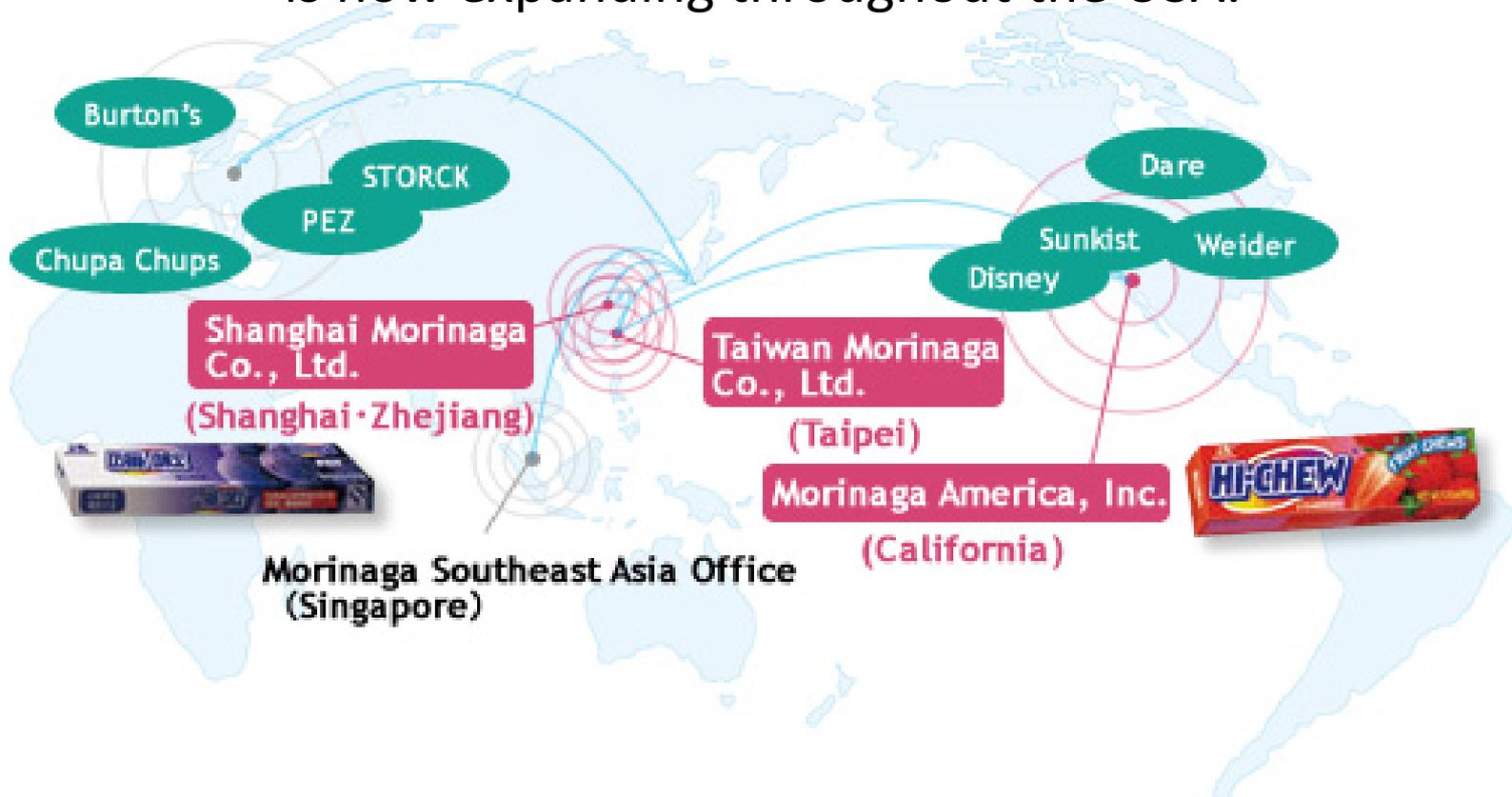
FRUIT CHEWS

HI-CHEW®



Hi-Chew

Morinaga America, Inc. first began marketing its #1 fruit chewable “Hi-Chew” candy on the West Coast & is now expanding throughout the USA.





Hi-Chew

Bag & Stick Varieties





Hi-Chew

Over 140 Different Flavors





Recruitment of Project Rainbow

- Project began in February 2012.
- Competition included Toronto, Portland OR, Philadelphia PA, Richmond VA, Atlanta GA, & 18 sites in 12 N.C. counties.
- 11 total visits to Orange County (including visits by Chairman Gota Morinaga & President-elect Toru Arai).
- Interstate visible site became a criteria during 3rd visit.
- 3 closed session meetings with the BOCC.
- 2 meetings in 2013, with Governor McCrory & Secretary Sharon Decker of the N.C. Department of Commerce.
- January 2013 - Orange County became 1 of 2 finalist sites.
- September 3, 2013 - Official public announcement by Morinaga to select Orange County.



Key Recruitment Partners

- Orange County
 - Board of County Commissioners
 - Manager's Office
 - Economic Development, Planning & Inspections
 - Visitors Bureau, Public Affairs
- City of Mebane
- NC Department of Commerce
- NC Department of Transportation
- Durham Technical Community College
- InSpec Group





Morinaga's Investment Plans

| | |
|-----------------------|--------------------------|
| Capital Investment: | \$34 - \$48 million |
| Employment: | 90 - 120 jobs |
| Average Salary: | \$37,969 |
| Annual Payroll: | \$3.4 million + Benefits |
| Facility Size & Type: | 98,000 sq. ft. |
| Type of Operation: | Production of "Hi-Chew" |
| Site Size: | 21 Acres (Buckhorn EDD) |

The Company has not committed to making any additional investment at this time. However, an expansion of equal size may eventually occur, since the site acreage is large enough to allow for the facility to double.



Site Location

- Buckhorn Economic Development District, site is near Ben Wilson Road & facing interstate I-40/85, & within sight of the Orange/Alamance county line.
- Site was part of a larger tract of land rezoned by the BOCC in 2012 to Office/Institutional to promote business recruitment.
- Site is currently undeveloped with no infrastructure. Landowner will soon make application to have the site rezoned and annexed into the City of Mebane.



Site Photo





Planned Infrastructure to Site

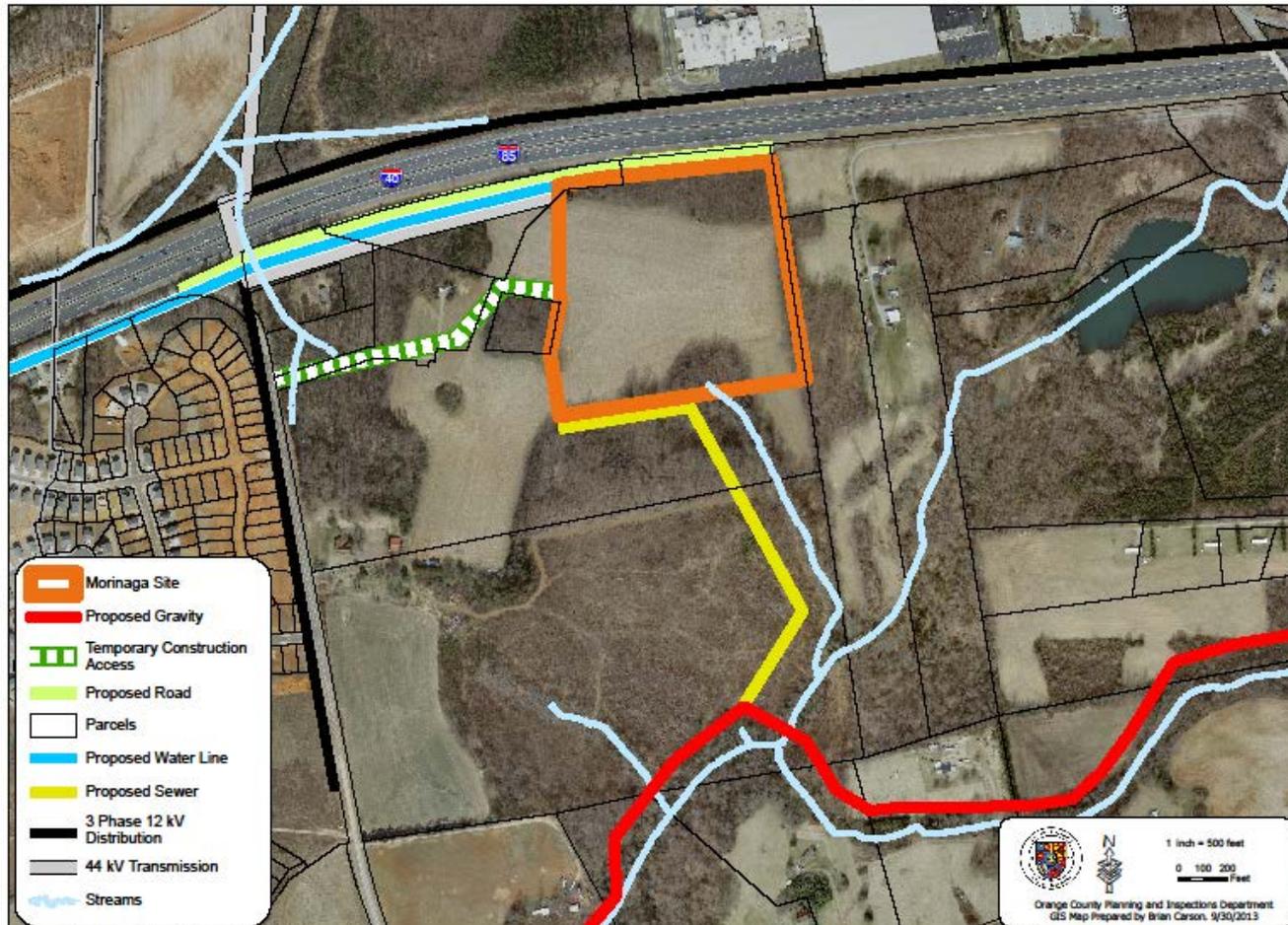
Benefits of Infrastructure to Buckhorn EDD Site:

- The other finalist location near Atlanta had offered Morinaga advantages regarding a lower-priced site, existing roads & utilities already in place, & other firms within an established business park.
- Utility lines & road access improvements necessary to make Orange County's site competitive & attract Morinaga will make adjacent properties more developable, attractive, competitive, and appealing to future business prospects considering Orange County.



Planned Infrastructure to Site

Site and Proposed Infrastructure for Morinaga Facility (Conceptual Layout)





Infrastructure Funding

Community Development Block Grant:

N.C. Dept. of Commerce has pre-qualified Project Rainbow as eligible to apply for a CDBG, allowing the County to receive reimbursement of up to \$750,000 for site infrastructure improvements. County has a 25% co-pay.

Grant criteria – at least 60% of total jobs created in the first 3 years must directly relate to Orange County employees who are qualified as coming from low or moderate incomes (earning no more than 80% of the County's median income of \$37,950), prior to coming to work for the company.

Orange County's "Article 46" ¼ Cent Sales Tax Proceeds:

Also available, if needed.



Utility Infrastructure

Orange County:

- 12" water line to site ~ \$375,000
- 10" sewer line to site ~ \$200,000
- Service road extension ~ \$100,000+
(Design, permitting & construction of Ben Wilson service road extension is approx. 12 months)

PSNC Energy:

- 4" natural gas line to the site
- Cost will be paid entirely by PSNC Energy

Progress Duke Energy:

Deliver all electrical power to the property, to include installing transformers & underground power lines at the site. Cost will be paid entirely by Progress Duke.



Access Road Infrastructure

NC Department of Transportation:

- 2,500-ft road access ~ \$500,000
(extension of the existing Ben Wilson service road parallel along the highway to Morinaga's site)
- Fully paid by the N. C. Department of Transportation
- Design & construction time is approximately 12 months
- Road improvement improves the likelihood that nearby Mattress Factory Road may one day be upgraded to become a full interchange.



Orange County Incentive

BOCC's Earlier Closed Session Meetings:

- 1st meeting on August 27, 2012 to learn about Project Rainbow & discuss the County's recommended "performance-based" grant to recruit Morinaga.
- 2nd meeting on January 24, 2013 for a project update.
- 3rd meeting on March 19, 2013 to meet with Morinaga America's President Masao Hoshino, learn more about the company and project, & give tentative approval of the proposed Orange County incentive offer to Morinaga.



Orange County Incentive

Performance-Based Incentive is Calculated as Follows:

- Inducement Grant calculated at 75% of the estimated county taxable value of the project's capital investment, for up to 5 years. (For example, assuming a \$48 million maximum investment, approximately \$308,000 annually x 5 years = approx. \$1.5 million total).
- Performance grant will include a "claw-back" provision in the contract to ensure that the firm's annual target for capital investment & jobs creation is first verified, before any County incentive would be provided over the initial 5-year term.
- Company would be required to provide health insurance for its employees during the incentive period, as also required by the State's incentive grant.



City of Mebane Incentive

City of Mebane:

Mebane has proposed a supplemental “performance-based” local incentive package (calculated as a % of the capital investment) to be discussed and voted on in a public hearing on October 7, 2013.





State of North Carolina Incentives

- **“One North Carolina Fund”** program – \$264,000 performance-based grant
- **NC Dept. of Transportation** – road access to site, at a cost of \$500,000
- **Durham Technical Community College’s Hillsborough Campus** – technical training of new employees, valued at \$150,000 or greater .
- **Division of Employment Security** – pre-screening of job applicants to be provided by the Chapel Hill office, which will help identify Orange County residents who wish to gain employment with Morinaga.



Public Hearing

Public Hearing on Orange County's Incentive:

- The Inducement Grant paid by the County will come from the County's "ad valorem" property tax revenues that Morinaga generates after it is in operation, supplemented by proceeds from the ¼ cent sales tax.
- Local and state government has the goal to promote economic development by encouraging the location of new businesses and the expansion of existing businesses. The Local Government Act, North Carolina General Statute 158-7.1 outlines the requirements of public hearings, and the public hearing has been scheduled in compliance.



Conclusion

Our Morinaga Success Story:

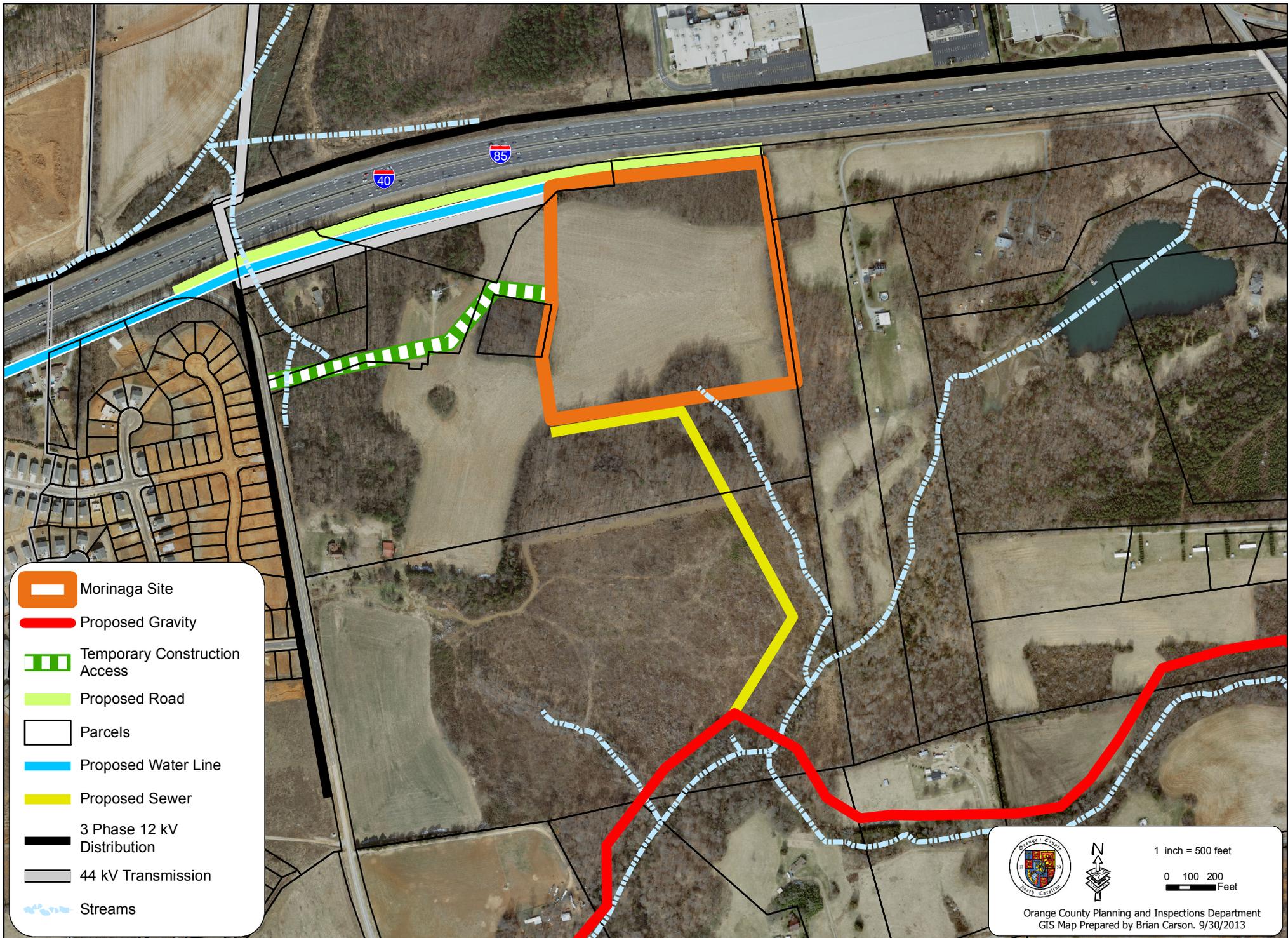
- Highlights Orange County's efforts to diversify our local economy, tax base & employment opportunities.
- Creates more & better hi-tech jobs, with health & related employment benefits, for our residents.
- Demonstrates how the BOCC's commitment to prepare our Economic Development Zones with utilities, zoning, incentives, & thoughtful use of the ¼ cent sales tax for economic development, has proven to be a winning formula for the long term.
- Highlights the public's commitment to economic development by way of passage of the ¼ cent sales tax for economic development.



Orange County
welcomes
Morinaga & Co., Ltd.!



Site and Proposed Infrastructure for Morinaga Facility (Conceptual Layout)



**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

Action Agenda

Item No. 6-b

SUBJECT: Orange County Community Development Block Grants

DEPARTMENT: Planning and Inspections;
Housing, Human Rights and
Community Development

PUBLIC HEARING: (Y/N)

Yes

ATTACHMENT(S):

1. Public Hearing Notice

INFORMATION CONTACT:

Craig Benedict, 919-245-2592
Tara Fikes, 919-245-2490

PURPOSE: To receive comments from the public regarding opportunities for Community Development Block Grants (CDBG) Programs in Orange County in 2013.

BACKGROUND: Local governments provide notice to residents to afford them the opportunity to comment on proposed uses of CDBG Funds. CDBG funds are for a variety of purposes including, but not limited to, housing, economic development, infrastructure and planning. The Board has conducted similar public hearings in the past related to the potential uses of CDBG funds, including in October 2010.

Although Orange County has a specific long-range plan for housing, other activities and programs are available for CDBG funding, such as the 2012 NC Tomorrow Grant Award from the Community Investment and Assistance through the NC Department of Commerce.

In May 2010, a Consolidated Plan for Housing and Community Development Programs in Orange County was developed and approved by the U.S. Department of Housing and Urban Development (HUD). This document details the housing needs of very low income, low income and moderate-income families and special population groups in addition to outlining the strategies and plans for addressing those needs.

Each year, local communities are required to reassess the needs of the community. This public hearing provides an opportunity for residents, public agencies and other interested parties to provide input into the Annual Update.

In order to inform the general public of this opportunity and encourage participation, notices have been placed in The Herald Sun and News of Orange and sent to local non-profit agencies.

FINANCIAL IMPACT: There is no financial impact with conducting the public hearing. An future financial impacts are to be determined as proposals and specific requests and updates come forward.

RECOMMENDATION(S): The Interim Manager recommends that the Board receive comments from the public as additional information.

PUBLICATION INSTRUCTION: Please publish the following notice in the Special Notice Section of the Classified Advertisements on Wednesday, October 2, 2013. The County seal should be placed above the announcement.



PUBLIC HEARING
Tuesday, October 15, 2013

SOUTHERN HUMAN SERVICES CENTER
2501 Homestead Road,
Chapel Hill, NC 27516

Community Development Block Grant (CDBG) Public Hearing Notice – Orange County will hold a public hearing to consider potential projects for which funding may be applied under the CDBG Housing, Planning, Infrastructure and Economic Development programs. Suggestions for potential projects will be solicited, both verbally and in writing, from all interested parties. The expected amount of CDBG funds will be discussed along with the range of projects eligible under these programs and a review of previously funded projects. The hearing will begin at 7:00 p.m. on October 15, 2013, and will be held at Southern Human Services Center, 2501 Homestead Road, Chapel Hill, NC 27514. Further information can be obtained by contacting Donna Baker at 919-245-2130. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the hearing should notify Donna Baker at 919-245-2130 at least three days prior to the hearing that will be attended.

**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT**
Meeting Date: October 15, 2013

**Action Agenda
Item No.** 7-a

SUBJECT: Infrastructure Design and Construction Administration Contract for Morinaga Site

DEPARTMENT: Planning, Economic Development

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

- 1) Map Showing Proposed Morinaga Site
- 2) McGill Associates Contract with Scope of Services Exhibits A, B, C

INFORMATION CONTACT:

Craig Benedict, Planning
(919) 245-2592
John Roberts, County Attorney
(919) 245-2318
Steve Brantley, Economic Development
(919)245-2325
Kevin Lindley, Planning
(919)245-2583

PURPOSE: To consider approving a contract with McGill & Associates for the design, permitting and bid and construction administration of interstate frontage road, water and sewer infrastructure to serve the proposed Morinaga manufacturing facility site.

