



**Orange County
Board of Commissioners**

Agenda

Regular Meeting

December 10, 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

- a. Government Finance Officers' Association (GFOA) Certificate of Achievement Award
b. Presentation of Comprehensive Annual Financial Report for FYE 6/30/2013



5. Public Hearings

6. 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. NC State Firemen's and Rescue Squad Annual Certification Roster
 - e. Approval of Financing Arrangement and Fund Balance Appropriation for Orange Rural Fire Department No. 1, Inc. to Purchase a Replacement Fire Truck
 - f. Resolution of Approval – Hughes-Morgan Conservation Easement Donation
 - g. Adoption of the Final Financing Resolution Authorizing the Issuance of \$10,500,000 of Installment Financing to Finance Various County and School Capital Investment Plan Projects and County Equipment
 - h. Proclamation – Bill of Rights Day

7. Regular Agenda

- a. Assessment of Jail Alternatives and Jail Development
- b. Rural Curbside Recycling Options
- c. Recommended Uses of General Fund Unassigned Fund Balance as of June 30, 2013
- d. Whitted Permanent Meeting Room Technology Elements Update

8. Reports

- a. Emergency Shelter Future Needs Report

9. County Manager's Report

10. County Attorney's Report

11. Appointments

- a. Agricultural Preservation Board – Appointment
- b. Animal Services Advisory Board – Appointment
- c. Chapel Hill / Orange County Visitors Bureau – Appointment
- d. Commission for the Environment – Appointments
- e. Orange County Parks & Recreation Council – Appointment

12. Board Comments (Three Minute Limit Per Commissioner)

13. Information Items

- December 2, 2013 BOCC Meeting Follow-up Actions List
- Tax Collector's Report – Numerical Analysis
- Memorandum on Town-County Collaboration on Protecting Hillsborough Archaeological Sites



- BOCC Chair Letter Regarding Petitions from December 2, 2013 Regular Board Meeting

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: December 10, 2013

**Action Agenda
Item No.** 4-a

SUBJECT: Government Finance Officers' Association (GFOA) Certificate of Achievement Award

DEPARTMENT: Financial Services

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

- Attachment 1. GFOA Announcement
Letter to Orange County
- Attachment 2. GFOA Press Release
- Attachment 3. GFOA Plaque

INFORMATION CONTACT:

Clarence Grier, 919-245-2453

PURPOSE: To recognize the Financial Services staff of the Orange County Financial Services Department for earning the Government Finance Officers' Association (GFOA) Certificate of Achievement for the June 30, 2012 Comprehensive Annual Financial Report (CAFR).

BACKGROUND: GFOA is an internationally recognized organization that offers guidance and support to local and state government budget and finance professionals throughout the United States and Canada. The GFOA Certificate of Achievement is the highest form of recognition a government can receive in the areas of governmental accounting and financial reporting. The attainment of the award represents a significant achievement by a government and its management. In order to receive this award, the County must publish an easily readable and efficiently organized CAFR. Additionally, the County's CAFR must undergo a stringent program of review to assess if the County has proficiently applied governmental accounting and financial reporting for the fiscal year under review. The Report must satisfy both generally accepted accounting principles and applicable legal requirements.

This year marks the thirty-first year that Orange County has received the GFOA Certificate of Achievement. A Certificate of Achievement is valid for a period of one year only. Eligibility standards, reviews, and expectations for the award have become more complex, demanding and stringent each year. County staff believes that the CAFR for the fiscal year ended June 30, 2013 will meet the Certificate of Achievement Program requirements and will be submitting it to the GFOA.

FINANCIAL IMPACT: There is not a financial impact of accepting this award.

RECOMMENDATION(S): The Manager recommends that the Board recognize the Financial Services Director and staff for receipt of the GFOA Certificate of Achievement, and present the GFOA plaque to them.