BACKGROUND: At the September 5, 2013 BOCC regular meeting, the Board was given a presentation on the Morinaga Company and its decision to build a manufacturing facility in the Buckhorn Economic Development District (EDD). The site is situated just south of Interstate 85/40, north of Bowman Road and east of Ben Wilson Road (Attachment 1). In order to provide infrastructure support for this site for the proposed facility, there are improvements which need to be provided, including road access, water and sewer infrastructure. The City of Mebane will provide water and sewer treatment.

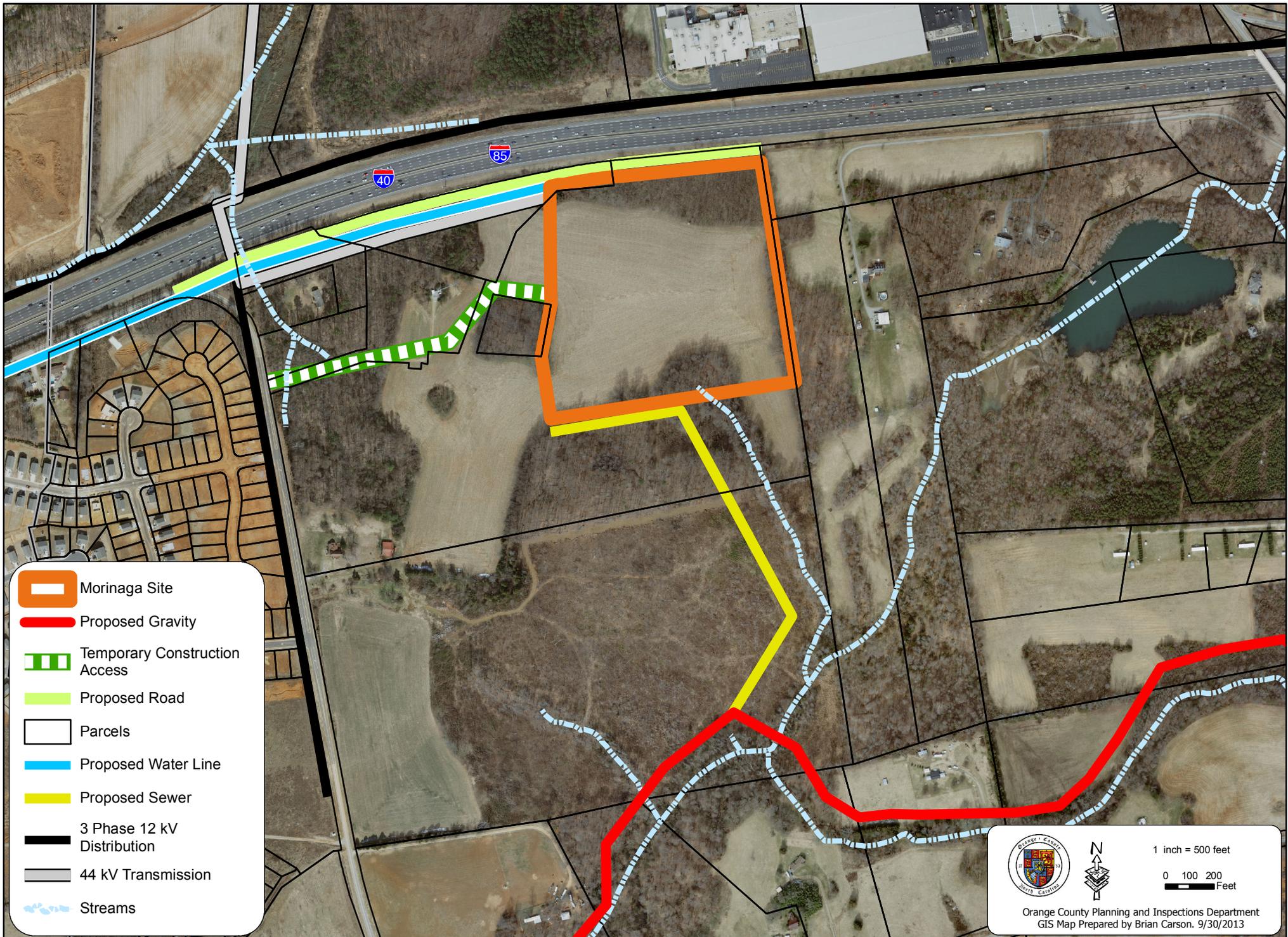
This work is the extension of other master planned water, sewer and roadway infrastructure plans in the area. This work is consistent with the Efland-Mebane Small Area Plan, the one-quarter (¼) cent sales tax Economic Development infrastructure initiative and the 400-acre transportation access management plan.

County staff proposes to contract with McGill & Associates to perform the required engineering survey, design, permitting and bid administration for portions of this project. The proposed contract is Attachment 2. This is a contract with a consultant chosen through a Request for Proposals (RFP) in 2011 and used for Central Efland/North Buckhorn construction oversight as well as the design and permitting of the McGowan Creek Interceptor. The original contract with McGill & Associates was approved June 2011.

FINANCIAL IMPACT: The contract with McGill is in the amount of \$142,000. The contract will be paid from the one-quarter (¼) cent sales tax infrastructure account as noted in the presentation of September 5. Orange County will be seeking a 75% CDBG grant from the North Carolina Department of Commerce related to these project costs and the construction costs of

water and sewer. These County funds will serve as part of the 25% county match. CDBG grants for this type of work may be up to \$1,000,000 with up to \$250,000 local match.

RECOMMENDATION(S): The Interim Manager recommends the Board approve and authorize the Chair to sign the contract on behalf of the Board.



[Departmental Use Only]
 TITLE Wilson Industrial Park
 FY 2013-14

NORTH CAROLINA

**SERVICES AGREEMENT OVER \$90,000.00
 RFP – NO REIMBURSABLE EXPENSES**

ORANGE COUNTY

This Services Agreement (hereinafter “Agreement”), made and entered into this day of , 20 , (“Effective Date”) by and between Orange County, North Carolina a body politic and corporate of the State of North Carolina (hereinafter, the "County") and McGill & Associates, (hereinafter, the "Provider").

WITNESSETH:

That the County and Provider, for the consideration herein named, do hereby agree as follows:

1. Services

a. Scope of Work.

- i) This Services Agreement (“Agreement”) is for professional services to be rendered by Provider to County with respect to (*insert type of project*): Water, Sewer, Design Services, Surveying/Environmental, and Water/Sewer Construction Oversight
- ii) By executing this Agreement, the Provider represents and agrees that Provider is qualified to perform and fully capable of performing and providing the services required or necessary under this Agreement in a fully competent, professional and timely manner.
- iii) Time is of the essence with respect to this Agreement.
- iv) The services to be performed under this Agreement consist of Basic Services, as described and designated in Section 3 hereof. Compensation to the Provider for Basic Services under this Agreement shall be as set forth herein.

2. Responsibilities of the Provider

- a. Services to be provided. The Provider shall provide the County with all services required in Section 3 to satisfactorily complete the Project within the time limitations set forth herein and in accordance with the highest professional standards.
- b. Standard of Care.
 - i) The Provider shall exercise reasonable care and diligence in performing services under this Agreement in accordance with the highest generally accepted standards of this type of Provider practice throughout the United States and in accordance

with applicable federal, state and local laws and regulations applicable to the performance of these services. Provider is solely responsible for the professional quality, accuracy and timely completion and/or submission of all work related to the Basic Services.

- ii) Provider shall be responsible for all errors or omissions, in the performance of the Agreement. Provider shall correct any and all errors, omissions, discrepancies, ambiguities, mistakes or conflicts at no additional cost to the County.
- iii) The Provider shall not, except as otherwise provided for in this Agreement, subcontract the performance of any work under this Agreement without prior written permission of the County. No permission for subcontracting shall create, between the County and the subcontractor, any contract or any other relationship.
- iv) Provider is an independent contractor of County. Any and all employees of the Provider engaged by the Provider in the performance of any work or services required of the Provider under this Agreement, shall be considered employees or agents of the Provider only and not of the County, and any and all claims that may or might arise under any workers compensation or other law or contract on behalf of said employees while so engaged shall be the sole obligation and responsibility of the Provider.
- v) Provider agrees that Provider, its employees, agents and its subcontractors, if any, shall be required to comply with all federal, state and local antidiscrimination laws, regulations and policies that relate to the performance of Provider's services under this Agreement.
- vi) If activities related to the performance of this Agreement require specific licenses, certifications, or related credentials Provider represents that it and/or its employees, agents and subcontractors engaged in such activities possess such licenses, certifications, or credentials and that such licenses certifications, or credentials are current, active, and not in a state of suspension or revocation.

3. Basic Services

a. Basic Services.

- i) The Provider shall perform as Basic Services the work and services described herein and as specified in the County's Request for Proposals (the "RFP") "RFP Number _____ for " _____ " issued _____, 20_____, and the Provider's proposal, which are fully incorporated and integrated herein by reference together with Attachments _____ (designate all attachments). In the event a term or condition in any document or attachment conflicts with a term or condition of this Agreement the term or condition in this Agreement shall control. Should such conflict arise the priority of documents shall be as follows: This Agreement, the County's RFP together with attachments, Provider's Proposal together with attachments.

- ii) The Basic Services will be performed by the Provider in accordance with the following schedule: (Insert task list and milestone dates)

| <u>Task</u> | <u>Milestone Date</u> |
|-------------|-----------------------|
| 1. | |
| 2. | |
| 3. | |
| 4. | |
| 5. | |
| 6. | |
| 7. | |
| 8. | |
| 9. | |
| 10. | |

- iii) Should County reasonably determine that Provider has not met the Milestone Dates established in Section 3(a)(ii), County shall notify Provider of the failure to meet the Milestone Date. The County, at its discretion may provide the Provider seven (7) days to cure the breach. County may withhold the accompanying payment without penalty until such time as Provider cures the breach. In the alternative, upon Provider's failure to meet any Milestone Date the County may modify the Milestone Date schedule. Should Provider or its representatives fail to cure the breach within seven (7) days, or fail to reasonably agree to such modified schedule, County may immediately terminate this Agreement in writing, without penalty or incurring further obligation to Provider. This section shall not be interpreted to limit the definition of breach to the failure to meet Milestone Dates.

4. Duration of Services

- a. Term. The term of this Agreement shall be from _____ to _____.
- b. Scheduling of Services
- i) The Provider shall schedule and perform his activities in a timely manner so as to meet the Milestone Dates listed in Section 3.
- ii) Should the County determine that the Provider is behind schedule, it may require the Provider to expedite and accelerate his efforts, including providing additional resources and working overtime, as necessary, to perform his services in accordance with the approved project schedule at no additional cost to the County.
- iii) The Commencement Date for the Provider's Basic Services shall be _____.

5. Compensation

- a. Compensation for Basic Services. Compensation for Basic Services shall include all compensation due the Provider from the County for all services under this Agreement. The maximum amount payable for Basic Services is One Hundred Sixty Seven Thousand Dollars (\$167,000). In the event the amount stated on an invoice is disputed

by the County, the County may withhold payment of all or a portion of the amount stated on an invoice until the parties resolve the dispute. Payment for Basic Services shall become due and payable in direct proportion to satisfactory services performed and work accomplished. Payments will be made as percentages of the whole as Project milestones as set out in Section 3(a)(ii) are achieved. *(For example, if there are 10 Project Tasks with Milestone Dates then Provider may invoice for the first 10% of the whole upon County's acknowledgement of the satisfactory completion of Task one. Upon the County's acknowledgement that the second Task has been satisfactorily completed Provider may invoice for the next 10% of the whole.)*

- b. Additional Services. County shall not be responsible for costs related to any services in addition to the Basic Services performed by Provider unless County requests such additional services in writing and such additional services are evidenced by a written amendment to this Agreement.

6. Responsibilities of the County

- a. Cooperation and Coordination. The County has designated the () to act as the County's representative with respect to the Project and shall have the authority to render decisions within guidelines established by the County Manager and/or the County Board of Commissioners and shall be available during working hours as often as may be reasonably required to render decisions and to furnish information.

7. Insurance

- a. General Requirements. The Provider shall purchase and maintain and shall cause each of his subcontractors to purchase and maintain, during the period of performance of this Agreement:
- i) Worker's Compensation Insurance for protection from claims under workers' or workmen's compensation acts;
 - ii) Comprehensive General Liability Insurance covering claims arising out of or relating to bodily injury, including bodily injury, sickness, disease or death of any of the Provider's employees or any other person and to real and personal property including loss of use resulting thereof;
 - iii) Comprehensive Automobile Liability Insurance, including hired and non-owned vehicles, if any, covering personal injury or death, and property damage; and
 - iv) Professional Liability Insurance, covering personal injury, bodily injury and property damage and claims arising out of or related to the performance under this Agreement by the Provider or his agents, Providers and employees.
- b. Insurance Rating. The minimum insurance rating for any company insuring the Provider shall be Best's A. **If the Provider does not meet the insurance requirements the County's Risk Manager must be consulted prior to finalizing this Agreement.**
- c. Limits of Coverage. Minimum limits of insurance coverage shall be as follows:

| INSURANCE DESCRIPTION | MINIMUM REQUIRED COVERAGE |
|--------------------------------|---|
| • Worker's Compensation | Limits for Coverage A - Statutory State of N.C. Coverage B - Employers Liability \$500,000 each accident and policy limit and disease each employee |
| • Commercial General Liability | \$1,000,000 Each Occurrence; \$2,000,000 Aggregate. |
| • Automobile Liability | Combined Single Limit \$500,000 |
| • Professional Liability | NOTE: Insert coverage limits required by Risk Manager if applicable. |

- d. Additional Insured. All insurance policies (with the exception of Worker's Compensation and Professional Liability) required under this Agreement shall name the County as an additional insured party. Evidence of such insurance shall be furnished to the County, together with evidence that each policy provides the County with not less than thirty (30) days prior written notice of any cancellation, non-renewal or reduction of coverage.

8. Indemnity

- a. Indemnity. The Provider agrees to defend, indemnify and hold harmless the County from all loss, liability, claims or expense, including attorney's fees, arising out of or related to the Project and arising from bodily injury including death or property damage to any person or persons caused in whole or in part by the negligence or misconduct of the Provider except to the extent same are caused by the negligence or willful misconduct of the County. It is the intent of this provision to require the Provider to indemnify the County to the fullest extent permitted under North Carolina law.

9. Amendments to the Agreement

- a. Changes in Basic Services. Changes in the Basic Services and entitlement to additional compensation or a change in duration of this Agreement shall be made by a written Amendment to this Agreement executed by the County and the Provider. The Provider shall proceed to perform the Services required by the Amendment only after receiving a fully executed Amendment from the County.

10. Termination

- a. Termination for Convenience of the County. This Agreement may be terminated without cause by the County and for its convenience upon seven (7) days prior written notice to the Provider.
- b. Other Termination. The Provider may terminate this Agreement based upon the County's material breach of this Agreement; provided, the County has not taken all reasonable actions to remedy the breach. The Provider shall give the County seven (7) days' prior written notice of its intent to terminate this Agreement for cause.

- c. Compensation After Termination.
 - i) In the event of termination, the Provider shall be paid that portion of the fees and expenses that it has earned to the date of termination, less any costs or expenses incurred or anticipated to be incurred by the County due to errors or omissions of the Provider.
 - ii) Should this Agreement be terminated, the Provider shall deliver to the County within seven (7) days, at no additional cost, all deliverables including any electronic data or files relating to the Project.
- d. Waiver. The payment of any sums by the County under this Agreement or the failure of the County to require compliance by the Provider with any provisions of this Agreement or the waiver by the County of any breach of this Agreement shall not constitute a waiver of any claim for damages by the County for any breach of this Agreement or a waiver of any other required compliance with this Agreement.

11. Additional Provisions

- a. Limitation and Assignment. The County and the Provider each bind themselves, their successors, assigns and legal representatives to the terms of this Agreement. Neither the County nor the Provider shall assign or transfer its interest in this Agreement without the written consent of the other.
- b. Governing Law. This Agreement and the duties, responsibilities, obligations and rights of respective parties hereunder shall be governed by the laws of the State of North Carolina.
- c. Dispute Resolution. Any and all suits or actions to enforce, interpret or seek damages with respect to any provision of, or the performance or non-performance of, this Agreement shall be brought in the General Court of Justice of North Carolina sitting in Orange County, North Carolina. It is agreed by the parties that no other court shall have jurisdiction or venue with respect to such suits or actions. The Parties may agree to nonbinding mediation of any dispute prior to the bringing of such suit or action.
- d. Entire Agreement. This Agreement, together with the RFP and its attachments and the Proposal and its attachments, represents the entire and integrated agreement between the County and the Provider and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both parties. Modifications may be evidenced by facsimile signatures.
- e. Severability. If any provision of this Agreement is held as a matter of law to be unenforceable, the remainder of this Agreement shall be valid and binding upon the Parties.
- f. Ownership of Work Product. Should Provider's performance of this Agreement generate documents, items or things that are specific to this Project such documents, items or

things shall become the property of the County and may be used on any other project without additional compensation to the Provider. The use of the documents, items or things by the County or by any person or entity for any purpose other than the Project as set forth in this Agreement shall be at the full risk of the County.

- g. Non-Appropriation. Provider acknowledges that County is a governmental entity, and the validity of this Agreement is based upon the availability of public funding under the authority of its statutory mandate.

In the event that public funds are unavailable and not appropriated for the performance of County's obligations under this Agreement, then this Agreement shall automatically expire without penalty to County immediately upon written notice to Provider of the unavailability and non-appropriation of public funds. It is expressly agreed that County shall not activate this non-appropriation provision for its convenience or to circumvent the requirements of this Agreement, but only as an emergency fiscal measure during a substantial fiscal crisis.

In the event of a change in the County's statutory authority, mandate and/or mandated functions, by state and/or federal legislative or regulatory action, which adversely affects County's authority to continue its obligations under this Agreement, then this Agreement shall automatically terminate without penalty to County upon written notice to Provider of such limitation or change in County's legal authority.

- h. Notices. Any notice required by this Agreement shall be in writing and delivered by certified or registered mail, return receipt requested to the following:

Orange County
Attention: Craig Benedict
P.O. Box 8181
Hillsborough, NC 27278

Provider's Name & Address
McGill & Associates
1240 19th Street, Lane NW
Hickory, NC 28603

IN WITNESS WHEREOF, the Parties, by and through their authorized agents, have hereunder set their hands and seal, all as of the day and year first above written.

ORANGE COUNTY:

PROVIDER:

By: _____
Barry Jacobs, Chair
Orange County Board of Commissioners

By: _____

Printed Name and Title

Attest: _____
Donna Baker, Clerk to the Board

[SEAL]

This instrument has been approved as to technical content.

Craig Benedict, Department Director

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Office of the Finance Director

This instrument has been approved as to form and legal sufficiency.

Office of the County Attorney

EXHIBIT "A"
**PROJECT UNDERSTANDING for "WILSON INDUSTRIAL PARKWAY" SURVEYING
AND ENVIRONMENTAL**

SCOPE of SERVICES

Surveying

1. Prepare a 200 foot wide by approximately 2,500 foot long topographic route survey for the proposed roadway with one (1) foot contours tied to North Carolina State Plane coordinate system.
2. Provide topographic survey of Ben Wilson Road 200 foot to the west and south of the proposed intersection with the new roadway.
3. Prepare a topographic survey of Ben Wilson Road west to Connolly Trace for preparing water line plans and profiles.
4. Prepare a topographic survey of the proposed 1,500 linear feet sewer line route for preparing sewer line plans and profiles.
5. Locate existing property boundaries (three parcels) and NCDOT right-of-ways on the map.
6. Survey will show existing utilities as located by NC One Call.
7. Locate and show on the survey, delineated streams and wetlands along the proposed roadway route, sewer line route, and along the south side of the proposed industrial site, and prepare a metes and bounds survey.
8. Prepare Right-of-Way plats for the new roadway for recordation with Orange County as necessary.
9. Prepare easement maps for the proposed sewer line for acquisition of easements by Orange County.
10. Set required property pins for the new right-of-way plat.

Geo-Technical Testing

1. Conduct soil investigations, including drilling and testing soil borings based on NCDOT standards spaced at 200 feet, minimum with 2 borings in cut locations.
2. Install piezometers in cut area borings for 24 hour ground water readings.

3. Provide recommendations for design and construction of the proposed roadway.
4. Prepare engineering reports, in NCDOT format and issued as an Inventory Report and Recommendations Report.

Environmental Report

1. The environmental reporting includes stream and wetland delineations, threatened and endangered species and contacting the offices of State Historic Preservation Office (SHPO).
2. The environmental reporting includes the property bounded by Ben Wilson Road on the west and extending 2,500 feet to the east, extending approximately 200 feet south of Interstate 85 right of way. The report will also include the corridors for the water line and sewer line routes.
3. Conduct field delineation for jurisdictional waters/wetlands on site.
4. Mark all features that exhibit characteristics of waters/wetlands with plastic surveyor's flagging, to be located by the surveyor.
5. Upon completion of the delineation, prepare and submit required necessary documentation for verification by U.S. Army Corps of Engineers (USACE) and N.C. Division of Water Quality (NCDWQ). Included is a one day site verification visit with USACE and NCDWQ.
6. Prepare a report that contains the findings, conclusions and permitting requirements for the project.
7. Prepare a preliminary Threatened and Endangered (T & E) Survey through the North Carolina Natural Heritage Database and summarize in a letter report. If species of concern are identified, a detailed survey of the area may be required. A detailed study for Threatened and Endangered Species **are not** included in this scope of work.
8. Submit necessary site information to SHPO for review and comment about potential historic properties/structures within the project site boundaries.
9. Prepare environmental report to accompany CDBG funding application.

EXHIBIT "B"
**PROJECT UNDERSTANDING for "WILSON INDUSTRIAL PARKWAY" WATER AND
SEWER DESIGN AND ENGINEERING**

SCOPE of SERVICES

1. Meet with the Owner, Mebane and all relevant parties to fully determine scope and requirements for the project.
2. Prepare preliminary route map of approximately 3,700 feet of water line along Ben Wilson Road from Connolly Trace to the proposed roadway and then along the proposed roadway, along with approximately 1,500 feet of gravity sewer line overland from a sewer line currently under construction to the proposed development site for approval by the Owner and Mebane.
3. Prepare preliminary engineering report to accompany Community Development Block Grant (CDBG) funding application as required by NC Department of Commerce.
4. Prepare construction drawings per Mebane and Orange County standards for the proposed water and sewer line extensions.
5. Construction plans will include plans, profiles, sediment and erosion control and construction details.
6. Review construction plans with the Owner and Mebane, and make revisions as necessary.
7. Prepare water line extension application, fast-track sewer extension application, and sediment and soil erosion permit application for submittal to N.C. Department of Environment and Natural Resources (NCDENR) for approval.
8. Prepare bid package per Owner and CDBG standards including all contract provisions, special provisions and drawings.
9. Assist Owner with advertising the project for bid, conducting a Prebid meeting, issue addenda as necessary, and reply to any request for information from the contractors during the bid process.
10. Attend project bid opening and prepare a tabulation of bids received.
11. Consult with, and advise the Owner as to the acceptability of contractors and subcontractors and make recommendations as to the lowest, responsive, responsible bidder.

12. Assist the Owner in the final preparation and execution of construction contracts and checking performance and payment bonds and insurance certificates for compliance.

EXHIBIT "C"
**PROJECT UNDERSTANDING for "WILSON INDUSTRIAL PARKWAY" WATER AND
SEWER CONSTRUCTION ADMINISTRATION AND OBSERVATION**

SCOPE of SERVICES

1. Schedule a Pre-Construction Conference with the Owner, Mebane, Contractor, Engineer and all other applicable parties to assure discussion of all matters related to the Project. Prepare and distribute minutes of the Pre-Construction Conference to all parties.
2. Provide General Administration of Construction Contract. Consult with Owner and act as Owner's representative as provided in the General Conditions. The extent and limitations of the duties, responsibilities, and authority of Engineer as assigned in the General Conditions shall not be modified, except as Engineer may otherwise agree in writing. All of Owner's instructions to Contractor will be issued through Engineer, which shall have authority to act on behalf of Owner in dealings with Contractor to the extent provided in this Agreement and the General Conditions except as otherwise provided in writing. Engineer shall not be responsible for the acts or omissions of any Contractor, or of any subcontractors, suppliers, or other individuals or entities performing or furnishing any of the Work. Engineer shall not be responsible for the failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents.
3. Provide a Construction Field Representative (CFR) to periodically observe the progress and quality of the executed work and to determine in general if the work is proceeding in accordance with the Contract Documents. During such visits and on the basis of on-site observations as an experienced and qualified design professional, keep the Owner informed of the progress of the work, and endeavor to guard the Owner against defects and deficiencies in the work of the Contractor. The total construction contract time is assumed to be five (5) months. As part of this contract, field observation will be provided by a CFR on a limited, part-time basis during active work. Additional requested CFR time will be considered Additional Services.
4. Based on Engineer's observations as an experienced and qualified design professional and on review of Applications for Payment and accompanying supporting documentation, make recommendation for amounts to be paid to the Contractor.
5. Recommend to Owner that Contractor's Work be rejected while it is in progress if, on the basis of Engineer's observations, Engineer believes that such Work will not produce a completed Project that conforms generally to the Contract Documents or that it will threaten the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.

6. Recommend Change Orders and Work Change Directives to Owner, as appropriate, and prepare Change Orders and Work Change Directives as required.
7. Review and take action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated by the Contract Documents. Such reviews and any approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. Review of Shop Drawings and Samples identified as frivolous in the General Conditions of the construction contract documents, or review of substitute materials as defined in the same, shall be deemed as Additional Services.
8. Promptly after notice that Contractor considers the entire Work ready for its intended use, in company with Owner, Mebane, and Contractor, conduct a pre-final observation visit to determine if the Work is substantially complete. If after considering any objections of Owner and Mebane, Engineer considers the Work substantially complete, Engineer shall deliver a certificate of Substantial Completion to Owner, Mebane, and Contractor.
9. In company with Owner's and Mebane's representatives, conduct a final observation visit to determine if the completed Work of Contractor is acceptable so that Engineer may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Engineer shall also provide a notice that the Work is acceptable to the best of Engineer's knowledge, information, and belief and based on the extent of the services provided by Engineer under this Agreement.
10. Issue instructions to the Contractor from the Owner as to interpretations and clarifications to the project design plans, specifications and contract documents.
11. Prepare information required to resolve problems due to actual field conditions and to respond to Requests for Information (RFI) from the Contractor.
12. Coordinate and track the testing of pipelines and placing same into service for the project. Additional visits required due to work not being ready for testing, retesting, or Contractor scheduling conflicts shall be considered Additional Services.
13. Assist the Owner in the selection and coordination of an independent geotechnical and materials testing laboratory to be provided at the Owner's expense as necessary.

14. Review and determine the acceptability of any schedules that Contractor is required to submit to Engineer, including Progress Schedule, Schedule of Submittals and Schedule of Values.
15. Prepare certifications of completion for submission to NCDENR Division of Infrastructure for final approvals, as necessary.
16. Prepare for the Owner record drawings showing those changes made during the construction process, based on the marked-up prints, drawings and other data furnished. Provide to Owner and Mebane two (2) printed copies and one (1) electronic PDF copies of record drawings.
17. Provide or make available all Project files and information to effect project closeout.

ORD-2013-038

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

**Action Agenda
Item No.** 7-b

SUBJECT: SportsPlex Property Purchase and Sale Agreements and Approval of Budget Amendment #2-C

DEPARTMENT: Asset Management Services

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):
Site Locator

INFORMATION CONTACT:
Jeff Thompson, (919) 245-2658

PURPOSE: To:

- authorize the Interim Manager and Chair to execute a Purchase and Sale Agreement between the County and the sellers of property adjacent to the Orange County SportsPlex;
- execute the necessary paperwork to close the transaction no later than 30 days after the agreements are fully executed, subject to final County Attorney approval; and
- approve Budget Amendment #2-C in the amount of \$382,000 to fund the transaction from the General Fund Unassigned Fund Balance.

BACKGROUND: In the spring of 2013, the Board authorized the County Manager to enter into discussions with two property owners regarding three properties adjacent to the SportsPlex that, if acquired by the County, could provide parking and future expansion area for the SportsPlex.

The County is complete with its title, soils, environmental, cultural, and archaeological due diligence regarding the three parcels adjacent to the Orange County SportsPlex. All reports in these areas are satisfactory. The closing survey is forthcoming and will be complete prior to closing.

Appraisals from a mutually agreed upon Appraiser, John McBrayer of Williams Appraisals, indicate the following fair market value:

1. \$190,000 for the 1.5 acre Wesley and Alice Woods property, or \$126,667 per acre.
2. \$170,000 for the 1.36 acre McCauley property, or \$125,000 per acre.

Each owner has vertical house structures on the property that may be of some use to the SportsPlex during the development and construction phases of its expansion. The structures may also be candidates for relocation and adaptive re-use for affordable housing.

The sellers of the properties have agreed to sell the County the properties for the following sales prices:

1. \$200,000 for the 1.5 acre Wesley and Alice Woods property;
2. \$182,000 for the 1.36 acre Gene McCauley property.

FINANCIAL IMPACT: The total purchase price is estimated at \$382,000. Final settlement costs are estimated at \$1,500 and will be determined by the closing Attorney. The acquisition of the properties will be made with an appropriation of \$382,000 from the General Fund Unassigned Fund Balance. The General Fund Unassigned Fund Balance is approximately \$36.5 million. With approval of Budget Amendment #2 (also on the October 15, 2013 Board agenda), \$215,539 will have been appropriated from the Unassigned Fund Balance prior to this proposed action to appropriate \$382,000.

Settlement costs will be paid from existing budgeted funds within the SportsPlex Enterprise Fund.

Budget Amendment #2-C is as follows:

Sportsplex Enterprise Fund (\$382,000)

Revenues for this project:

| | Current FY 2013-14 | FY 2013-14 Amendment | FY 2013-14 Revised |
|--|-----------------------|-------------------------|-----------------------|
| Sportsplex Revenues | \$2,882,210 | \$0 | \$2,882,210 |
| From General Fund | \$376,450 | \$382,000 | \$758,450 |
| Appropriated Fund Balance – Sportsplex Fund | \$710,000 | \$0 | \$710,000 |
| Total Project Funding | \$3,968,660 | \$382,000 | \$4,350,660 |

Appropriated for this project:

| | Current FY 2013-14 | FY 2013-14 Amendment | FY 2013-14 Revised |
|-------------------------|-----------------------|-------------------------|-----------------------|
| Personnel Services | \$1,188,305 | \$0 | \$1,188,305 |
| Operations | \$1,710,355 | \$0 | \$1,710,355 |
| Capital | \$1,070,000 | \$0 | \$1,070,000 |
| Land & Associated Costs | \$0 | \$382,000 | \$382,000 |
| Total Costs | \$3,968,660 | \$382,000 | \$4,350,660 |

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

- authorize the Interim Manager and Chair to execute the Purchase and Sale Agreement between the County and the Sellers of property adjacent to the Orange County SportsPlex;
- execute the necessary paperwork to close the transaction no later than 30 days after the agreements are fully executed, subject to final County Attorney approval; and
- approve Budget Amendment #2-C in the amount of \$382,000 to fund the transaction from the General Fund Unassigned Fund Balance.

McCauley Property
1.36 acres
Appraised Value - \$170,00 (\$125,000/acre)
Contract Price - \$182,000 (\$133,824/acre)

70A

Triangle SportsPlex

Woods Property
1.5 acres
Appraised Value - \$190,000 (\$126,667/acre)
Contract Price - \$200,000 (\$133,334/acre)

-  Woods Property
-  Parcels
-  McCauley Properties
-  City Limits



Orange County Planning and Inspections Department
GIS Map Prepared by Brian Carson. 10/4/2013

**ORANGE COUNTY
BOARD OF COUNTY COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 15, 2013**

**Action Agenda
Item No. 7-c**

SUBJECT: Resolutions to Endorse Orange County's Priority Transportation Projects for the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization and the Triangle Area Regional Planning Organization

DEPARTMENT: Planning and Inspections

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

INFORMATION CONTACT:

1. TARPO and DCHC MPO Priority Lists Submitted in 2011
2. Resolution Endorsing Projects for the TARPO Regional Priority List
3. TARPO Project Descriptions and Recommendations
4. TARPO Project List Map
5. Resolution Endorsing Projects for the DCHC MPO
6. DCHC MPO Project Descriptions and Recommendations
7. DCHC MPO Project List Map

Bret Martin, Transportation Planner 919-245-2582
Tom Altieri, Comprehensive Planning Supervisor,
919-245-2575

PURPOSE: To consider two (2) resolutions (Attachments 2 and 5) endorsing two (2) priority lists of transportation projects within the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) and the Triangle Area Regional Planning Organization (TARPO) planning areas for consideration of inclusion in the 2016-2022 Statewide Transportation Improvement Program (STIP).

BACKGROUND: At the BOCC's September 17, 2013 meeting, the BOCC considered and approved a list of new priority transportation projects to submit to the Burlington-Graham Metropolitan Planning Organization (BGMPO) for the portion of Orange County within that MPO's planning area. That list has since been submitted to the BGMPO. As a continuation of the process of submitting priority projects for consideration and inclusion in the 2016-2022 STIP to the three (3) transportation planning organizations covering Orange County, project priority lists for both the DCHC MPO and TARPO were developed by staff and considered and recommended to the BOCC for approval/endorsement by the OUTBoard at the OUTBoard's September 18, 2013 meeting. The OUTBoard made no changes to the staff-recommended priority lists for the DCHC MPO and TARPO.

Staff Project Ranking Methodology

Generally for both priority lists, the starting point for staff and the OUTBoard was to carry forward those projects submitted as the County's project priorities to both TARPO and the DCHC MPO from the last iteration of project prioritization in 2011 that have a prior history of

scoring and ranking through both Orange County's and the MPO's/RPO's ranking processes (Attachment 1). For the TARPO project priority list (Attachment 3), all projects that were submitted in 2011 were carried forward to the current priority list, and two (2) new projects that were not submitted in 2011 were added to the list and prioritized as top projects. One of these projects (NC 54 widening) is a completely new highway project not previously submitted that is recommended in the newly adopted Orange County Comprehensive Transportation Plan (OCCTP). The other project (Efland-Cedar Grove Road improvements), also recommended in the OCCTP, was previously submitted for prioritization iterations before 2011, but was removed from that priority list before submission to TARPO and is now being added again for consideration.

These two (2) projects were added to the top of the list because they are both OCCTP-recommended projects and are likely to score higher against the State's prioritization scoring criteria giving them a greater chance of being funded and included in the 2016-2022 STIP. The other four (4) projects were shifted down to priorities 3-6 because they are not likely to score as well for consideration in the 2016-2022 STIP as a result of not having added capacity impacts and not as much of an impact on safety to users as the other two (2) projects. Attachment 4 is a map depicting the locations of the draft project priorities for those projects within TARPO's planning area.

For the DCHC MPO project priority list (Attachment 6), all except one of the projects that was submitted in 2011 were carried forward to this priority list. Three (3) projects that were not submitted in 2011 were added to the list – NC 54 widening from Neville Road to Old Fayetteville Road, I-40 widening from the I-40/I-85 interchange to the Durham County line, and I-85 widening from the I-40/I-85 interchange to the Durham County line. The NC 54 widening project is a continuation of the recommended NC 54 widening project in the draft TARPO project priority list, while the I-40 and I-85 widening projects were not included in previous County priority lists, but are projects that have already been included in the STIP and are of statewide significance that will be scored regardless of Orange County's submission. These two widening projects are likely to score higher than many of the other projects recommended for submission.

The general grouping order of staff-suggested and OUTBoard-recommended project ranking in the DCHC MPO priority list is:

- 1) Added capacity/mobility projects of local significance;
- 2) Added capacity/mobility projects of statewide/regional significance;
- 3) Transit/rail projects;
- 4) Roadway modernization/bikeway projects of local significance exceeding \$1,000,000; and a
- 5) Pedestrian project (the pedestrian project was prioritized last because it would require a 20% local match that the County has not indicated it would provide).

This ranking strategy developed by staff intends to optimize scoring output and corresponding funding probability for the subject projects in the face of the contributing factors to such output of State scoring, funding tier eligibility, and projects' necessity for reliance on local input points to be funded. Attachment 7 is a map depicting the locations of the draft project priorities for those projects within the DCHC MPO planning area.

Attachments

Attachment 1 is the list of project priorities submitted to TARPO and DCHC MPO for the last STIP development and project prioritization iteration in 2011. Attachments 2 and 5 are draft resolutions for the BOCC to approve/endorse with the OUTBoard-approved project priority lists to submit to the DCHC MPO and TARPO for scoring/ranking and for consideration of inclusion in DCHC MPO's Metropolitan Transportation Improvement Program (MTIP) and TARPO's regional priority list, and by extension, the STIP. Attachments 3 and 6 contain more detailed descriptions of each project, each project's history of previous consideration or ranking, and staff's prioritization recommendation for projects proposed within each planning area. Attachments 4 and 7 are maps depicting the locations of these projects within each MPO/RPO planning area within Orange County.

Background Information on STIP Development:

For background information on the State's STIP development process, the State's newly adopted Strategic Transportation Investments (STI) Act, the State's Strategic Mobility Formula (SMF) developed as part of the STI legislation, and the State's revised/updated scoring methodology that institutes major changes to the inputs and weights used to rank projects for consideration and inclusion in the STIP, please reference the abstract for the resolution to endorse Orange County's priority transportation projects within the BGMPO planning area staff prepared for the BOCC's September 17, 2013, meeting. That abstract is accessible using the following weblink: <http://www.co.orange.nc.us/occlerks/130917.pdf>

FINANCIAL IMPACT: There is no immediate financial impact associated with this item except that projects specifically categorized as bicycle and pedestrian projects will require a 20 percent local match from the County and will require the County to expend any costs related to project management and administration.

RECOMMENDATION(S): The Interim Manager recommends that the Board approve/endorse the resolutions (Attachments 2 and 5) to submit priority transportation projects to the DCHC MPO and TARPO.

Attachment 1

ORANGE COUNTY TRANSPORTATION PRIORITY LIST 2014– 2020 TRANSPORTATION IMPROVEMENT PROGRAM FOR THE REGIONAL PRIORITY LIST OF THE TRIANGLE AREA RURAL PLANNING ORGANIZATION

1. Dairyland Road/Orange Grove Road/Buckhorn Road bicycle facilities: construct 4-ft. paved shoulders along the following route from Carrboro to West Ten Road to provide a connection with proposed routes to Mebane and Elfund.
 - TIP Project EB-5108: Dairyland Road (SR 1112 - SR 1113 – SR 1177) from Union Grove Church Road to Orange Grove Road (SR 1006);
 - Orange Grove Road (SR 1006) from Dairyland Road (SR 1177) to Buckhorn Road (SR 1114); and
 - Buckhorn Road (SR 1114) to West Ten Road (SR 1144).

This route would extend bicycle facilities proposed in concert with highway improvements on Buckhorn Road (SR 1114) to provide a connection through western Orange County from Carrboro to the Buckhorn Road/Interstate 85 Economic Development District and US 70 near Mebane. This route is listed in Orange County's Bicycle Transportation Plan as a secondary priority bicycle route connecting southern Orange County with the western portion of its number 2 primary priority bicycle route on West Ten Road (SR 1148). Project EB-5108 schedules a portion of this route, Dairyland Road from Union Grove Church Road to Orange Grove Road, for a feasibility study. Orange County recommends that the feasibility study also include the segment of Dairyland Road from Union Grove Church Road (SR 1111) to Old NC 86 to connect to proposed bicycle facilities on Old NC 86 along Carrboro's ETJ.

2. SR 1005 (Old Greensboro Road) bicycle facility: Add 4-ft. paved shoulders on Old Greensboro Road from Carrboro's ETJ to the Orange/Alamance County line. This route is the number 3 primary priority of the Orange County Bicycle Transportation Plan, and would enhance bicycle transportation between southwestern Orange County and Carrboro/Chapel Hill. This project is a segment of the Mountains to Sea Bicycle Route.
3. Orange Grove Road bicycle facilities: Construct 4-ft. paved shoulders along Orange Grove Road (SR 1006) from Interstate 40 to Dodson's Crossroads (SR 1102). This route would provide bicycle facilities to the Grady Brown Elementary School and Cedar Ridge High School from the area south of the schools and connect to a proposed bicycle facility on Orange Grove Road into Hillsborough.
4. Dodson's Crossroad bicycle facilities: Construct 4-ft. paved shoulders along Dodson's Crossroads (SR 1102) from Orange Grove Road (SR 1006) to Dairyland Road (SR 1177). This route would provide bicycle facilities from the Chapel Hill-Carrboro area to connect to a proposed bicycle facility on Orange Grove Road into Hillsborough.

Attachment 1

**ORANGE COUNTY TRANSPORTATION PRIORITY LIST
2014 – 2020 DURHAM-CHAPEL HILL-CARRBORO
METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM**

1. TIP Project No. EB-4980, SR 1006 (Orange Grove Road) at Interstate 40: Construct a pedestrian bridge over I-40; **construct sidewalk along the north side of Orange Grove Road from the bridge to Timbers Drive**. This pedestrian bridge is the central element in the Safe Routes to School plan for Grady A. Brown Elementary School and for Cedar Ridge High School. Without the bridge, the SRTS plan cannot move forward. Construction of 0.14 mile (approx.) sidewalk on the north side of the bridge extending from the bridge to Timbers Avenue will provide connectivity from the bridge to three high-density neighborhoods: Patriot's Point, Colonial Estates, and the Timbers. To improve the pedestrian access to the south of the bridge, the Orange County School System has committed to constructing a safe and comfortable path from the pedestrian bridge to the Cedar Ridge entrance.

Interstate 40 separates two schools, Grady Brown Elementary and Cedar Ridge High School, from residential areas north of the interstate. The Orange County school system estimates that over 262 students live within one mile of the schools. Most of these students live in the high-density Timbers, Patriot's Pointe, and Colonial Estates neighborhoods.

The "Access Management and Awareness Project and Report for Orange Grove Road" recommends this project.