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

June 7, 2013

Clarence G. Grier, CPA, CITP
Assistant County Manager - Chief Financial Officer
Orange County
PO Box 8181
Hillsborough NC 27278-8181

Dear Mr. Grier:

We are pleased to notify you that your comprehensive annual financial report (CAFR) for the fiscal year ended June 30, 2012, qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Each entity submitting a report to the Certificate of Achievement review process is provided with a "Summary of Grading" form and a confidential list of comments and suggestions for possible improvements in its financial reporting techniques. Your list has been enclosed. You are strongly encouraged to implement the recommended improvements into the next report and submit it to the program. If it is unclear what must be done to implement a comment or if there appears to be a discrepancy between the comment and the information in the CAFR, please contact the Technical Services Center (312) 977-9700 and ask to speak with a Certificate of Achievement Program in-house reviewer.

Certificate of Achievement program policy requires that written responses to the comments and suggestions for improvement accompany the next fiscal year's submission. Your written responses should provide detail about how you choose to address each item that is contained within this report. These responses will be provided to those Special Review Committee members participating in the review.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. As the designated individual we have enclosed your AFRA.

Your Certificate of Achievement plaque will be shipped to you under separate cover in about eight weeks. We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release has been enclosed. We suggest that you provide copies of it to local newspapers, radio stations and television stations. In addition, details of recent recipients of the Certificate of Achievement and other information about Certificate Program results are available in the "Awards Program" area of our website, www.gfoa.org.

A current holder of a Certificate of Achievement may include a reproduction of the award in its immediately subsequent CAFR. A camera ready copy of your Certificate is enclosed for that purpose. If you reproduce your Certificate in your next report, please refer to the enclosed instructions. A Certificate of Achievement is valid for a period of one year. To continue to participate in the Certificate of Achievement Program it will be necessary for you to submit your next CAFR to our review process.

In order to expedite your submission we have enclosed a Certificate of Achievement Program application form to facilitate a timely submission of your next report. This form should be completed and sent (postmarked) with three copies of your report, three copies of your application, three copies of your written responses to the program's comments and suggestions for improvement from the prior year, and any other pertinent material with the appropriate fee by December 31, 2013.

Your continued interest in and support of the Certificate of Achievement Program is most appreciated. If we may be of any further assistance, please contact Delores Smith (dsmith@gfoa.org or (312) 578-5454).

Sincerely,
Government Finance Officers Association



Stephen J. Gauthier, Director
Technical Services Center

SJG/ds



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

06/07/2013

NEWS RELEASE

For Information contact:
Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **Orange County** by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

Clarence G. Grier, CPA, CITP, Assistant County Manager - Chief Financial Officer

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**Orange County
North Carolina**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

June 30, 2012

A handwritten signature in black ink, reading "Jeffrey R. Egan". The signature is written in a cursive, flowing style.

Executive Director/CEO

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No.** 4-b

SUBJECT: Presentation of Comprehensive Annual Financial Report for FYE 6/30/2013

DEPARTMENT: Financial Services

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

INFORMATION CONTACT:

To be provided under separate cover:

1. *Comprehensive Annual Financial Report, FYE June 30, 2013*
2. *2013 Management Letter*

Clarence G. Grier, 919-245-2453
Marcie Spivey, 828-327-2727

PURPOSE: To receive the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2013.

BACKGROUND: The CAFR reports on all financial activity of the County for the fiscal year July 1, 2012 through June 30, 2013. Martin Starnes and Associates, a firm of Certified Public Accountants, audited the financial statements. The financial statement and audit are required by Chapter 159-34 of the North Carolina General Statutes. The County prepares a Comprehensive Annual Financial Report (CAFR) that meets the standards set by the Government Finance Officers Association (GFOA). The CAFR is submitted to the GFOA in order to be awarded the Certificate of Achievement for Excellence in Financial Reporting. The County's CAFR has received this award for thirty-one consecutive fiscal years. The financial report for the Orange County SportsPlex, required under the management contract, is included in the County's CAFR.

The audit results for the fiscal year show that Orange County has a strong financial position. The County received an unqualified (good) audit opinion on the financial statements received from the audit. The Financial Services Director and representatives of Martin Starnes will cover highlights of the report and will be available to answer questions.

FINANCIAL IMPACT: The financial report shows a continued strong financial position for Orange County. The unassigned fund balance of the County's General Fund is 20.17% of expenditures and transfers out at the end of the fiscal year. The goal is to maintain the General Fund unassigned fund balance at 17% of expenditures and transfers out.