2. TIP Project No.R-2825, SR 1009 (South Churton Street) Improvements: Develop congestion management, limited access, aesthetic and capacity improvements including bicycle and pedestrian improvements between US 70 Business and Interstate 40. The portion between Interstates 40 and 85 will conform to the design criteria of the Economic Development District Design Manual (4-lane divided section with bike and pedestrian improvements). The feasibility study completed by NCDOT in February 2002 recommends a 4-lane divided curb and gutter cross section, with 16-foot median, for the entire corridor from I-40 to the Eno River. Orange County stresses the need to study improvements within the current right-of-way for the segment north of Interstate 85. Improved capacity through widening is not the County's first choice because of significant constraints between Interstate 85 and US 70 Business and the proximity of the historic district north of the project limits. Orange County requests that, where conditions do not prevent the addition of frontage roads, the feasibility study include the addition of frontage roads with limited access from the corridor.
3. Hillsborough Train Station: Construct a train station in Hillsborough as designated in Hillsborough's *Rail Station Small Area Plan*, and implement AMTRAK service to Orange County. The train station can also serve future commuter rail operations and anchor a multimodal transportation hub in Hillsborough. A revenue and ridership study conducted by the North Carolina Department of Transportation Rail

Attachment 1

Division and AMTRAK has indicated that there is enough potential ridership to make a stop in Hillsborough financially feasible.

4. Park and Ride Lot in the Buckhorn Economic Development District: Orange County requests funding for a park and ride facility (from the adopted Orange County Economic Development District Design Manual) to be located in the I-85/Buckhorn Road Economic Development District. This project would provide an opportunity for coordination of public transportation efforts between two growing regions in North Carolina, the Triad and Triangle.
5. US 70 East-Interstate 85 Connector: Modify the I-85 Connector interchange at US 70 to provide access from all directions. This project would enable traffic from northwest Orange County to access Interstate 85 more easily without risking the many points of traffic conflict through Efland. The Interstate 85/US 70 Connector just east of Efland is not accessible to traffic on eastbound US 70 and there is no access to westbound US 70 from the connector.

Traffic has increased through northwestern Orange County on Efland Cedar Grove Road as an alternative to NC 86. Much of that traffic “dog-legs” through Efland via Forrest Avenue to Mt. Willing Road to access Interstate 85. Mt. Willing Road provides an at grade crossing of the North Carolina Railroad corridor, the only access across the railroad tracks between Hillsborough and Buckhorn Road.

6. SR 1009 (Old NC 86) Bicycle Facilities: Construct bicycle facilities on Old NC 86 from Hillsborough Road in Carrboro to I-40 in Hillsborough. This route along Old NC 86, from Carrboro’s Transition Area just north of Eubanks Road (SR 1727) to Rippy Lane (SR 1224), is priority 6 of the primary bicycle routes listed in the Orange County Bicycle Transportation Plan. This project would extend bicycle accommodations requested in TIP Project R-2825 (South Churton Street bicycle lanes from Interstate 40 to the Eno River) to Hillsborough Road in Carrboro and provide a connection between proposed bicycle facilities in Carrboro along Old Fayetteville Road, Homestead Road and Eubanks Road.
7. SR 1006 (Orange Grove Road) Extension: Extend Orange Grove Road from the east side of Churton Street (SR 1009) to US 70 business. This project is scheduled for reprioritization. The “EDD Transportation Work Group Recommendations” and the “Access Management and Awareness Project and Report for Orange Grove Road” recommend this project as an alternative access to the US 70 Business/NC 86 corridor to alleviate congestion on Churton Street. This project could also provide access to a potential site for Orange County’s priority rail project, AMTRAK service and train station in Hillsborough, although the site for such rail station has not been determined.
8. Tip Project No. U-3436, SR 1148 (Eno Mountain Road) and SR 1192 (Mayo Street) at SR 1006 (Orange Grove Road): realign intersection and make safety improvements. This project is not included in the Draft 2012 – 2018 TIP, and is

Attachment 1

scheduled for reprioritization. The Hillsborough Town Board and Orange County Commissioners have endorsed this project in two joint studies that included commissioners from both jurisdictions. The “EDD Transportation Work Group Recommendations” and the “Access Management and Awareness Project and Report for Orange Grove Road” recommend this project for improved traffic flow and safety.

9. U-2805, SR 1777 (Homestead Road) Improvements: Improve Homestead Road from Old NC 86 (SR 1009) to NC 86 to include bicycle lanes and sidewalks in sections of the corridor where those facilities do not exist. This project is not included in the Draft 2012-2020 TIP, and is scheduled for reprioritization. There are three schools in the vicinity of Homestead Road: Chapel Hill High School, Smith Middle School and Seawell Elementary School. Many students live within walking distance and cycling distance to Chapel Hill High School and must walk or cycle along Homestead Road, and cross the road daily. Provision of sidewalks is of utmost importance for the safety of students and other pedestrians who use this corridor. Provision of bicycle facilities is, likewise, necessary for the safety of students and others

10. SR 1727 (Eubanks Road) bicycle lanes: Construct bicycle lanes on Eubanks Road from Old NC 86 (SR 1009) to Rogers Road (SR 1729). The project would provide bicycle access to the new Morris Hill Elementary School off Eubanks Road. Increased traffic on Eubanks from the solid waste convenience center and Chapel Hill Public Works Facility and Transportation Facility on Millhouse Road off of Eubanks presents conflicts with bicycle transportation on the facility.

11. Dairyland Road bicycle facilities: Construct 4-foot paved shoulders on Dairyland Road (SR 1112, SR 1113, SR 1177) from Union Grove Church Road (SR 1111) to Orange Grove Road (SR 1006). This project is one segment of a route providing connection from Carrboro to the Efland/Mebane area via Orange Grove Road and Buckhorn Road (SR 1114) to West Ten Road (SR 1144). The complete route would extend bicycle facilities proposed with highway improvements on Buckhorn Road in the Buckhorn Road Economic Development District.

This project was submitted for the 2011-2017 TIP through the Triangle Rural (TARPO) Planning Organization. The Dairyland segment ranked #3 in the SPOT ranking of bicycle projects in the TARPO.

12. NC 86 (North of Hillsborough) Improvements: Widen NC 86 from US 70 bypass to north of NC 57 to four lanes with intersection improvements at US 70 bypass and NC 57. Improvements at the NC 86/US 70 intersection should include extending the queuing lane for traffic turning east onto US 70 Bypass from northbound Churton Street/NC 86. Improvements at the NC 86/NC 57 intersection should include a crosswalk and provide a safe crossing for pedestrians with sidewalk connecting the intersection of NC 86 and NC 57 to Rencher Street. Improvements at the NC 86/NC 57 intersection are identified in the developing Safe Routes to School Action Plan for

Attachment 1

Stanford Middle School as a major need to provide a safe access for students living north of US 70 and west of NC 86 to walk or bike to school. NC 86 is the major north-south route through Orange County and is designated in North Carolina's Long-Range Statewide Multimodal Transportation Plan as a Strategic Highway Corridor. NC 57 converges into US 86 just north of US 70 Bypass. The segment of NC 86 between NC 57 and US 70 is congested, rendering a high accident location at the intersection of US 70 Bypass at NC 86.

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

A RESOLUTION ENDORSING ORANGE COUNTY'S PRIORITY TRANSPORTATION PROJECTS FOR THE TRIANGLE AREA REGIONAL PLANNING ORGANIZATION (TARPO) REGIONAL PRIORITY LIST FOR THE 2016 – 2022 TRANSPORTATION IMPROVEMENT PROGRAM

WHEREAS, the North Carolina Board of Transportation (BOT), every two years, prepares a Statewide Transportation Improvement Program (STIP) that identifies transportation projects to be implemented over the next seven years with State and Federal funding; and

WHEREAS, the North Carolina BOT solicits input for identifying transportation projects of local and regional importance to be included in the FY 2016-2022 STIP; and

WHEREAS, North Carolina has established Rural Planning Organizations (RPOs) to coordinate regional transportation planning in rural areas in cooperation with the North Carolina Department of Transportation (NCDOT);

WHEREAS, Orange County is a member of the Triangle Area Regional Planning Organization (TARPO) charged with developing and prioritizing proposed transportation projects that the RPO believes should be included in the STIP;

WHEREAS, Orange County gives priority to identified safety needs on existing roads and bridges, to transportation projects that encourage alternatives to automobile travel, to projects that minimize adverse impacts on the natural environment and cultural sites, and to those projects that foster economic development in the County's designated Economic Development Districts; and

WHEREAS, Orange County strongly encourages the NCDOT to design all highway projects, where appropriate, to accommodate bicycle and pedestrian traffic to provide alternative means of transportation that may result in reduced automobile traffic and related air and water impacts; and

WHEREAS, Orange County encourages the NCDOT to design all new or replacement bridges with sufficient clearance to allow wildlife to cross safely under them, and to allow pedestrian passage along any existing or planned trail-system connectors; and

WHEREAS, Orange County has outlined its transportation needs within the TARPO planning area in an attachment to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Orange County Board of Commissioners that the Board endorses the following prioritized list of transportation projects to be considered for the FY 2016-2022 TARPO regional priority list.

- 1 NC 54 Widening: Widen NC 54 from Orange Grove Road (SR 1006) to Neville Road (SR 1945) from a two (2)-lane undivided thoroughfare to a four (4)-lane divided boulevard type thoroughfare.

This project will be submitted as a new highway project to be considered for inclusion in the TARPO regional priority list as well as the 2016-2022 STIP.

- 2 Efland-Cedar Grove Road Improvements: Widen Efland-Cedar Grove Road (SR 1004) from Highland Farm Road (SR 1332) to the northern property line of the U.S. Post Office north of Carr Store Road (SR 1352) from a two (2)-lane, 20-foot cross section to a 24-foot cross section with straightening of the roadway where needed, improvements to turn lanes, and the incorporation of bicycle facilities.

This project will be submitted as a reprioritized highway project to be considered for inclusion in the TARPO regional priority list as well as the 2016-2022 STIP.

- 3 Dairyland Road Paved Shoulders: Widen Dairyland Road (SR 1004/1113/1177) from Union Grove Church Road (SR 1111) to Orange Grove Road (SR 1006) to include four (4)-foot paved shoulders.

This project will be submitted as a reprioritized highway project to be considered for inclusion in the TARPO regional priority list as well as the 2016-2022 STIP.

- 4 Orange Grove Road/Buckhorn Road Paved Shoulders: Widen Orange Grove Road (SR 1006) from Dairyland Road (SR 1177) to Buckhorn Road (SR 1114) and Buckhorn Road (SR 1114) from Orange Grove Road (SR 1006) to West Ten Road (SR 1144) to include four (4)-foot paved shoulders.

This project will be submitted as a reprioritized highway project to be considered for inclusion in the TARPO regional priority list as well as the 2016-2022 STIP.

- 5 Old Greensboro Road Paved Shoulders: Widen Old Greensboro Road (SR 1005) from Carrboro's extra-territorial jurisdiction (ETJ) to the Orange/Alamance County line to include four (4)-foot paved shoulders.

This project will be submitted as a reprioritized highway project to be considered for inclusion in the TARPO regional priority list as well as the 2016-2022 STIP.

- 6 Orange Grove Road/Dodsons Crossroads: Widen Orange Grove Road (SR 1006) from I-40 to Dodsons Crossroads (SR 1102) and Dodsons Crossroads (SR 1102) from Orange Grove Road (SR 1006) to Dairyland Road (SR 1177) to include four (4)-foot paved shoulders.

This project will be submitted as a reprioritized highway project to be considered for inclusion in the TARPO regional priority list as well as the 2016-2022 STIP.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing resolution was adopted this the 15th day of October, 2013.

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on October 15, 2013, as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2013.

Clerk to the Board of Commissioners

Attachment 3: Draft Triangle Area Regional Planning Organization (TARPO) Project Priority List

| Map ID # | Project | Project Description/Need | Status (New/Existing Project) | Existing Project Score/ Rank | Staff Recommendation |
|----------|--|---|--|--|--|
| 1 | NC 54 Widening | <p><u>Description:</u> Widen NC 54 from Orange Grove Road (SR 1006) to Neville Road (SR 1945) (DCHC MPO boundary) from a two (2)-lane, 24-foot undivided thoroughfare to a four (4)-lane divided boulevard type thoroughfare with a travel-prohibitive median to improve mobility and provide better access control. This project is recommended in the Orange County Comprehensive Transportation Plan (OCCTP).</p> <p><u>Need:</u> NCDOT projections reveal that traffic on NC 54 from Orange Grove Road to Neville Road will substantially exceed the existing roadway capacity by 2035, warranting an increase in capacity through widening. NCDOT traffic figures already indicate that traffic along the segment of NC 54 from Butler Road/Dodsons Cross Road to Neville Road is at capacity and will only continue to substantially exceed capacity in future years. Among all projects recommended in the OCCTP, this project would likely score the highest relative to other projects given the improvements the project would provide for both congestion and benefit-cost factors. This project is also eligible for funding at both the regional and divisional tiers, providing it a greater opportunity to be funded than projects that are only eligible for funding at the division tier. The extension of this project into the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) planning area is recommended as project priority #5 in Orange County's DCHC MPO priority list. For this project to be funded, the corresponding project in the DCHC MPO planning area would also need to be funded.</p> | New Highway Project | N/A | Submit to TARPO for SPOT 3.0 scoring and consideration of inclusion in the TARPO regional priority list and STIP as project priority #1 as a new highway project. |
| 2 | Efland-Cedar Grove Road (SR 1004) Improvements | <p><u>Description:</u> Widen Efland-Cedar Grove Road (SR 1004) from Highland Farm Road (SR 1332) to the northern property line of the U.S. Post Office north of Carr Store Road SR 1352) from a two (2)-lane, 20-foot cross section to a 24-foot cross section with straightening of the roadway where needed, improvements to turn lanes, and the incorporation of bicycle facilities. This project is recommended in the OCCTP.</p> <p>This project proposal overlaps with STIP project W-5143 to improve the horizontal alignment of the curve on Efland-Cedar Grove Road north of its intersection with Highland Farm Road. This project is scheduled for construction in April 2014 and for completion in December 2014.</p> <p><u>Need:</u> The project would improve travel time with an increase in design speed and would improve safety with travel lane straightening and an increase in pavement width. This segment of Efland-Cedar Grove Road is a travel alternative to NC 86 for traffic from northwestern Orange County to access I-40/85, and as such, traffic is projected to continue to increase in future years. This project is not likely to score very high using the State's congestion scoring factor and is only eligible for funding at the division tier. However, the project may score well against the State's safety scoring factor.</p> | Existing Highway Modernization Project submitted for scoring in SPOT 2.0. This project was recommended by staff in 2011 to be removed from the project priority list for Orange County and was subsequently removed before submission. | Scored in SPOT 2.0 prioritization as a Subregional Highway Modernization project. Ranked 43/149 for all Subregional Highway Modernization projects scored in the state. Project is anticipated to rank low for SPOT 3.0 because it would not score well with the State's adopted mobility scoring factors. | Submit to TARPO for SPOT 3.0 scoring and consideration of inclusion in the TARPO regional priority list and STIP as project priority #2 as a reprioritized highway project. |
| 3 | Dairyland Road Paved Shoulders* | <p><u>Description:</u> Widen Dairyland Road (SR 1004/1113/1177) from Union Grove Church Road (SR 1111) to Orange Grove Road (SR 1006) to include four (4)-foot paved shoulders. Part of this project is located within the DCHC MPO planning area. The portion of this project within the DCHC MPO planning area is being recommended for inclusion in that priority list. This project is scheduled in the STIP for a feasibility study (STIP # EB-5108). The project is recommended as a bikeway improvement in the OCCTP but will be submitted as a highway project with a cost exceeding \$1,000,000.</p> <p><u>Need:</u> This project would provide one segment of a bikeway connection through western Orange County from Carrboro to the Buckhorn Road and Mebane area and improve the safety of the subject thoroughfare for motorized vehicular travel. The project is not likely to score very high using the State's congestion and benefit-cost scoring factors and is only eligible for funding at the division tier. However, the project may score well against the State's safety scoring factor.</p> | Existing Highway Modernization Project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as one segment of project priority #1 in 2011. The project was scored in separate segments in SPOT 2.0. | Scored in SPOT 2.0 prioritization as a Subregional Highway Modernization project. Ranked 62/149 for all Subregional Modernization projects scored in the state. Project is anticipated to rank low for SPOT 3.0 because it would not score well with the State's adopted mobility scoring factors. | Submit to TARPO for SPOT 3.0 scoring and consideration of inclusion in the TARPO regional priority list and STIP as project priority #3 as a reprioritized highway project. |

Attachment 3: Draft Triangle Area Regional Planning Organization (TARPO) Project Priority List

| Map ID # | Project | Project Description/Need | Status (New/Existing Project) | Existing Project Score/Rank | Staff Recommendation |
|----------|---|---|---|--|---|
| 4 | Orange Grove Road/Buckhorn Road Paved Shoulders* | <p><u>Description:</u> Widen Orange Grove Road (SR 1006) from Dairyland Road (SR 1177) to Buckhorn Road (SR 1114) and Buckhorn Road (SR 1114) from Orange Grove Road (SR 1006) to West Ten Road (SR 1144) to include four (4)-foot paved shoulders. This project is recommended as a set of bikeway improvements in the OCCTP but will be submitted as a highway project with a cost exceeding \$1,000,000.</p> <p><u>Need:</u> This project would provide one segment of a bikeway connection through western Orange County from Carrboro to the Buckhorn Road and Mebane area and improve the safety of the subject thoroughfare for both bicyclists and motorized vehicular travel. The project is not likely to score very high using the State's congestion and benefit-cost scoring factors and is only eligible for funding at the division tier. However, the project may score well against the State's safety scoring factor.</p> | Existing Highway Modernization Project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as one segment of project priority #1 in 2011. The project was scored in separate segments in SPOT 2.0. | Scored in SPOT 2.0 prioritization as a Subregional Highway Modernization project. Ranked 10/149 for all Subregional Modernization projects scored in the state. In general, project is anticipated to rank low for SPOT 3.0 because it would not score well with the State's adopted mobility factors. | Submit to TARPO for SPOT 3.0 scoring and consideration of inclusion in the TARPO regional priority list and STIP as project priority #4 as a reprioritized highway project. |
| 5 | Old Greensboro Road Paved Shoulders* | <p><u>Description:</u> Widen Old Greensboro Road (SR 1005) from Carrboro's extra-territorial jurisdiction (ETJ) to the Orange/Alamance County line to include four (4)-foot paved shoulders. This project would be a segment of the North Carolina Mountains to Sea Bicycle Route (designated as North Carolina Bike Route 2). Part of this project is located within the DCHC MPO planning area. This project is recommended as a bikeway improvement in the OCCTP but will be submitted as a highway project with a cost exceeding \$1,000,000.</p> <p><u>Need:</u> This project would provide a continuous paved bikeway segment from Carrboro through the southwestern portion of Orange County to connect with other bikeway segments that comprise the state's Mountain to Sea bicycle route. The project is not likely to score very high using the State's congestion and benefit-cost scoring factors and is only eligible for funding at the division tier.</p> | Existing Highway Modernization Project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as project priority #2 in 2011. | Scored in SPOT 2.0 prioritization as a Subregional Highway Modernization project. Ranked 21/149 for all Subregional Modernization projects scored in the state. In general, project is anticipated to rank low for SPOT 3.0 because it would not score well with the State's adopted mobility scoring factors. | Submit to TARPO for SPOT 3.0 scoring and consideration for inclusion in the TARPO regional priority list and STIP as project priority #5 as a reprioritized highway project. |
| 6 | Orange Grove Road/Dodsons Crossroads Paved Shoulders* | <p><u>Description:</u> Widen Orange Grove Road (SR 1006) from I-40 to Dodsons Crossroads (SR 1102) and Dodsons Crossroads (SR 1102) from Orange Grove Road (SR 1006) to Dairyland Road (SR 1177) to include four (4)-foot paved shoulders. This project is recommended as a set of bikeway improvements in the OCCTP but will be submitted as a highway project with a cost exceeding \$1,000,000.</p> <p><u>Need:</u> This project would provide bicycle facilities to the Grady Brown Elementary School and Cedar Ridge High School from the area south of the schools and connect to a proposed bikeway facility on Orange Grove Road northward into Hillsborough. The project would also improve safety for motorized vehicular travel on this segment of Orange Grove Road. The project is not likely to score very high using the State's congestion and benefit-cost scoring factors and is only eligible for funding at the division tier.</p> | Existing Highway Modernization Project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as project priorities #3 and #4 in 2011. | Scored in SPOT 2.0 prioritization as a Subregional Highway Modernization project. Ranked 27/149 for all Subregional Modernization projects scored in the state. In general, project is anticipated to rank low for SPOT 3.0 because it would not score well with the State's adopted mobility scoring factors. | Submit to TARPO for SPOT 3.0 scoring and consideration for inclusion in the TARPO regional priority list and STIP as project priority #6 as a reprioritized highway project. |

*Bike projects that are greater than \$1,000,000 in cost can be submitted as highway projects if they involve highway modifications also of benefit to motorized vehicles. Projects will likely exceed \$1,000,000. These projects are scored using the highway scoring methodology; however, they are not likely to score well against the State's highway scoring criteria.

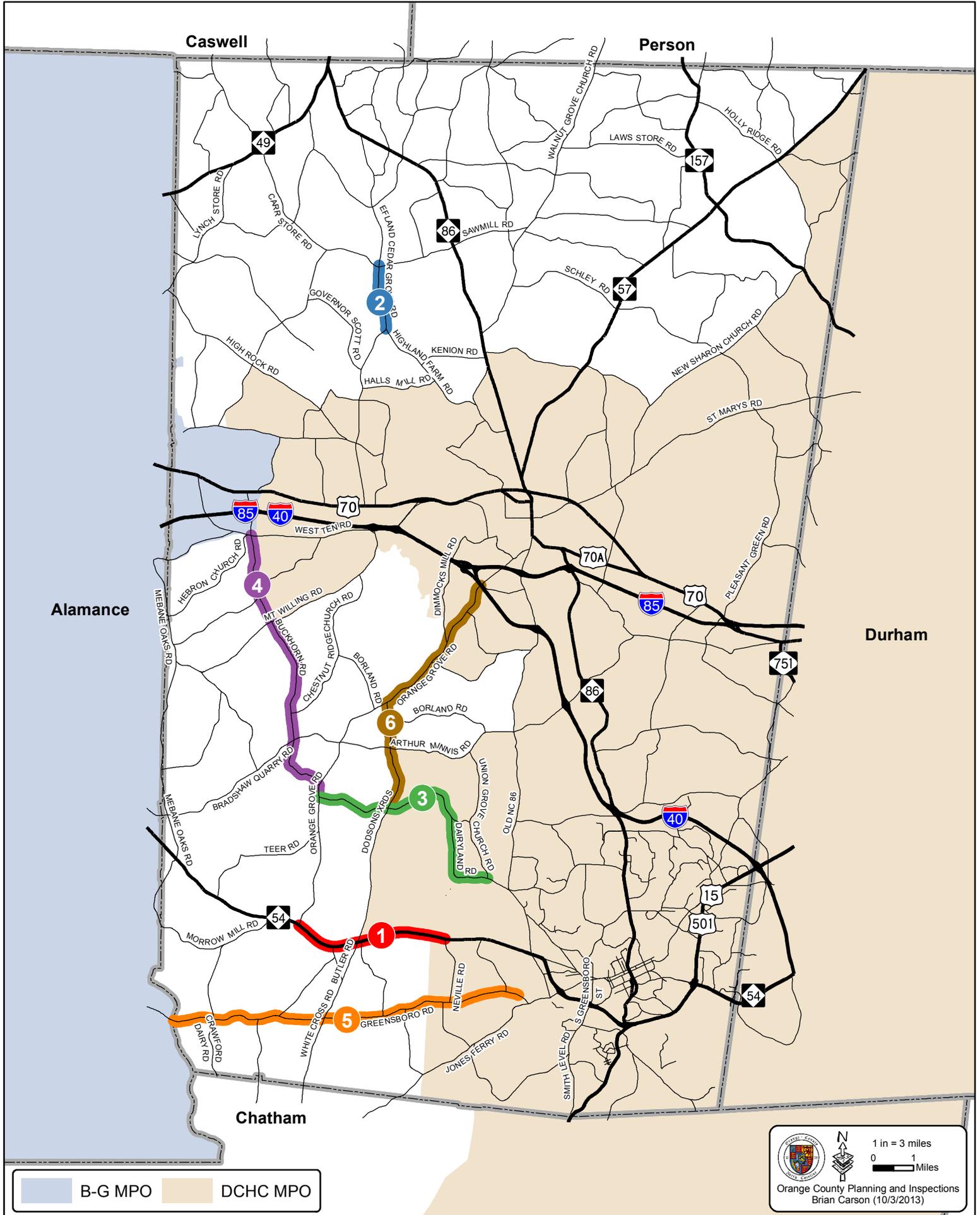
NOTES:

- 1) All projects previously submitted for consideration of inclusion in the TARPO regional priority list and the STIP are recommended for inclusion in this draft priority list; however, these projects are shifted down in priority given their very low likelihood of scoring well against the SPOT 3.0 scoring criteria. The NC 54 project was added to the list as priority #1 given the need for the project, its likelihood of scoring higher than other candidate projects, and its eligibility for funding from both the regional and divisional tiers, which makes it more likely to be funded. Although included as priority #2 in this list, the Efland-Cedar Grove project was removed from Orange County's priority list in 2011 because it did not score well in previous scoring iterations and bikeway improvements were anticipated not to meet the \$1,000,000 threshold for being considered a highway project. The Efland-Cedar Grove Road improvements project is being added to the list because of some added emphasis on safety in the State's scoring criteria, giving the project a higher likelihood for potential funding than in previous scoring iterations.

Attachment 3: Draft Triangle Area Regional Planning Organization (TARPO) Project Priority List**2) The following projects within the TARPO planning area portion of Orange County are currently in the Statewide Transportation Improvement Program (STIP):**

- a) Construct four (4)-foot paved shoulders along a five (5)-mile segment on Orange Grove Road from NC 54 to Arthur Minnis Road. This project is programmed in the STIP to be constructed in 2018; however, because the project is programmed for construction after July 2015, it will be subject to reprioritization under the newly adopted SPOT 3.0 process and is listed as a bike project with a total project cost of \$500,000.
- b) Feasibility study for Dairyland Road paved shoulders project.
- c) Construct paved shoulders and rumble strips and make geometric improvements on NC 86 from NC 57 to the Caswell County line a total length of 12.2 miles. This project is underway and is expected to be completed by the end of October 2013.

Attachment 4: TARPO Project List Map



RES-2013-080

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

A RESOLUTION ENDORSING ORANGE COUNTY'S PRIORITY TRANSPORTATION PROJECTS FOR THE DURHAM-CHAPEL HILL-CARRBORO METROPOLITAN PLANNING ORGANIZATION (DCHC MPO) REGIONAL PRIORITY LIST FOR THE 2016 – 2022 TRANSPORTATION IMPROVEMENT PROGRAM

WHEREAS, the North Carolina Board of Transportation (BOT), every two years, prepares a Statewide Transportation Improvement Program (STIP) that identifies transportation projects to be implemented over the next seven years with State and Federal funding; and

WHEREAS, the North Carolina BOT solicits input for identifying transportation projects of local and regional importance to be included in the FY 2016-2022 STIP; and

WHEREAS, the DCHC MPO Transportation Advisory Committee is charged with the development of a Metropolitan Transportation Improvement Program (MTIP); and

WHEREAS, Orange County is a member jurisdiction of the DCHC MPO; and

WHEREAS, Orange County gives priority to identified safety needs on existing roads and bridges, to transportation projects that encourage alternatives to automobile travel, to projects that minimize adverse impacts on the natural environment and cultural sites, and to those projects that foster economic development in the County's designated Economic Development Districts; and

WHEREAS, Orange County strongly encourages the North Carolina Department of Transportation (NCDOT) to design all highway projects, where appropriate, to accommodate bicycle and pedestrian traffic to provide alternative means of transportation that may result in reduced automobile traffic and related air and water impacts; and

WHEREAS, Orange County encourages the NCDOT to design all new or replacement bridges with sufficient clearance to allow wildlife to cross safely under them, and to allow pedestrian passage along any existing or planned trail-system connectors; and

WHEREAS, Orange County has outlined its transportation needs within the DCHC MPO planning area in an attachment to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Orange County Board of Commissioners that the Board endorses the following prioritized list of transportation projects to be considered for the FY 2016-2022 DCHC MPO MTIP.

- 1 South Churton Street (Old NC 86) Improvements: Widen South Churton Street (SR 1009) from I-40 to U.S. 70 Business to multiple lanes with congestion management, limited access, bicycle and pedestrian, and aesthetic improvements.

This project will be submitted as a reprioritized highway project to be considered for inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 2 U.S. 70 East/I-85 Connector: Modify the I-85 Connector (SR 1239) interchange at U.S. 70 to provide access from all directions.

This project will be submitted as a reprioritized highway project to be considered for inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 3 Orange Grove Road Extension: Extend Orange Grove Road (SR 1006) from the east side of South Churton Street (SR 1009) to U.S. 70 Business.

This project will be submitted as a reprioritized highway project to be considered for inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 4 NC 86 Improvements North of Hillsborough: Widen NC 86 from U.S. 70 Bypass to north of NC 57 to four (4) lanes with intersection improvements at U.S. 70 Bypass and NC 57.

This project will be submitted as a reprioritized highway project to be considered for inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 5 NC 54 Widening: Widen NC 54 from Neville Road (SR 1945) to Old Fayetteville Road (SR 1107/1937) from a two (2)-lane undivided thoroughfare to a four (4)-lane divided boulevard type thoroughfare.

This project will be submitted as a new highway project to be considered for inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 6 I-40 Widening: Widen I-40 from four (4) lanes to six (6) lanes from the I-40/I-85 interchange to the Durham County line.

This project will be submitted as a reprioritized highway project for consideration of inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 7 I-85 Widening: Widen I-85 from four (4) lanes to six (6) lanes from the I-40/I-85 interchange to the Durham County line.

This project will be submitted as a reprioritized highway project for consideration of inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 8 Hillsborough Train Station: Construct a train station in Hillsborough and implement AMTRAK service.

This project will be submitted as a new transit/rail project by Triangle Transit for consideration of inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 9 Buckhorn Economic Development District (EDD) Park-and-Ride: Construct a park-and-ride facility to be located in the I-85/Buckhorn Road EDD.

This project will be submitted as a new transit project by Triangle Transit or the Piedmont Authority for Regional Transportation (PART) for consideration of inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 10 Eno Mountain Road/Mayo Street at Orange Grove Road: Realign the intersection of Eno Mountain Road (SR 1148) and Mayo Street (SR 1192) with Orange Grove Road (SR 1006) and make safety improvements.

Attachment 5: Resolution Endorsing Projects for the DCHC MPO Transportation Improvement Program 17

This project will be submitted as a reprioritized highway project for consideration of inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 11 Homestead Road Bike Lanes and Sidewalks: Improve Homestead Road (SR 1777) from Old NC 86 (SR 1009) to NC 86 to include bicycle lanes and sidewalks in sections of the corridor where they do not exist.

This project will be submitted as a reprioritized highway project for consideration of inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 12 Eubanks Road Bike Lanes: Construct bicycle lanes on Eubanks Road (SR 1727) from Old NC 86 (SR 1009) to NC 86.

This project will be submitted as a reprioritized highway project for consideration of inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 13 Dairyland Road Paved Shoulders: Widen Dairyland Road (SR 1004/1113/1177) from Union Grove Church Road (SR 1111) to Orange Grove Road (SR 1006) to include four (4)-foot paved shoulders.

This project will be submitted as a reprioritized highway project for consideration of inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

- 14 Orange Grove Road/I-40 Pedestrian Bridge: Construct a pedestrian bridge over I-40 alongside Orange Grove Road (SR 1006) and construct a sidewalk along the north side of Orange Grove Road (SR 1006) from the pedestrian bridge to Timbers Drive.

This project will be submitted as a new pedestrian project for consideration of inclusion in the DCHC MPO MTIP as well as the 2016-2022 STIP.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing resolution was adopted this the 15th day of October, 2013.

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on October 15, 2013, as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2013.

Clerk to the Board of Commissioners

Attachment 6: Draft Durham-Chapel Hill-Carrboro (DCHC) MPO Project Priority List

| Map ID # | Project | Project Description/Need | Status (New/Existing Project) | Existing Project Score/Rank | Staff Recommendation |
|----------|---|---|--|---|---|
| 1 | South Churton Street (Old NC 86) Improvements | <p><u>Description:</u> Develop congestion management, limited access, bicycle and pedestrian improvements, and aesthetic and capacity improvements along South Churton Street (Old NC 86/SR 1009) from I-40 to U.S. 70 Business. More specifically, the project would widen South Churton Street along this segment to multiple lanes with a landscaped median and would widen the railroad bridge. This project is recommended in the DCHC MPO Metropolitan Transportation Plan (MTP). The feasibility study completed by NCDOT in February 2002 recommends a four (4)-lane divided curb and gutter cross section with a 16-foot median for the entire segment. Orange County will stress the need to study improvements within the current right-of-way (ROW) for the segment north of I-85 because of the significant built constraints along the corridor and its proximity to the Town of Hillsborough's historic district. Orange County will request that, where conditions do not prevent the addition of frontage roads, the feasibility study include the addition of frontage roads with limited access from the corridor.</p> <p><u>Need:</u> Traffic counts along South Churton Street (Old NC 86) indicate that the corridor is near capacity for average annual daily counts and over capacity for peak periods. Capacity improvements would ease congestion and improve travel time along this primary north-south corridor connecting the Town of Hillsborough and northern Orange County to I-40 and I-85. This project scored the highest among subregional mobility projects in Orange County for SPOT 2.0 and ranked 52/382 among those in the state within that category. Although the project is anticipated to rank the same or lower for SPOT 3.0, it is still projected to be among the highest scoring projects that are only eligible in the division funding tier.</p> | Existing Highway Mobility Project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as project priority #2 in 2011. | Scored in SPOT 2.0 prioritization as a Subregional Highway Mobility project. Ranked 52/382 for all Subregional Highway Mobility projects scored in the state. Project was ranked 38/71 by the MPO for highway projects scored in SPOT 2.0. The project is anticipated to rank about the same or slightly lower in SPOT 3.0 prioritization. | Submit to DCHC for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #1 as a reprioritized highway project. |
| 2 | U.S. 70 East/I-85 Connector | <p><u>Description:</u> Modify the I-85 Connector interchange at U.S. 70 to provide access from all directions. The existing Connector just east of Efland is not accessible to traffic on eastbound U.S. 70 and there is no access to westbound U.S. 70 from the Connector. This project is recommended in the DCHC MPO MTP.</p> <p><u>Need:</u> The project would enable traffic from northwestern Orange County to access I-85 more easily without risking the many points of traffic conflict through Efland. Traffic has increased on Efland-Cedar Grove Road as an alternative to NC 86. Much of that traffic currently "dog-legs" through Efland via Forrest Avenue to Mt. Willing Road to access I-85. Traffic counts reveal that traffic has increased approximately 40% over the past 10 years on Mt. Willing Road just south of Forrest Avenue, while traffic on U.S. 70 east of Efland-Cedar Grove Road has increased only 2%.</p> <p>The project would dramatically improve travel time for traffic from northwestern Orange County to I-85 and would dramatically ease congestion during peak periods in Efland. This project did not score very high for SPOT 2.0 prioritization but is projected to score higher for SPOT 3.0 because of the added emphasis on both benefit-cost/travel time and safety. It is also anticipated that the project will be eligible at both the regional and divisional funding tiers.</p> | Existing Highway Mobility Project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as project priority #5 in 2011. | Scored in SPOT 2.0 prioritization as a Regional Highway Mobility project. Ranked 208/268 for all Regional Highway Mobility projects scored in the state. Project was ranked 66/71 by the MPO for highway projects scored in SPOT 2.0. Project is anticipated to rank higher for SPOT 3.0 but will likely not rank in the top tier of projects within the regional and divisional funding tiers. | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #2 as a reprioritized highway project. |
| 3 | Orange Grove Road Extension | <p><u>Description:</u> Extend Orange Grove Road from the east side of South Churton Street (SR 1009) to U.S. 70 Business. This project is recommended in the DCHC MPO MTP.</p> <p><u>Need:</u> This project would ease excess congestion on South Churton Street between Orange Grove Road and U.S. 70 Business and reduce travel time by providing a direct connection from Orange Grove Road to U.S. 70 Business. The project would also provide access to a potential site for the proposed Hillsborough train station and possibly other future public facilities. This project scored relatively well for SPOT 2.0 and ranked 77/382 for all subregional mobility projects in the state. Although the project is expected to rank the same or lower for SPOT 3.0, it is still projected to be among the higher scoring projects that are only eligible in the division funding tier.</p> | Existing Highway Mobility Project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as project priority #7 in 2011. | Scored in SPOT 2.0 prioritization as a Subregional Highway Mobility project. Ranked 77/382 for all Subregional Mobility projects scored in the state. Project was ranked 35/71 by the MPO for highway projects scored in SPOT 2.0. The project is anticipated to rank about the same or slightly lower for SPOT 3.0 prioritization. | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #3 as a reprioritized highway project. |

Attachment 6: Draft Durham-Chapel Hill-Carrboro (DCHC) MPO Project Priority List

| Map ID # | Project | Project Description/Need | Status (New/Existing Project) | Existing Project Score/ Rank | Staff Recommendation |
|----------|--|--|--|---|---|
| 4 | NC 86 Improvements north of Hillsborough | <p><u>Description:</u> Widen NC 86 from U.S. 70 bypass to north of NC 57 to four (4) lanes with intersection improvements at U.S. 70 bypass and NC 57. Improvements at the NC 86/U.S. 70 intersection should include extending the queuing lane for traffic turning east onto U.S. 70 bypass from northbound Churton Street/NC 86. Improvements at the NC 86/NC 57 intersection should include a crosswalk and provide a safe crossing for pedestrians with a sidewalk connecting the intersection of NC 86 and NC 57 to Rencher Street. This project is not currently listed or recommended in the DCHC MPO MTP but is recommended in the DCHC MPO CTP.</p> <p><u>Need:</u> The segment of NC 86 between NC 57 and U.S. 70 is highly congested. Traffic counts indicate that this segment of NC 86 is over capacity for average annual daily counts. Capacity improvements would ease congestion and improve travel time along this primary north-south corridor connecting the Town of Hillsborough to NC 57 and northern Orange County. This project scored well for SPOT 2.0 and ranked 60/306 for all statewide mobility projects in the state. The project will be scored as a regional and/or division tier project for SPOT 3.0 and is anticipated to be among the higher scoring projects within these tiers with the added emphasis on congestion and benefit-cost.</p> | Existing Highway Mobility Project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as project priority #12 in 2011. For this project to be funded, it would need to be added to the DCHC MPO MTP. | Scored in SPOT 2.0 prioritization as a Statewide Highway Mobility project. Ranked 60/306 for all Statewide Mobility projects scored in the state. Project ranked 49/71 by the MPO for highway projects scored in SPOT 2.0. In general, project is anticipated to rank about the same or slightly lower for SPOT 3.0 prioritization. | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #4 as a reprioritized highway project. |
| 5 | NC 54 Widening | <p><u>Description:</u> Widen NC 54 from Neville Road to Old Fayetteville Road from a two (2)-lane thoroughfare to a four (4)-lane divided boulevard type thoroughfare with a travel-prohibitive median to improve mobility and provide better access control. This project would continue the NC 54 widening project recommended in the OCCTP into Carrboro; however, this project is not recommended in the DCHC MPO MTP or CTP. The proposed NC 54 widening project west of Neville Road (TARPO priority project #1) would be contingent on the widening of this segment of the roadway so that the benefits of a continuous improved higher capacity cross section would be extended along logical termini.</p> <p><u>Need:</u> NCDOT projections west of these project limits reveal that traffic on NC 54 is at capacity, implying that traffic along these project limits is likely at or above capacity warranting an increase in capacity through widening. The project would improve congestion and reduce travel time along the corridor. As such, the project is likely to score relatively well against the State's congestion and benefit-cost scoring factors, and the project is eligible for funding at both the regional and divisional tiers. An amendment to the DCHC MPO MTP to include this project would be required for the project to be funded within the first four (4) years of the STIP (FYs 2016-2019).</p> | New Highway Project | N/A | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO MTP, TIP and the STIP as project priority #5 as a new highway project. |
| 6 | I-40 Widening | <p><u>Description:</u> Widen I-40 from four (4) lanes to six (6) lanes from the I-40/I-85 interchange to the Durham County line. The project is recommended in the DCHC MPO MTP.</p> <p><u>Need:</u> According to data from NCDOT, traffic along this corridor is near capacity and is expected to exceed capacity in future years. The project would reduce congestion and travel time and will likely score relatively well when compared to other projects submitted because of the added emphasis on congestion and benefit-cost. This project is eligible for funding at the statewide, regional and divisional tiers.</p> | Existing Highway Mobility Project submitted for scoring in SPOT 2.0. This project was not submitted by Orange County in 2011 but is already in the DCHC MPO TIP and the STIP and is considered a project of regional significance. | Scored in SPOT 2.0 prioritization as a Statewide Highway Mobility project. Ranked 54/306 for all Statewide Mobility projects scored in the state. Project ranked 63/71 by the MPO for highway projects scored in SPOT 2.0. Project is anticipated to rank higher for SPOT 3.0 prioritization among highway projects throughout the state. | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #6 as a reprioritized highway project. |
| 7 | I-85 Widening | <p><u>Description:</u> Widen I-85 from four (4) lanes to six (6) lanes from the I-40/I-85 interchange to the Durham County line and reconstruct interchanges and bridge structures. The project is recommended in the DCHC MPO MTP.</p> <p><u>Need:</u> The project would reduce congestion and travel time along the corridor during peak periods. This project is eligible for funding at the statewide, regional and divisional tiers.</p> | Existing Highway Mobility Project submitted for scoring in SPOT 2.0. This project was not submitted by Orange County in 2011 but is already in the DCHC MPO TIP and the STIP and is considered a project of regional significance. | Scored in SPOT 2.0 prioritization as a Statewide Highway Mobility project. Two separate segments scored for the project ranked 150/306 and 220/306 for Statewide Mobility projects scored in the state. Project ranked 68/71 by the MPO for highway projects scored in SPOT 2.0. Project is anticipated to rank higher for SPOT 3.0 | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #7 as a reprioritized highway project. |