This indicates a sound financial position from which Orange County will be able to weather financial uncertainties going forward.

RECOMMENDATION(S): The Manager recommends that the Board receive the CAFR as information.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

Action Agenda

Item No. 6-a

SUBJECT: MINUTES

DEPARTMENT:

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

INFORMATION CONTACT:

Draft Minutes

Donna Baker, 245-2130

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

October 1, 2013

BOCC Regular Meeting

October 8, 2013

BOCC/Joint meeting with Board of Health
(5:30pm)

December 2, 2013

Excerpt from draft minutes – Item 5a and 5b-
Public Hearings (Time sensitive for CDBG
grant)

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.

1
2
3 DRAFT

4 **MINUTES**
5 **BOARD OF COMMISSIONERS**
6 **REGULAR MEETING**
7 **October 1, 2013**
8 **7:00 p.m.**

9 The Orange County Board of Commissioners met in regular session on Tuesday,
10 October 1, 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,
13 Alice M. Gordon, Earl McKee, Bernadette Pelissier, Renee Price and Penny Rich

14 **COUNTY COMMISSIONERS ABSENT:**

15 **COUNTY ATTORNEYS PRESENT:** John Roberts

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

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

21
22 **1. Additions or Changes to the Agenda**

23 Chair Jacobs noted that Commissioner Pelissier would be arriving late.

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

- 25 • Two hand outs from individuals speaking on Veterans' affairs
- 26 • White-PowerPoint for item 7a, Unified Animal Control Ordinance

27
28 **PUBLIC CHARGE**

29 *The Chair dispensed with the reading of the public charge.*

30
31 **2. Public Comments**

32 **a. Matters not on the Printed Agenda**

33
34 Jesse Torres is an Orange County resident and a member of the military order of the
35 Purple Heart, Chapter 637. He reviewed the history of the Purple Heart. He indicated the hand
36 out at the Commissioner's places, which is a proposed proclamation to have Orange County
37 designated as a Purple Heart county. He noted that the back side of the sheet lists all the
38 counties that have already gone through this process.

39 Marshall Morris is here on behalf of Jesse Torres. He noted the handout at the
40 Commissioner's places from the Veteran's Administration, indicating that there are 7000
41 veterans in Orange County who receive compensation. He said this equals \$26 million per year
42 in compensation and pensions given to wounded veterans. He said this information is to
43 support Jesse Torres' request.

44 Don O'Leary said he agreed with most of the Board's decisions, with the exception of
45 the topic of ICLEI. He said the government has shut down the wrong departments, and all
46 three branches of the government should have been shut down.

47
48 **b. Matters on the Printed Agenda**

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

1
2 **3. Petitions by Board Members**
3 **NONE**

4
5 **4. Proclamations/ Resolutions/ Special Presentations**

6
7 **a. Resolution Recognizing Senator Ellie Kinnaird for Service to Orange**
8 **County**

9 The Board considered a resolution recognizing Ellie Kinnaird for her years of service to
10 the people of Orange County and authorizing the Chair to sign.

11
12 Chair Jacobs read the following proclamation

13
14 **ORANGE COUNTY BOARD OF COMMISSIONERS**

15
16 **RESOLUTION RECOGNIZING NORTH CAROLINA**
17 **SENATOR ELLIE KINNAIRD**

18
19 **WHEREAS**, Eleanor “Ellie” Kinnaird was elected to the North Carolina State Senate by the
20 voters of the 23rd District, which includes Orange County, for nine (9) terms from
21 1997 to 2013; and,

22
23 **WHEREAS**, Ellie Kinnaird was elected as the mayor for the Town of Carrboro from 1987 to
24 1996; and,

25
26 **WHEREAS**, her time in office represents 26 years as an elected public servant; and,

27
28 **WHEREAS**, Ellie Kinnaird has demonstrated commitment to protecting and strengthening the
29 institution of state government through her perseverance and statesmanship; and,