Attachment 6: Draft Durham-Chapel Hill-Carrboro (DCHC) MPO Project Priority List

| Map ID # | Project | Project Description/Need | Status (New/Existing Project) | Existing Project Score/ Rank | Staff Recommendation |
|----------|---|---|---|---|---|
| | | | | prioritization among highway projects throughout the state but will likely not rank high enough to be funded at the Statewide tier. | |
| 8 | Hillsborough Train Station | <p><u>Description:</u> Construct a train station in Hillsborough and implement AMTRAK service as designated in <i>Hillsborough's Rail Station Small Area Plan</i> and in the <i>Orange County Bus and Rail Investment Plan</i>. The train station could also serve future commuter rail operations and anchor a multimodal transportation hub in Hillsborough.</p> <p><u>Need:</u> A revenue and ridership study conducted by NCDOT and AMTRAK has indicated there is enough potential ridership to make a stop in Hillsborough financially feasible. The station and service in Hillsborough would fill a sizable gap in area served along the rail line between Burlington and Durham.</p> | New Transit and/or Rail project.** This project will technically require submission by Triangle Transit; however, the project is included in the priority list to act as a guide for assigning local input points to potential projects. This project was submitted by Orange County as project priority #2 in 2011. | N/A | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #8 as a new transit and/or rail project. |
| 9 | Buckhorn Economic Development District (EDD) Park-and-Ride | <p><u>Description:</u> Construct a park-and-ride facility to be located in the I-85/Buckhorn Road Economic Development District (EDD) to collect ridership in eastern Alamance and western Orange Counties.</p> <p><u>Need:</u> The park-and-ride facility would provide a transit connection to an area with a growing commuting presence to and from the Triangle region.</p> | New Transit Project.** This project will technically require submission by Triangle Transit or the Piedmont Authority for Regional Transportation (PART); however, the project is included in the priority list to act as a guide for assigning local input points to potential projects. This project was submitted by Orange County as project priority #4 in 2011. | Ranked 10/17 among all DCHC MPO transit projects scored in 2011. Final rank with MPO scores and Transportation Advisory Committee (TAC)-assigned points was 14/17. Project received no points from the TAC for the DCHC MPO draft 2014-2020 TIP priority list. | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #9 as a new transit project. |
| 10 | Eno Mountain Road and Mayo Street at Orange Grove Road intersection realignment and safety improvements | <p><u>Description:</u> Realign the intersection of Eno Mountain Road and Mayo Street with Orange Grove Road and make safety improvements. This project is not provided/recommended in the DCHC MPO MTP.</p> <p><u>Need:</u> The project would improve safety, reduce travel time, and improve traffic flow between residential and commercial areas in the Town of Hillsborough.</p> | Existing Highway Modernization project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as project priority #8 in 2011. | Scored in SPOT 2.0 prioritization as a Subregional Highway Modernization project. Ranked 59/149 for all Subregional Modernization projects scored in the state. Ranked 16/71 by the MPO for highway projects scored in SPOT 2.0. Project is anticipated to rank low among all projects scored in the division tier. | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #10 as a reprioritized highway project. |
| 11 | Homestead Road bike lane and sidewalk installation* | <p><u>Description:</u> Improve Homestead Road from Old NC 86 (SR 1009) to NC 86 to include bicycle lanes and sidewalks in sections of the corridor where those facilities do not exist. This project is provided/recommended in the DCHC MPO MTP</p> <p><u>Need:</u> There are three (3) schools in the vicinity of Homestead Road: Chapel Hill High School, Smith Middle School, and Seawell Elementary School. Many students live within walking and biking distance of Chapel Hill High School and must walk or cycle along or across Homestead Road on a daily basis. Provision of bikeway and pedestrian facilities is necessary to give students a comfortable and safe place to travel separate from that of motorized vehicular traffic. Homestead Road is also a commuting route for adult utilitarian bicyclists connecting residential areas to other arteries serving employment centers.</p> | Existing Highway Modernization project for submitted for scoring in SPOT 2.0. This project was submitted by Orange County as project priority #9 in 2011. | Scored in SPOT 2.0 prioritization as a Subregional Highway Modernization project. Ranked 75/149 for all Subregional Modernization projects scored in the state. Ranked 19/71 by the MPO for highway projects scored in SPOT 2.0. Project is anticipated to rank low among all projects scored in the division tier. | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #11 as a reprioritized highway project. |

Attachment 6: Draft Durham-Chapel Hill-Carrboro (DCHC) MPO Project Priority List

| Map ID # | Project | Project Description/Need | Status (New/Existing Project) | Existing Project Score/Rank | Staff Recommendation |
|----------|---|---|--|---|--|
| 12 | Eubanks Road bike lane installation* | <p><u>Description:</u> Construct bicycle lanes on Eubanks Road from Old NC 86 (SR 1009) to NC 86. This project would likely exceed \$1,000,000, and as such, would be submitted as a highway project. This project is provided/recommended in the DCHC MPO MTP.</p> <p><u>Need:</u> This project would provide a separate facility for both recreational and commuter bicyclists to reduce/eliminate the bike/automobile modal conflict along this corridor. The project would also provide access to the Morris Grove Elementary School on Eubanks Road.</p> | Existing Highway Modernization Project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as project priority #10 in 2011. | Scored in SPOT 2.0 prioritization as a Subregional Highway Modernization project. Ranked 19/149 for all Subregional Modernization projects scored in the state. Ranked 6/71 by the MPO for highway projects scored in SPOT 2.0. Project is anticipated to rank low among all projects scored in the division tier. | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #12 as a reprioritized highway project. |
| 13 | Dairyland Road paved shoulders* | <p><u>Description:</u> Widen Dairyland Road from Union Grove Church Road to Orange Grove Road to include four (4)-foot paved shoulders. Part of this project is located within the TARPO planning area. The portion of this project within the TARPO planning area is being recommended for inclusion in that priority list as priority #3. This project is scheduled in the STIP for a feasibility study (STIP # EB-5108). This project is provided/recommended in the DCHC MPO MTP.</p> <p><u>Need:</u> This project would provide one segment of a bikeway connection through western Orange County from Carrboro to the Buckhorn Road and Mebane area and improve the safety of the subject thoroughfare for both bicyclists and motorized vehicular travel. The project is not likely to score very high using the State's congestion and benefit-cost scoring factors and is only eligible for funding at the division tier.</p> | Existing Highway Modernization Project submitted for scoring in SPOT 2.0. This project was submitted by Orange County as project priority #11 in 2011. | Scored in SPOT 2.0 prioritization as a Subregional Highway Modernization project. Ranked 62/149 for all Subregional Modernization projects scored in the state. Ranked 21/71 by the MPO for highway projects scored in SPOT 2.0. Project is anticipated to rank low among all projects scored in the division tier. | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #13 as a reprioritized highway project. |
| 14 | Orange Grove Road/I-40 Pedestrian Bridge*** | <p><u>Description:</u> Construct a pedestrian bridge over I-40 alongside Orange Grove Road and construct a sidewalk along the north side of Orange Grove Road from the bridge to Timbers Drive.</p> <p><u>Need:</u> I-40 separates two schools, Grady Brown Elementary and Cedar Ridge High School, from residential areas north of I-40. The schools are within walking distance from residential areas, but bicyclists and pedestrians must share the roadway with motor vehicles crossing the existing narrow two (2)-lane bridge that carries Orange Grove Road over I-40. The bridge is too narrow to accommodate a pedestrian walkway. Lack of an adequate pedestrian crossing presents an unsafe environment for students to walk to the schools. The <i>Orange County Safe Routes to School Action Plan</i> identifies the pedestrian bridge as the central element in the plan for Grady Brown Elementary School. The school system has committed to construct a trail from the bridge across Cedar Ridge High School property to the entrance of Cedar Ridge High School.</p> | New Pedestrian Project** | Scored in SPOT 2.0 prioritization as a Pedestrian project. Ranked 559/629 for all bike/ped projects scored in the state. Ranked 24/24 by the MPO for pedestrian projects scored in SPOT 2.0. Project is anticipated to rank low among all bike/ped projects scored in the division tier. | Submit to DCHC MPO for SPOT 3.0 scoring and consideration of inclusion in the DCHC MPO TIP and the STIP as project priority #14 or higher as a new pedestrian project if the County can commit to provide the 20% local match, acquire any necessary right-of-way, and locally administer/manage the project. |

* Bike projects that are greater than \$1,000,000 in cost can be submitted as highway projects if they involve highway modifications also of benefit to motorized vehicles. Projects will likely exceed \$1,000,000. These projects are scored using the highway scoring methodology; however, they are not likely to score well against the State's highway scoring criteria.

**Bike/ped and transit projects will be considered new projects for SPOT 3.0 scoring. Previous bike/ped and transit projects submitted for scoring will not automatically be scored for SPOT 3.0. Transit projects in this priority list are meant to function as a guide for Orange County's assignment of local input points. These transit projects would ultimately need to be submitted by the transit agency responsible for making the respective capital improvements.

***Pedestrian projects require a 20% local match and must be locally administered. Right-of-way acquisition is also not a permissible cost to be funded by NCDOT for these projects.

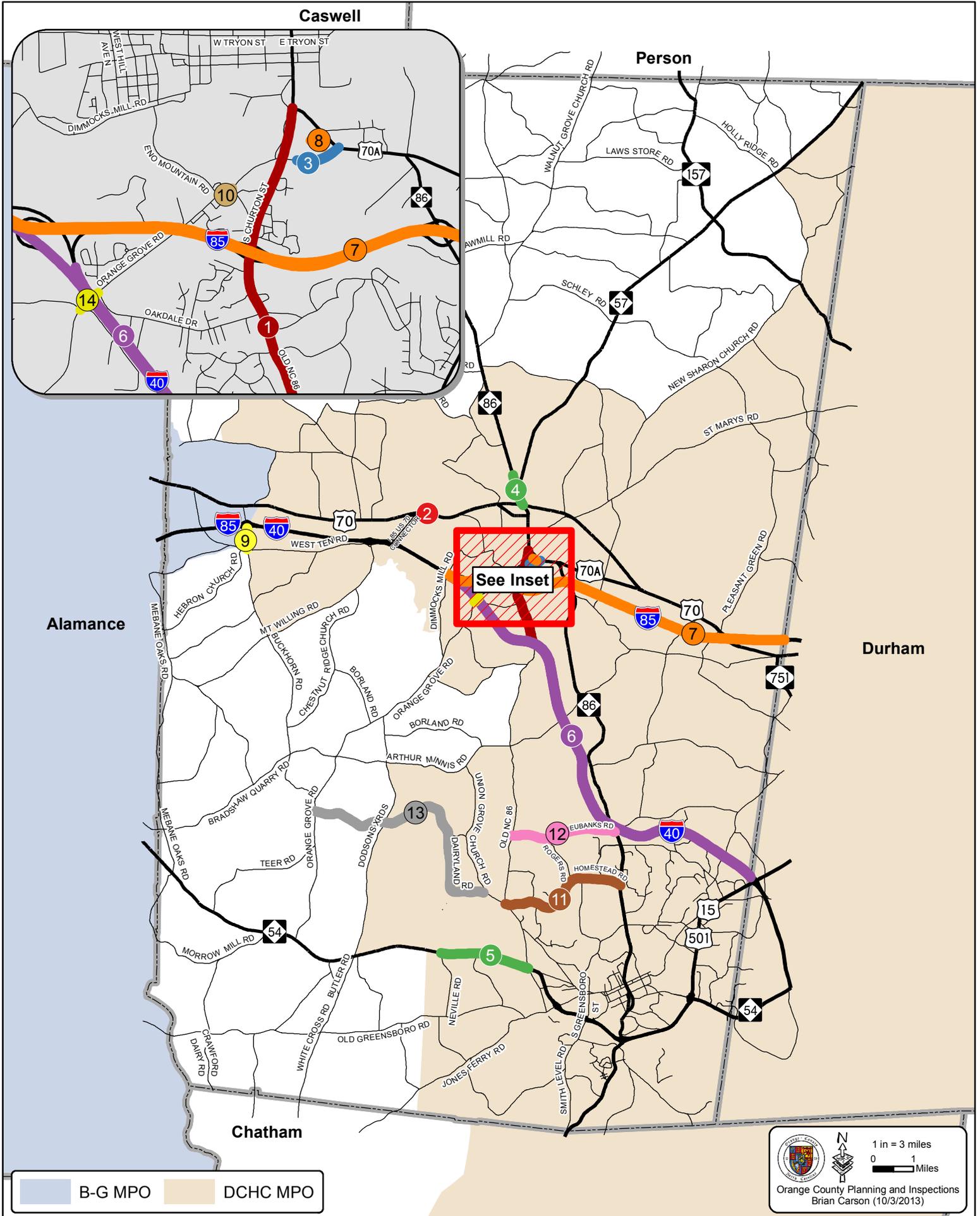
NOTES:

- 1) The I-85 and I-40 widening projects are already scheduled for reprioritization at the Statewide tier, and staff is suggesting that they be added to the priority list to provide a guide for staff and elected officials to determine to which Orange County projects they should assign local input points in the event that these projects are not funded at the statewide tier and become eligible at the regional or divisional funding tiers.
- 2) One project was removed from the priority list submitted in 2011: Old NC 86 bikeway improvements from Hillsborough Road in Carrboro to I-40. All other projects submitted in 2011 are included; however, the staff-suggested order of prioritization for those projects has changed.

Attachment 6: Draft Durham-Chapel Hill-Carrboro (DCHC) MPO Project Priority List**3) The following projects within the DCHC MPO planning area portion of Orange County are currently in the Statewide Transportation Improvement Program (STIP):**

- a) I-40 widening
- b) I-85 widening
- c) Feasibility study for Dairyland Road paved shoulders project.

Attachment 7: DCHC MPO Project List Map



Caswell

Person

Alamance

Durham

Chatham

See Inset

B-G MPO DCHC MPO

1 in = 3 miles
 0 1 Miles
 Orange County Planning and Inspections
 Brian Carson (10/3/2013)

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 15, 2013

Action Agenda
Item No. 11-a

SUBJECT: Affordable Housing Advisory Board — Appointment

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Recommendation/Attendance
Application of Person(s) for Consideration
Interest List
Application of Person(s) on the Interest List

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making an appointment to the Affordable Housing Advisory Board.

BACKGROUND: The following appointment is for Board consideration:

- Appointment to a first full term for Ms. Sully Jaffer. If appointed Ms. Jaffer will be serving a first full term expiring 09/30/2016.

| POSITION NUMBER | SPECIAL REPRESENTATION | EXPIRATION DATE |
|--------------------|------------------------|-----------------|
| 1 Ms. Sully Jaffer | At-Large | 09/30/2016 |

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: katedoom@gmail.com | Resid/Spec Req: At-Large | Number of Terms: 1 |
| | | | Special Repr: | |
| 3 | Mr. Andrew Shannon Jr. | Day Phone: 919-931-1558 | Sex: Male | First Appointed: 10/16/2012 |
| | | Evening Phone: 919-933-1796 | Race: Caucasian | Current Appointment: 10/16/2012 |
| | 119 Old Larkspur Way | FAX: | Township: Chapel Hill | Expiration: 06/30/2015 |
| | Chapel Hill NC 27516-3414 | E-mail: andrewshannonjr@yahoo.com | Resid/Spec Req: At-Large | Number of Terms: 1 |
| | | | 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: Evening Phone: FAX: E-mail: | Sex: Race: Township: Resid/Spec Req: At-Large Special Repr: | First Appointed: Current Appointment: Expiration: 06/30/2015 Number of Terms: |
| 7 | Ms. JonZella Bailey-Pridham Vice-Chair 800 Pritchard Ave. Ext. Apt. A12 Chapel Hill NC 27516 | Day Phone: 919-923-6931 Evening Phone: same as above FAX: n/a E-mail: zuguru02@yahoo.com | Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: | First Appointed: 02/15/2011 Current Appointment: 02/15/2011 Expiration: 09/30/2013 Number of Terms: 1 |
| 8 | Ms. Patsy Barbee Chair 817 Oakdale Drive Hillsborough NC 27278 | Day Phone: 919-732-9223 Evening Phone: 919-732-5904 FAX: E-mail: msdivapat@yahoo.com | Sex: Female Race: African American Township: Hillsborough Resid/Spec Req: At-Large Special Repr: | First Appointed: 03/24/2009 Current Appointment: 06/07/2011 Expiration: 06/30/2014 Number of Terms: 2 |
| 9 | VACANT | Day Phone: Evening Phone: FAX: E-mail: | Sex: Race: Township: Resid/Spec Req: At-Large Special Repr: | First Appointed: Current Appointment: Expiration: 06/30/2015 Number of Terms: |
| 10 | Ms. Diane Beecham 218 Turtleback Crossing Drive Chapel Hill NC 27516 | Day Phone: 919-918-4075 Evening Phone: same FAX: E-mail: ddbeecham@gmail.com | Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: | First Appointed: 02/15/2011 Current Appointment: 06/18/2013 Expiration: 06/30/2016 Number of Terms: 2 |

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.

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| 11 | VACANT | Day Phone: Evening Phone: FAX: E-mail: | Sex: Race: Township: Resid/Spec Req: At-Large Special Repr: | First Appointed: Current Appointment: Expiration: 06/30/2014 Number of Terms: |
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| 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: |
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| 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: jstroud@choedc.org | Sex: Male Race: African American Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: | First Appointed: 02/15/2011 Current Appointment: 06/18/2013 Expiration: 06/30/2016 Number of Terms: 2 |
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| 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 |
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|----|---------------|---|---|--|
| 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: Friday, September 27, 2013 9:58 AM
To: Jeanette Jones
Subject: Affordable Housing Advisory Board

Hi Jeanette:

This is confirmation that this advisory board recommends appointment of Sully Jaffer to the Affordable Housing Advisory Board.

Thanks, Tara

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms Sully Jaffer
Name Called:
Home Address: 600 West Poplar Avnue, Apt 224
Carrboro NC 27510
Phone (Day): 919-928-0934
Phone (Evening): 919-928-0934
Phone (Cell):
Email: sjaffer2@netzero.net
Place of Employment: Retired
Job Title: Legal and Administrative Assistant
Year of OC Residence: 1999
Township of Residence: Chapel Hill
Zone of Residence: Carrboro City Limits
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Affordable Housing Advisory Board

I was involved in real estate for a long time as an investor, mortgage and real estate broker which I would bring to this board. Affordable Housing is real estate related and my background will help to develop/or investigate an alternative to affordable housing.

Community Activities/Organizational Memberships:

Seymour Senior Center, RSVP

Past Service on Orange County Advisory Boards:

Other Comments:

STAFF COMMENTS: Originally (07/08/2013) applied for Affordable Housing Advisory Board. ADDRESS VERIFICATION: 600 West Poplar Avenue, Apt. 224, is Chapel Hill Township, Carrboro Jursidiction, and Carrboro City Limits.

This application was current on: 7/8/2013 11:15:25 AM

Date Printed: 10/10/2013

Applicant Interest Listing

by Board Name and by Applicant Name

Affordable Housing Advisory Board

Contact Person: Tara Fikes
Contact Phone: 919-245-2490

Ms. Tammy Jacobs

200 Laurel Avenue
Carrboro NC 27510

Day Phone: 919-271-0554

Evening Phone: 919-271-0554

Cell Phone:

E-mail: tammy.jacobs722@yahoo.com

Also Serves On: Orange County Housing Authority

Sex: Female

Race: African American

Township: Chapel Hill

Date Applied: 07/15/2013

Skills:

Skills: Affordable Housing Advocate

Skills: Community Service Volunteer

Ms Sully Jaffer

600 West Poplar Avnue, Apt 224
Carrboro NC 27510

Day Phone: 919-928-0934

Evening Phone: 919-928-0934

Cell Phone:

E-mail: sjaffer2@netzero.net

Also Serves On:

Sex: Female

Race: Caucasian

Township: Chapel Hill

Date Applied: 07/08/2013

Skills: Real Estate

Ms. Britney Walden

101 Kildaire Road Apt P
Chapel Hill NC 27516

Day Phone: 704-701-1799

Evening Phone: 704-701-1799

Cell Phone:

E-mail: bwalden@live.unc.edu

Also Serves On: Orange County Housing Authority

Sex: Female

Race: African American

Township: Chapel Hill

Date Applied: 07/07/2013

Skills: Hospital Volunteer

**Volunteer Application
Orange County Advisory Boards and Commissions**

Name: Ms. Tammy Jacobs
Name Called:
Home Address: 200 Laurel Avenue
Carrboro NC 27510
Phone (Day): 919-271-0554
Phone (Evening): 919-271-0554
Phone (Cell):
Email: tammy.jacobs722@yahoo.com
Place of Employment: Durham Housing Authority
Job Title: Service Coordinator-Public Housing Sector
Year of OC Residence: 1985
Township of Residence: Chapel Hill
Zone of Residence: Carrboro City Limits
Sex: Female
Ethnic Background: African American

Boards/Commissions applied for:

Affordable Housing Advisory Board

I have served on this board in the past and understand the function and purpose of its mission.

Community Activities/Organizational Memberships:

Currently a member of the Chapel Hill High School PTA

Past Service on Orange County Advisory Boards:

Served on Affordable Housing Advisory Board in the past.

Other Comments:

STAFF COMMENTS: Applied 6/8/2001 for Affordable Housing Advisory Board; Human Relations Commission. Applied 07/15/2013 for Orange County Housing Authority and Affordable Housing Advisory Board. ADDRESS VERIFICATION: 200 Laurel Avenue is Chapel Hill Township, Carrboro Jurisdiction and Carrboro City Limits.

This application was current on: 7/15/2013

Date Printed: 10/10/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Britney Walden
Name Called:
Home Address: 101 Kildaire Road Apt P
 Chapel Hill NC 27516
Phone (Day): 704-701-1799
Phone (Evening): 704-701-1799
Phone (Cell):
Email: bwalden@live.unc.edu
Place of Employment: UNC Hospitals
Job Title: Administrative Intern
Year of OC Residence: 2012
Township of Residence: Chapel Hill
Zone of Residence: C.H. City Limits
Sex: Female
Ethnic Background: African American

Boards/Commissions applied for:

Affordable Housing Advisory Board

I have attended undergrad at UNC and I am now obtaining my master s degree at UNC so the total amount of time I have lived in Chapel Hill is about 6 years. I know this area well and through my volunteer activities I am well in touch with the demographics of the populations as well as the needs of the people of Orange County. I currently work for UNC Hospitals in Hillsborough so my wealth of knowledge about this county has expanded. As a young woman in my mid 20s I know I can bring the perspective of the younger generation of residents in Orange County to the board and help in making housing for Orange County fair for all its residents.

Community Activities/Organizational Memberships:

I volunteer at the Student Health Action Coalition in Chapel Hill NC which is a free clinic that services residents of Chapel Hill who do not have access to health care. I am also a member of the American College of Healthcare Association. In addition, I volunteer at UNC Hospitals taking treats and cards to patients on all holidays.

Past Service on Orange County Advisory Boards:

Other Comments:

STAFF COMMENTS: Originally (07/07/2013) applied for Affordable Housing Advisory Board and Orange County Housing Authority. ADDRESS VERIFICATION: 101 Kildaire Road Apt. P., is Chapel Hill Township, Chapel Hill Jursidiction, and Chapel Hill Town Limits.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 15, 2013

**Action Agenda
Item No.** 11-b

SUBJECT: Orange Dog Poets Society – Appointment

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S): Under Separate Cover

INFORMATION CONTACT:

Clerk's Office, 245-2130

Request Letter

PURPOSE: To consider making an appointment of a Commissioner as a representative to the Orange Dog Poets Society's Poet Laureate selection committee.

BACKGROUND: The following appointment is for Board consideration:

- Appointment of a Commissioner to the Orange Dog Poets Society's Poet Laureate selection committee.

FINANCIAL IMPACT: None

RECOMMENDATION(S): The Board will consider making an appointment to the Orange Dog Poets Society.

Board Comment

RECEIVED

SEP 26 2013

February 25, 2013

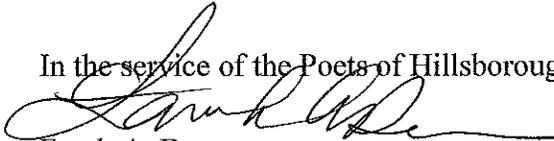
Friends of Poetry

Every two years a Poet Laureate for Hillsborough and Orange County is selected. The term of the current Poet Laureate will expire in April 2014. The Orange Dog Poet Society will be forming a committee to select a new Poet Laureate. The goal is to select a committee that is representative of a cross section of Hillsborough and Orange County.

The Orange Dog Poet Society is inviting the Orange County Board of Commissioners to select a member of the Board to represent the Orange County Board on the Poet Laureate selection committee. If the Orange County Board chooses to select a representative for the Committee, please contact Frank A. Doonan at shunyadragon@gmail.com or David Hardt at canddhardt@embarqmail.com before November 15, 2013. You may also respond by mail to the following address:

Frank A. Doonan
611 Harper Road
Hillsborough, NC
27278

In the service of the Poets of Hillsborough and Orange County



Frank A. Doonan

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 15, 2013

Action Agenda
Item No. 11-c

SUBJECT: Orange Unified Transportation Board – Appointments

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Letter of Recommendation
Application of Person(s) For Consideration
Applicant Interest List
Application of Person(s) on the Interest List

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making appointments to the Orange Unified Transportation Board.

BACKGROUND: The following appointments are for Board consideration:

- Appointment to a first full term for Mr. Donald Wollum. If appointed Mr. Wollum will be serving a first full term ending 09/30/2016.
- Appointment to a first partial term for Mr. Brantley Wells. If appointed Mr. Wells will be serving a first partial term ending 09/30/2014.

| Position Number/Name | Representation | Expiration Date |
|----------------------|-----------------------|-----------------|
| 5 Mr. Donald Wollum | Eno Township | 09/30/2016 |
| 6 Mr. Brantley Wells | Hillsborough Township | 09/30/2014 |

FINANCIAL IMPACT: None.

RECOMMENDATION(S): The Board will consider making appointments to the Orange Unified Transportation Board.

Board and Commission Members

And Vacant Positions

Orange Unified Transportation Board

Meeting Times: 7 PM third Wednesday each month

Terms: 2

Contact Person: Abigaile Pittman

Meeting Place: West Campus Office Bldg.

Positions: 13

Length: three years

Contact Phone: 919-245-2567

Description: Orange Unified Transportation Board (OUTBoard). OUTBoard will advise the Board and provide information and comments on major transportation issues; and provide to the Board recommendations regarding the overall planning and programming of transportation improvements in the County, including:

- Identify and prioritize the County's roadway and transit needs along with associated costs and specific sources of funding;
- Assist in development and review of the transportation component of the Comprehensive Plan;

| | | | | |
|---|--|--|--|--|
| 1 | CDR Alexander Castro Jr 5915 Morrow Mill Road Chapel Hill NC 27516 | Day Phone: 919-619-1510 Evening Phone: 919-929-6368 FAX: E-mail: alexcastrojr@hotmail.com | Sex: Male Race: Caucasian Township: Bingham Resid/Spec Req: Bingham Twmsp Special Repr: Bingham Twnshp. | First Appointed: 11/08/2012 Current Appointment: 11/08/2012 Expiration: 09/30/2015 Number of Terms: 1 |
| 2 | Rev. Susie Enoch 4002 McGowan Creek Road Efland NC 27243 | Day Phone: 336-260-7694 Evening Phone: 336-260-7694 FAX: E-mail: enochts@aol.com | Sex: Female Race: African American Township: Cheeks Resid/Spec Req: Cheeks Twnshp Special Repr: Cheeks Township | First Appointed: 11/08/2012 Current Appointment: 11/08/2012 Expiration: 09/30/2013 Number of Terms: |
| 3 | Dr. Sam Lasris 7020 Caviness Jordan Rd. Cedar Grove NC 27231 | Day Phone: 919-732-7362 Evening Phone: 919-732-7362 FAX: E-mail: samlasris@hotmail.com | Sex: Male Race: Caucasian Township: Cedar Grove Resid/Spec Req: Cedar Grove Twmsp Special Repr: Cedar Grove Township | First Appointed: 11/08/2012 Current Appointment: 11/08/2012 Expiration: 09/30/2014 Number of Terms: |
| 4 | Mr Paul Guthrie Chair 113 RHODODENDRON DRIVE CHAPEL HILL NC 27517 | Day Phone: 919-933-2931 Evening Phone: same FAX: same E-mail: guthriep@bellsouth.net | Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: Chapel Hill Twmsp Special Repr: Chapel Hill Township | First Appointed: 11/05/2007 Current Appointment: 11/08/2012 Expiration: 09/30/2015 Number of Terms: 2 |
| 5 | VACANT | Day Phone: Evening Phone: FAX: E-mail: | Sex: Race: Township: Resid/Spec Req: Eno Twmsp Special Repr: Eno Township | First Appointed: Current Appointment: Expiration: 09/30/2013 Number of Terms: |

Board and Commission Members

And Vacant Positions

Orange Unified Transportation Board

Meeting Times: 7 PM third Wednesday each month

Terms: 2

Contact Person: Abigaile Pittman

Meeting Place: West Campus Office Bldg.

Positions: 13 Length: three years

Contact Phone: 919-245-2567

Description: Orange Unified Transportation Board (OUTBoard). OUTBoard will advise the Board and provide information and comments on major transportation issues; and provide to the Board recommendations regarding the overall planning and programming of transportation improvements in the County, including:

- Identify and prioritize the County's roadway and transit needs along with associated costs and specific sources of funding;
- Assist in development and review of the transportation component of the Comprehensive Plan;

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| 6 | VACANT | Day Phone: Evening Phone: FAX: E-mail: | Sex: Race: Township: Resid/Spec Req: Hillsborough Twmsp Special Repr: Hillsborough Township | First Appointed: Current Appointment: Expiration: 09/30/2014 Number of Terms: |
| 7 | Mr. Theodore W. Triebel 6601 Sirladdinn Ln Rougemont NC 27572 | Day Phone: 919-732-6691 Evening Phone: 919-732-6691 FAX: 919-681-8288 E-mail: triebel@mindspring.com | Sex: Male Race: Caucasian Township: Little River Resid/Spec Req: Little River Twmsp Special Repr: Little River Township | First Appointed: 11/08/2012 Current Appointment: 11/08/2012 Expiration: 09/30/2015 Number of Terms: 1 |
| 8 | VACANT | Day Phone: Evening Phone: FAX: E-mail: | Sex: Race: Township: Resid/Spec Req: Special Repr: O.C. Economic Dev. Commission | First Appointed: Current Appointment: Expiration: 09/30/2008 Number of Terms: |
| 9 | Ms. Andrea Rohrbacher 100 Turnberry Lane Chapel Hill NC 27517 | Day Phone: 919-668-1863 Evening Phone: 919-967-4213 FAX: E-mail: andrea.rohrbacher@duke.edu | Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Special Repr: O.C. Planning Board | First Appointed: 03/19/2013 Current Appointment: 03/19/2013 Expiration: 09/30/2014 Number of Terms: 0 |
| 10 | Mr. Gary Saunders 103 Woodshire Lane Chapel Hill NC 27514 | Day Phone: 919-733-1497 Evening Phone: 919-942-0045 FAX: 919-733-1812 E-mail: gary.saunders@ncdenr.gov | Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: Special Repr: O.C. Commission for the Environment | First Appointed: 06/18/2013 Current Appointment: 06/18/2013 Expiration: 09/30/2015 Number of Terms: 1 |

Board and Commission Members

And Vacant Positions

Orange Unified Transportation Board

Meeting Times: 7 PM third Wednesday each month

Terms: 2

Contact Person: Abigaile Pittman

Meeting Place: West Campus Office Bldg.

Positions: 13

Length: three years

Contact Phone: 919-245-2567

Description: Orange Unified Transportation Board (OUTBoard). OUTBoard will advise the Board and provide information and comments on major transportation issues; and provide to the Board recommendations regarding the overall planning and programming of transportation improvements in the County, including:

- Identify and prioritize the County's roadway and transit needs along with associated costs and specific sources of funding;
- Assist in development and review of the transportation component of the Comprehensive Plan;

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|----|---|---|---|--|
| 11 | Dr. Jeff Charles Vice-Chair 5904 Treetop Ridge Durham NC 27705 | Day Phone: 919-489-7753 Evening Phone: 919-489-7753 FAX: E-mail: jmc51@ix.netcom.com | Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: Special Repr: Bicycle Transportation Advocate | First Appointed: 05/19/2009 Current Appointment: 10/18/2011 Expiration: 09/30/2014 Number of Terms: 2 |
| 12 | Mr. Jeff Miles 1000 Smith Level Road Apartment D-20 Carrboro NC 27510 | Day Phone: 919-623-6134 Evening Phone: FAX: E-mail: jdmiles312@gmail.com | Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: Special Repr: Pedestrian Access Advocate | First Appointed: 11/08/2012 Current Appointment: 11/08/2012 Expiration: 09/30/2015 Number of Terms: 1 |
| 13 | Ms. Amy Cole 101 Old Heritage Ct. Hillsborough NC 27278 | Day Phone: 919-643-0507 Evening Phone: FAX: E-mail: acconsulting_us@yahoo.com | Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Special Repr: Public Transit Advocate | First Appointed: 05/19/2009 Current Appointment: 09/17/2013 Expiration: 09/30/2016 Number of Terms: 2 |

Jeanette Jones

From: Abigaile Pittman
Sent: Monday, September 23, 2013 10:13 AM
To: Jeanette Jones; Donna Baker
Subject: RE: Updated volunteer application for Orange Unified Transportation Board
Attachments: image001.png

Jeanette and Donna,

Mr. Donald Wollum, Eno Township, is interested in the serving on the OUTBoard and filling the vacant Eno Township slot. His application is on file. Please put him on the October 15th agenda along with Brantley Wells for the Hillsborough Township vacancy.

Thanks,

Abigaile Pittman, AICP

Planner – Transportation and Land Use

Orange County Planning Department

131 W. Margaret Lane, Suite 201

P.O. Box 8181

Hillsborough, NC 27278

Phone: (919) 245-2567

Fax: (919) 644-3002

<http://www.orangecountync.gov>

abpittman@orangecountync.gov

ORANGE COUNTY
NORTH CAROLINA

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Donald Wollum
Name Called:
Home Address: 2210 Country Air Lane
 Hillsborough NC 27278
Phone (Day): 919 451 6812
Phone (Evening): 919 644 2149
Phone (Cell):
Email: donwollum@nc.rr.com
Place of Employment: Self
Job Title: Busniess manager, Automotive purchase consulta
Year of OC Residence: 2003
Township of Residence: Eno
Zone of Residence: Orange County
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:
 Orange Unified Transportation Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Auto Technician, Auto Parts manager, auto service consultant, Medical writing business manager.

Volunteer Experience: Parks and recreation and streets member and Chairman 1997-2003, Solid Waste citizens advisory Committee member and chairman 1998 to 2003

Education: H/S
 Vocational teachers certificate
 Technical writing
 Customer service

Other Comments:

Interested in recycling and solid waste stream management. STAFF COMMENTS:
 3/11/2011 originally applied for Solid Waste Advisory Board, Sportsplex Community
 Advisory Committee (no longer applicable), Orange Unified Transportation Board.
 ADDRESS VERIFICATION: 2210 Country Air Lane is Orange County Jurisdiction, Eno
 Township.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Brantley Wells
Name Called:
Home Address: 1314 US Hwy 70 E
 Hillsborough NC 27278
Phone (Day): 919-732-3883
Phone (Evening): 919-732-0806
Phone (Cell):
Email: brantley.wells@summitde.net
Place of Employment: Summit Design & Engineering Services, PLLC
Job Title: Assoc. VP, Professional Land Surveyor
Year of OC Residence: 1998
Township of Residence: Hillsborough
Zone of Residence: Orange County
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange Unified Transportation Board

I m currently a project surveyor in our Infrastructure Engineering Branch which deals with public sector projects ranging from highway planning & design to public utilities with 15 years experience surveying on highway projects. My job entails working closely with NCDOT on a daily basis and the past few months I have been working closely with the Town of Hillsborough on greenway design and pedestrian improvements throughout various sections of the Town of Hillsborough. I feel I would bring some insight and understanding of the challenges with planning, design and implementation of transportation projects and the challenges we face today and in the future.

Community Activities/Organizational Memberships:

VP & Trustee - Palmer s Grove Community Building Assoc.
 North Carolina Society Of Surveyors

Past Service on Orange County Advisory Boards:

Work Experience: Summit Consulting- Roxboro, NC - Professional Land Surveyor.

Volunteer Experience: Roxboro Area Chamber Of Commerce- Industrial Relations Committee Member. (2007-present)

Board Of Trustee, Vice-president, Palmers Grove Community Building Assoc. (2001-present)

Neuse River Golden Retriever Rescue- Volunteer

Education: UNC-Chapel Hill (1987-1992)- Chapel Hill, NC

New Hanover High School (1985-1987)- Wilmington, NC

Other Comments:

STAFF COMMENTS: Originally applied for Eno EDD Small Area Taskforce, Orange County Planning Board, Orange Unified Transportation Board on 3/24/2008. ADDRESS VERIFICATION: 745 Mary E. Cook Rd is Eno Township, OCPL jurisdiction.

NEW ADDRESS VERIFICATION: 1314 US Hwy 70E, Hillsborough, NC 27278 is Hillsborough Township, Orange County Jurisdiction and R1 - Rural Residential Zoning.

UPDATED APPLICATION 11/03/2010 FOR ORANGE COUNTY PLANNING BOARD AND ORANGE UNIFIED TRANSPORTATION BOARD. UPDATED APPLICATION 02/13/2012 FOR OC PLANNING BOARD. UPDATED APPLICATION 09/18/2013 FOR ORANGE UNIFIED TRANSPORTATION BOARD ONLY.

This application was current on: 9/18/2013

Date Printed: 10/10/2013

Applicant Interest Listing

by Board Name and by Applicant Name

Orange Unified Transportation Board

Contact Person: Abigaile Pittman

Contact Phone: 919-245-2567

No applicants for this board.

Day Phone:

Sex:

Evening Phone:

Race:

Cell Phone:

Township:

E-mail:

Date Applied:

Skills:

Also Serves On:

Skills:

Also Serves On:

Mr. James Ellis

510 Davie Rd
Carrboro NC 27510

Day Phone: 919-962-2131

Sex: Male

Evening Phone: 407-579-8990

Race: Caucasian

Cell Phone:

Township: Chapel Hill

E-mail: JPEllis86@gmail.com

Date Applied: 01/17/2013

Skills: Engineer

Also Serves On:

Skills: Rescue Squad Experience

Also Serves On:

Dr. Sam Lasris

7020 Caviness Jordan Rd.
Cedar Grove NC 27231

Day Phone: 919-732-7362

Sex: Male

Evening Phone: 919-732-7362

Race: Caucasian

Cell Phone:

Township: Cedar Grove

E-mail: samlasris@hotmail.com

Date Applied: 10/04/2013

Skills: Dentist

Also Serves On: Orange Unified Transportation Board

Mr. David I. Laudicina

3239 Wood Duck Lane
Hillsborough NC 27278

Day Phone: 919-942-4444

Sex: Male

Evening Phone: 919-942-4444

Race: Caucasian

Cell Phone: 919-428-1009

Township: Bingham

E-mail: laud9876@bellsouth.net

Date Applied: 09/20/2012

Skills: Computer Science

Also Serves On:

Skills: Management

Also Serves On:

Ms Heidi Perry

407 Robert Hunt Drive
Carrboro NC 27510

Day Phone: 919-929-8671

Sex: Female

Evening Phone: 919-929-8671

Race: Caucasian

Cell Phone:

Township: Chapel Hill

E-mail: heidi@unc.edu

Date Applied: 08/29/2012

Skills: Advisory Board Experience

Also Serves On:

Skills: Bicycle Coalition

Also Serves On:

Skills: Big Brother/Sister Volunteer

Also Serves On:

Skills: Carrboro City Limits

Also Serves On:

Applicant Interest Listing

by Board Name and by Applicant Name

Orange Unified Transportation Board

Contact Person: Abigaille Pittman

Contact Phone: 919-245-2567

| | | |
|---|-------------------------------------|--------------------------|
| Mr. Ed Vaughn | Day Phone: 919-283-4444 | Sex: Male |
| 5507 Old Noble Rd | Evening Phone: 919-283-4444 | Race: Caucasian |
| Cedar Grove NC 27231 | Cell Phone: | Township: Cedar Grove |
| | E-mail: eddievee@nc.rr.com | Date Applied: 09/27/2013 |
| Skills: Farmers' Market Membership | Also Serves On: | |
| <hr/> | | |
| Ms. Lydia Wegman | Day Phone: 919-541-5505 | Sex: Female |
| 5704 Cascade Drive | Evening Phone: 919-382-1904 | Race: Caucasian |
| Chapel Hill NC 27514 | Cell Phone: | Township: Chapel Hill |
| | E-mail: wegman.lydia@epa.gov | Date Applied: 06/10/2013 |
| Skills: Environmental/Natural Resources | Also Serves On: | |
| <hr/> | | |
| Mr. Brantley Wells | Day Phone: 919-732-3883 | Sex: Male |
| 1314 US Hwy 70 E | Evening Phone: 919-732-0806 | Race: Caucasian |
| Hillsborough NC 27278 | Cell Phone: | Township: Hillsborough |
| | E-mail: brantley.wells@summitde.net | Date Applied: 09/18/2013 |
| Skills: Chamber of Commerce | Also Serves On: | |
| Skills: Land Surveyor | Also Serves On: | |
| <hr/> | | |
| Mr. Donald Wollum | Day Phone: 919 451 6812 | Sex: Male |
| 2210 Country Air Lane | Evening Phone: 919 644 2149 | Race: Caucasian |
| Hillsborough NC 27278 | Cell Phone: | Township: Eno |
| | E-mail: donwollum@nc.rr.com | Date Applied: 08/29/2012 |
| Skills: Business Management | Also Serves On: | |

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. James Ellis
Name Called:
Home Address: 510 Davie Rd
 Carrboro NC 27510
Phone (Day): 919-962-2131
Phone (Evening): 407-579-8990
Phone (Cell):
Email: JPEllis86@gmail.com
Place of Employment: University of North Carolina at Chapel Hill - Ener
Job Title: Water Resources Engineer
Year of OC Residence: 2010
Township of Residence: Chapel Hill
Zone of Residence: Carrboro City Limits
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange County Board of Adjustment (REQUIRES DISCLOSURE STATE

I graduated from the University of Central Florida with a degree in Civil Engineering. During my career as a civil engineer, I ve worked with zoning issues from both the government and development aspects. I ve also worked for the US Department of Agriculture, in addition to several municipalities and the university, so I m familiar with the interplay between urban and agricultural land uses.

Orange Unified Transportation Board

I graduated from the University of Central Florida with a degree in Civil Engineering. I have previously worked for municipalities in positions that involved planning for both physical transportation infrastructure, road placement and design, and public transportation system operations.

Community Activities/Organizational Memberships:

Member of the South Orange Rescue Squad Technical Rescue Team, member of the American Society of Civil Engineers and Engineers Without Borders.

Past Service on Orange County Advisory Boards:

N/A

Other Comments:

STAFF COMMENTS: Originally applied (01/17/2013) for Orange County Board of Adjustment and Orange Unified Transportation Board. ADDRESS VERIFICATION: 510 Davie Road, Carrboro, NC is Carrboro Jurisdiction, Carrboro City Limits, and Chapel Hill

Township.

This application was current on: 1/17/2013 9:18:28 AM

Date Printed: 10/10/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Dr. Sam Lasris
Name Called:
Home Address: 7020 Caviness Jordan Rd.
 Cedar Grove NC 27231
Phone (Day): 919-732-7362
Phone (Evening): 919-732-7362
Phone (Cell):
Email: samlasris@hotmail.com
Place of Employment: Self Employed
Job Title: Dentist
Year of OC Residence: 1977
Township of Residence: Cedar Grove
Zone of Residence: Cedar Grove Twmsp
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Board of Health

I have been a dentist since 1975, beginning in public health. I have accepted medicaid patients from Va throughout my career and NC medicaid patients as well. I would bring to the board first hand knowledge of the needs of the diverse population of Orange county and could serve as a liaison between the OUTBoard and the Board of Health.

Orange Unified Transportation Board

Currently serving on the OUT Board.

Community Activities/Organizational Memberships:

Volunteer for the Intenational Affairs Council of North Carolina, RDU Airport and the OUTBoard.

Past Service on Orange County Advisory Boards:

OUTBoard and Planning Board, past member

Other Comments:

STAFF COMMENTS: APPLIED FOR BOARD OF HEALTH 10/4/2013. Applicant since 2000. Renewed application 10/02/01 for Recreation Parks, Economic Development, and Arts Commission. Renewed application for Planning Board on 03/08/02. Reapplied 10/19/2005 for OUT Board. Renewed application 10/26/2012 for OUT Board.
 ADDRESS VERIFICATION: 7020 Caviness Jordan Rd., Cedar Grove, NC is Cedar Grove Township, Orange County Jurisdiction, and Agricultural Residence Zoning.

This application was current on: 10/4/2013

Date Printed: 10/10/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. David I. Laudicina
Name Called:
Home Address: 3239 Wood Duck Lane
 Hillsborough NC 27278
Phone (Day): 919-942-4444
Phone (Evening): 919-942-4444
Phone (Cell): 919-428-1009
Email: laud9876@bellsouth.net
Place of Employment: UNC Retiree
Job Title: Retired
Year of OC Residence: 1991
Township of Residence: Bingham
Zone of Residence: Rural Area Resident
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange Unified Transportation Board

Have BS in Management, MS in Management Science, MA Computer Science, 13 years experience working for Conrail, Rail Transportation Experience 1978-1998, former NE Freight Railroad Carrier. While living in Philadelphia, I commuted daily to job at Conrail via rail; also rode various public transportation modes in Philadelphia for 13 years.

Community Activities/Organizational Memberships:

In past have served on Solid Waste committees and volunteer work at Grady Brown Elementary. In past have served on various search committees for Hillsborough Elementary's first principal; School network technology director

Past Service on Orange County Advisory Boards:

Other Comments:

STAFF COMMENTS: Originally applied for OUT Board 09/20/2012. ADDRESS VERIFICATION: 3239 Wood Duck Lane is Bingham Township, Orange County Jurisdiction, Rural Buffer.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms Heidi Perry
Name Called:
Home Address: 407 Robert Hunt Drive
 Carrboro NC 27510
Phone (Day): 919-929-8671
Phone (Evening): 919-929-8671
Phone (Cell):
Email: heidi@unc.edu
Place of Employment: UNC Press
Job Title: Design and Production Manager
Year of OC Residence: 1984
Township of Residence: Chapel Hill
Zone of Residence: Carrboro City Limits
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:
 Orange Unified Transportation Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Design and publication of books/technical drawing of charts and maps has been my profession for the last 20+ years. I am the head of the design and production department at UNC Press, a nationally known and respected book publisher.

Volunteer Experience: I have served on the Carrboro Transportation Advisory Board for a total of 20 years since 1985. I have also served on the Chapel Hill Bike Pedestrian Board, and the Carrboro Bicycle Coalition. I have served on the Library Services Taskforce and 2 of the previous Horace Williams Tract task forces (now called Chapel Hill North). Last year I received an award from the NC Planners Assoc. (the Marvin Collins award) for my volunteer work in this area. I have attended most of the Transit Partners meetings over the last two years. I have also served on the Smith Level Road Task Force, and have assisted with several bus, bike, and pedestrian activities. I think all of this would be an asset on this board.

Education: BFA 77 UNC with a concentration in Set Design and technical Theatre, Architural Drafting degree from Durham Tech, several classes taken over the ears in subjects rening from sign language to Portugese to computer software (Photoshop, Illustrator, Acrobat, InDesign, and Dreamweaver)

Other Comments:

I served on this board and also on the Carrboro Library Task Force in their previous gatherings. I have been interested in transportation and how people move themselves around since I read Ivan Illich's Energy and Equity in the '70's. STAFF COMMENTS: Originally (01/24/2007) applied for Library Services Taskforce and the Orange Unified Transportation Commission. 02/23/2012 APPLIED FOR OUT BOARD. ADDRESS VERIFICATION: 407 Robert Hunt Drive is in Carrboro City Limits in the Chapel Hill Township.

This application was current on: 8/29/2012

Date Printed: 10/10/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Ed Vaughn
Name Called:
Home Address: 5507 Old Noble Rd
 Cedar Grove NC 27231
Phone (Day): 919-283-4444
Phone (Evening): 919-283-4444
Phone (Cell):
Email: eddievee@nc.rr.com
Place of Employment: Retired
Job Title:
Year of OC Residence: 1995
Township of Residence: Cedar Grove
Zone of Residence: Agricultural Residential
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange Unified Transportation Board

Having served as President of a Home Owners Association and as Vice President/Treasurer of a local Farmers Market I feel that I am well qualified to work with other members of the board to formulate reasonable policies as regards the following:

1. Mass transit (light rail/bus/carpool)
2. Bicycle paths/trails
3. Walking paths/trails

Even though Orange County is thought of as a very progressive county there is a dearth of mass transit/walking/bicycling paths/trails.

It is my firm belief that every citizen of this county should have the ability to either walk or bicycle anywhere in the county or take mass transit (light rail/bus) to any major destination in the county or between other counties (intra and inter transportation).

Community Activities/Organizational Memberships:

At this time I have none, but have served on HOA boards and Farmers Market boards in the past.

Past Service on Orange County Advisory Boards:

None.

Other Comments:

STAFF COMMENTS: Originally 09/30/2013 applied for Orange Unified Transportation Board. ADDRESS VERIFICATION: 5507 Old Noble Road is Orange County Jurisdiction, Cedar Grove Township, and Agricultural Residential Zoning.

This application was current on: 9/27/2013 6:59:31 PM

Date Printed: 10/10/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Lydia Wegman
Name Called:
Home Address: 5704 Cascade Drive
 Chapel Hill NC 27514
Phone (Day): 919-541-5505
Phone (Evening): 919-382-1904
Phone (Cell):
Email: wegman.lydia@epa.gov
Place of Employment: US EPA
Job Title: Dvision Director
Year of OC Residence: 1990
Township of Residence: Chapel Hill
Zone of Residence: Orange County
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Commission for the Environment

I am a lawyer by training and have worked for the US Environmental Protection Agency for over 30 years addressing both legal and policy issues concerning air quality. I believe my work experience and my deep interest in environmental protection would enable me to contribute significantly to the work of this commission.

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITH

I have worked for the US Environmental Protection Agency for over 30 years and am a lawyer by training, both of which equip me well to understand complex legal and environmental issues. I believe this experience, plus my strong interest in preserving the historic character of Orange County and helping to preserve the quality of life that brought my husband and me here over 20 years ago, would enable me to contribute well to the work of this commission.

Orange County Planning Board (REQUIRES DISCLOSURE STATEMEN

Orange County Board of Adjustment (REQUIRES DISCLOSURE STATE

Orange Unified Transportation Board

Orange Water & Sewer Authority Board of Directors

Community Activities/Organizational Memberships:

As I have worked full-time for many years, I have not had time to participate in community activities in the way in which I would like to do. I am now ready to devote time to my community and would very much like to volunteer for work on a county advisory board. I want to contribute my time to help the county address the multitude of issues it is facing, including how to address the desire and need for economic development and growth while protecting the environment and preserving the historic and agricultural character of this beautiful county.

Past Service on Orange County Advisory Boards:

None.

Other Comments:

STAFF COMMENTS: Originally (06/10/2013) applied for Chapel Hill Board of Adjustment (not located in ETJ or JPA area), Commission for the Environment, and Historic Preservation Commission. ADDRESS VERIFICATION: 5704 Cascade Drive is located in Chapel Hill Township, Orange County Jurisdiction, and Rural Buffer.

This application was current on: 6/10/2013 12:21:39 PM

Date Printed: 10/10/2013

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 |
|---------------------|--|--------------------|------------------------------|---|
| 10/1/13 | Review and consider request to adopt resolution designating Orange County as a Purple Heart County | 11/19/2013 | Chair/Vice Chair/Manager | DONE Clerk to develop resolution for Board consideration |
| 10/1/13 | Provide report to the Board on those individuals paying the \$3 co-pay associated with medical transportation through EDTAP | 2/1/2014 | Chair/Vice Chair/Manager | Report to be provided |
| 10/1/13 | Review comments from Board members regarding Unified Animal Control Ordinance, confer with and continue ASAB review and bring back updated ordinance to BOCC for consideration | 3/6/2014 | Bob Marotto Annette Moore | Timeline for efforts to proceed is being developed; Comments and Ordinance to be reviewed by staff and ASAB; Ipdate to brought back to BOCC |
| 10/1/13 | Review comments from Board members regarding revised Volunteer Application, continue review and bring back updated application to BOCC for consideration | 11/19/2013 | Donna Baker | Comments and Application to be reviewed and update to brought back to BOCC |

INFORMATION ITEM

Tax Collector's Report - Numerical Analysis

| Effective Date of Report: September 30, 2013 | | | | | | |
|--|-------------------------------|----------------------|--------------------------|--------------------------------|--------------------------|--------------------------|
| Tax Year 2013 | Amount Charged in FY 13-14 | Amount Collected | Accounts Receivable* | Amount Budgeted in FY 13-14 | Remaining Budget | % of Budget Collected |
| Current Year Taxes | \$ 137,868,792.00 | 15,026,780.71 | \$ 117,068,635.47 | \$ 137,868,792.00 | \$ 122,842,011.29 | 10.99% |
| *Current Year VTS Taxes | | 127,538.90 | | | | |
| Prior Year Taxes | \$ 4,163,721.00 | 695,909.11 | \$ 3,449,350.11 | \$ 994,130.00 | \$ 298,220.89 | 70.00% |
| Total | \$ 142,032,513.00 | 15,850,228.72 | \$ 120,517,985.58 | \$ 138,862,922.00 | \$ 123,140,232.18 | 11.41% |
| Tax Year 2012 | Amount Charged in FY 12-13 | Amount Collected | Accounts Receivable | Amount Budgeted in FY 12-13 | Remaining Budget | % of Budget Collected |
| Current Year Taxes | \$ 135,068,463.00 | 13,026,688.67 | \$ 117,839,119.54 | \$ 135,068,463.00 | \$ 122,041,774.33 | 9.64% |
| 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 | 13,814,925.08 | \$ 120,822,975.40 | \$ 136,062,593.00 | \$ 122,247,667.92 | 10.15% |
| Current Year Overall Collection Percentage Tax Year 2013 | | | 11.60% | | | |
| Current Year Overall Collection Percentage Tax Year 2012 | | | 10.21% | | | |

**Effective with September 2013 vehicle registration renewals, the Orange County Tax Office will generally no longer bill and collect for registered motor vehicles. This is in accordance with new State law, House Bill 1779. In an effort of full transparency, the tax office has modified its Collector's Report format to include taxes billed and collected through the new Vehicle Tax System (VTS). Including this figure will show the Collector's progress toward meeting the overall tax revenue budget. Note that reconciliation for these taxes is monthly, so this figure will not change with each report.*

INFORMATION ITEM

Tax Collector's Report - Measures of Enforced Collections

Fiscal Year 2013-2014

| Effective Date of Report: September 30, 2013 | | | | | | | | | | | | | |
|--|-----------|-----------|-----------|---------|----------|----------|---------|----------|-------|-------|-----|------|-------------|
| | July | August | September | October | November | December | January | February | March | April | May | June | YTD |
| Wage garnishments | 75 | 19 | 13 | | | | | | | | | | 107 |
| Bank attachments | 17 | 1 | - | | | | | | | | | | 18 |
| Certifications | 1 | 2 | - | | | | | | | | | | 3 |
| Rent attachments | 1 | - | - | | | | | | | | | | 1 |
| Housing/Monies | - | 1 | - | | | | | | | | | | 1 |
| DMV blocks | 1,030 | * | * | | | | | | | | | | 1,030 |
| Levies | - | - | 2 | | | | | | | | | | 2 |
| Foreclosures initiated | 6 | - | - | | | | | | | | | | 6 |
| NC Debt Setoff collections | \$ 547.20 | \$ 705.25 | \$ - | | | | | | | | | | \$ 1,252.45 |

This report shows the Tax Collector's efforts to encourage and enforce payment of taxes for the fiscal year 2013-2014. It gives a breakdown of enforced collection actions by category, and it provides a year-to-date total.

The Tax Collector will update these figures once each month, after each month's reconciliation process.

* No blocks were issued due to a system error. The Tax Office is working with its vendor to remedy the situation as quickly as possible, and these blocks will be included in a future month's tally. As a further note, this enforcement method will soon be obsolete. Beginning with September 2013 license plate renewals, vehicle taxes will be paid to the NCDMV license plate agency along with the license renewal fee. After blocking delinquent vehicle tax bills created for August 2013 renewals, blocks will no longer be used as an enforcement method.

INFORMATION ITEM

Memorandum

To: Michael Talbert, Interim County Manager

From: Gayle Wilson, Solid Waste Management Director

Subject: Walnut Grove Convenience Center – Information Report

Date: September 30, 2013

The newly reconstructed Walnut Grove Church Road Solid Waste Convenience Center opened on May 7, 2013 and this memorandum will summarize the experiences and observations at this site over the first four months of its operation. This memorandum will also provide intended courses of action based on these observations to improve or remedy identified shortcomings. Funding for these corrective improvements/enhancements will be made from the \$53,962 remaining Walnut Grove construction project budget.

Public Feedback

The feedback from customers who use the center has been overwhelmingly positive. Of particular note are the comments regarding the additional recycling services offered and the cleanliness and appearance of the paved site. The negative comments have been minimal, but some users who are used to driving back and forth around the previous site feel constrained having to follow more prescribed traffic patterns. Two comments have been received with regard to vehicles not being able to pull extremely close to the compactor hoppers so that the distance to throw the waste is less. Additionally, a small number of users do not like having to wait 3-5 minutes to dispose of their waste when the site is busy and there is a 4-5 car line at the compactors.

Lessons Learned

Facilities/Construction

There have been a few lessons learned with regard to design and construction of the facility that will inform staff as planning for the next District center modernization proceeds:

- Two bulky waste compactors rather than one should have been installed. Bulky items do not compact as well as require more frequent service. Two were originally planned, but due to project budget concerns the second unit was eliminated. Currently a roll-off is utilized for overflow, but it must be emptied frequently.
- Concrete compactor pads were originally not long enough and through a change order had to be lengthened by about 15 feet.
- Gutters should have been originally designed for each building structure to better control water and were added later.
- Insufficient landscape buffering was originally installed that later had to be supplemented by additional plantings.
- The center attendant booth between the compactors and salvage shed area is seldom used as the attendants must remain near compactors. The booth may be eliminated from future center designs.

- The center operators are stationed at the compactors most of the time and therefore need some protective cover from sun and weather, such as a canopy. We are utilizing umbrellas at present, but these are marginally effective. More permanent covering should be considered. Additionally, some center operators are suffering from lower body fatigue from standing on a hard surface all day. Anti-fatigue mats should be placed under the canopy in the areas where the operators will be standing in order to reduce the impact of the hard surfaces that can contribute to sore feet, legs and hips.
- 110 volt outlets should have also been provided near the compactors; compactors operate off of 460 volts which is not suitable for other electrical power needs.
- Additional covered storage is needed for skid steer, lawn mower and various implements and miscellaneous supplies.
- Need to provide additional concrete (instead of asphalt) surface to allow the skid steer to more easily maneuver about to load white goods into the recessed container.
- The HHW receiving area would be more functional during inclement weather if it were covered. When raining the HHW attendant must greet customers, remove delivered materials from the customer vehicle and assess material for proper disposal categorization. A dry area for assessing and sorting of potentially hazardous material is desired. The need for a receiving canopy was discussed during design but not included due to concern for interference with flow of traffic and project budget concerns. The current HHW facility at Eubanks Road has a covered receiving area.

Operations

Staff has identified several practices, refinements and adjustments that have been implemented or noted as an issue to be addressed with regard to operations:

- To ensure that both MSW compactors do not become filled at the same time, unless the center is extremely busy, only one MSW compactor is made available at a time.
- The new used lumber salvage area has been lightly utilized to date.
- For the first several weeks of operation additional staff (mostly paid temporary and early-on volunteers) were provided to assist permanent staff in orienting residents to the new site, answering questions and explaining rules. This has been quite useful in assisting center users, cultivating desirable center use habits, explaining new services and maintaining good traffic flow. Most users appear to be becoming more comfortable and familiar with the site.
- When the compactors are serviced and the compaction box is uncoupled from the stationary compaction unit materials were discharged onto the ground before the hopper door could be secured. This created a pile of debris/material that had to be cleaned-up with each uncoupling, which took about 20 minutes. Center staff, through trial and error, developed a method by which this is significantly reduced.
- The bulky waste compactor reaches capacity more quickly than our projections indicated so that it will be necessary to install a second compactor in the near future. The compactor is available at original bid price and existing conduit will facilitate wiring.
- Initial quantities of food waste received are below expectations, partially because of users desire to place their waste into the containers in the plastic bags they use at home to store their kitchen waste. These plastic bags are non-compostable and are not accepted by our contract food waste collector as they are incompatible with their composting process. We are currently working with our composting contractor to identify acceptable compostable plastic bags. Once identified, we will consider distribution of these bags to users of the food waste program. The

food waste containers are also drawing flies and bees that we are actively working to address by applying powdered lime at the end of each day, which seems to be helping.

- The single textiles receptacle filled within a few days so staff located a second receptacle.
- Plastic film receptacles were originally too small and filled up too quickly. Larger receptacles were obtained and are working well.
- As mentioned above, center attendants are stationed at the compactors virtually full time to maintain compactor hopper capacity to allow for the continuous flow of customers and therefore need shelter from the sun/weather. The umbrellas currently in use are inadequate.
- Given the large size of the center, the many services provided, the need to clean up spills and litter, the distance between the four MSW/recycling compactors and the bulky waste compactor that require frequent activation, the need to closely monitor the compactors, the need to haul unacceptable items from the salvage shed for disposal and the necessity to oversee and advise customers to follow materials separation rules and limit contamination, the current two full time center attendants are unable to adequately maneuver around the center to monitor the various recycling and disposal stations and to assist customers. The distance is too great and the center attendants are simply physically incapable of scurrying around the center to effectively provide the necessary customer service and satisfactorily overseeing operations. Some means of internal transportation would seem necessary.
- Currently there are two permanent county staff assigned to the center and one contract employee provided by our household hazardous waste (HHW) contractor. Given the afore stated necessity of the two center attendants stationing near the compactors and the size of the center, cooperation of the contractor has been obtained in that their employee will assist in monitoring services near the HHW area such as motor oil, batteries, food waste, etc. If this contract employee were to be replaced by a permanent Sanitation Division employee center customer service, maintenance, enforcement and supervision could be expanded and improved (and existing supplemental staffing assistance eliminated). Otherwise supplemental staffing by temporary employees may be necessary indefinitely to oversee the site on busier days.

Increased Efficiencies/Usage

Plastic Film - Between 6-8 40 gallon bags of plastic film (a newly added recycling material) are collected weekly.

Electronics – An additional trailer of electronics is being collected weekly at the new site (5/week versus 6/week)

Cardboard – The new cardboard compactor is collected and taken to market every two weeks. Previously, the ten 8 cu/yd. cardboard dumpsters were emptied and hauled to market 3 times/week. We have seen that the average monthly tonnage of cardboard going to market is about the same but the average load weight to market has gone from about 3 tons per truck trip (average) to Durham paper market to almost 5 tons per truck trip (average) to Durham. This seems to be a very good return on investment in terms of fuel usage, carbon emissions and wear and tear on the trucks.

Single Stream – The single stream material compactor is collected and taken to market once/week. Previously, the four 25 cu/yd. containers were each emptied 2-3 times/week. Our tonnage is very similar to the old WG tonnages (20-30 tons per month) but even at this early stage at the new facility we can see a slow but continuous uptick in volume coming in. Average tons per load hauled to Eubanks Road processing center was 1.76/tons/load and currently (through use of compactor) is 6.1 tons/load.

Staff Responses/Actions

- Proceed to install more permanent canopy (that also includes a raised platform with anti-fatigue/slip mat surface) adjacent to compactors that will shade and shelter center attendants. A 110 volt line will be extended so that fans can be provided to cool staff during the summer. Cost of three 6'X8' metal canopies (matching other metal structures on site), including the extension of 110 volt power, the platform, etc. is estimated to be \$8,494.
- Obtain a modified golf cart that can be used to quickly move to a disposal or recycling station and address customer questions, enforce material separation rules, haul trash from the salvage shed, monitor various material stations, collect litter and clean up spillage, or even to use toilet facilities, etc. The site is so large that coverage of the entire site by walking is not practicable and an attendant is unable to leave compactors unattended for any length of time. Will include in FY 2014/15 budget request. Estimated cost of electric cart is \$10,700
- Acquire a storage shelter (16'X20') for storage of the skid steer and implements, lawnmower, spill absorbent, bags of lime and other tools or equipment. Estimated cost is \$5,068.
- As part of FY 2014/15 budget process, coordinate staff analysis with Human Resources to consider replacement of existing contract HHW employee and frequent third temporary convenience center operator with one permanent Sanitation Division staff, who would be certified to manage daily HHW program.
- Proceed to identify, obtain and begin distribution of approved compostable plastic food waste bags to food waste program users so that they may more easily and sanitarily store and deliver their food waste to the center food waste receptacle.
- Consider recommendation for permanent canopy for HHW receiving area in FY 2014/15 budget.
- Acquire two additional compactor containers for storage of bulky waste at original price of \$16,196. Consider a second bulky waste compactor in the FY 2014/15 budget as current project budget balance cannot fully fund a new compactor at this time.

Estimated cost of current year planned improvements is \$29,758. Staff is available to provide additional information as necessary.