30
31 **WHEREAS**, Ellie Kinnaird has been a persistent advocate for the rights of the underprivileged,
32 a dedicated protector of the environment, a champion of social justice, a resolute
33 opponent of the death penalty, and a supporter of fulfilling employment and quality
34 public education; and,

35
36 **WHEREAS**, Ellie Kinnaird has gone about her public duties with an unflagging spirit, a
37 willingness to attend diverse community events that reflect and support the values
38 of Orange County, and a devotion to principle regardless of obstacles or
39 opposition; and,

40
41 **WHEREAS**, during her years in the Senate, Ellie Kinnaird served as Chair of the Appropriations
42 Committee on Justice and Public Safety, as Chair of the Mental Health and Youth
43 Services Committee, as Vice-Chair of the Agriculture/Environment/Natural
44 Resources Committee, and also served on the Senate committees for Finance,
45 State and Local Government, and Health Care; and,

46
47 **WHEREAS**, during her years of service, she has been recognized by a multitude of
48 organizations including the North Carolina National Association for the Mentally Ill,
49 the National Coalition Against the Death Penalty, the North Carolina Academy of

1 Trial Lawyers, the Adolescent Pregnancy Prevention Coalition of North Carolina
 2 and the North Carolina Central University School of Law;
 3 **NOW, THEREFORE**, be it resolved that the Orange County Board of Commissioners does
 4 hereby recognize Senator Ellie Kinnaird for her progressive leadership and
 5 commitment to the sanctity of the political process in the North Carolina Senate
 6 while representing residents of Orange County.

7
 8 This, the first day of October 2013.

9
 10 A motion was made by Commissioner Gordon, seconded by Commissioner Price to
 11 adopt the resolution recognizing Ellie Kinnaird for her years of service to the people of Orange
 12 County and authorize the Chair to sign.

13
 14 VOTE: UNANIMOUS

15
 16 Ellie Kinnaird said she never expected to work in government. She said Orange County
 17 is unique, and its values are such a part of the leadership of our state. She appreciated being
 18 able to serve the residents of Orange County.

19
 20 **b. Arts & Humanities Month – 2013 Piedmont Laureate John Claude Bemis**

21 The Board was introduced to and heard a brief selection from Hillsborough resident and
 22 children's book author, educator and presenter John Claude Bemis, the 2013 Piedmont
 23 Laureate.

24 Martha Shannon introduced John Claude Bemis. She noted that this is the 5th year of
 25 this program, co-sponsored by the Orange County Arts Commission, the City of Raleigh Arts
 26 Commission, the Durham Arts Council, the United Arts Council of Raleigh and Wake County,
 27 and the Alamance Arts Council. She said throughout this year Mr. Bemis has brought together
 28 people to celebrate the art of writing.

29 John Claude Bemis said he has lived in Orange County for over 20 years, but he grew
 30 up in eastern N.C., in Dawson's Creek. He read a brief selection of some of his writing.

31
 32 **c. Orange County Disability Employment Awareness Month Proclamation**

33 The Board considered a proclamation declaring October 2013 as Disability Employment
 34 Awareness Month in Orange County and authorizing the Chair to sign.

35
 36 Deana Jones represents North Carolina Vocation and Rehabilitation. She thanked the
 37 Board for this proclamation.

38
 39 Commissioner Gordon read the proclamation:

40
 41 **ORANGE COUNTY BOARD OF COMMISSIONERS**

42
 43 **ORANGE COUNTY DISABILITY EMPLOYMENT**
 44 **AWARENESS MONTH**
 45 **PROCLAMATION**

46
 47 **WHEREAS**, October is National Disability Employment Awareness Month; and,
 48

1 **WHEREAS**, persons with disabilities have skills, talents, and dreams, and with respect and
 2 acceptance, individuals with disabilities – mental or physical – can participate in
 3 society and the work force to their fullest capacity; and,
 4

5 **WHEREAS**, workplaces welcoming of the talents of all people, including people with disabilities,
 6 are a critical part of Orange County efforts to build an inclusive community and
 7 strong economy; and,
 8

9 **WHEREAS**, through the use of assistive technology, people with disabilities can gain equal
 10 access to employment; and,
 11

12 **WHEREAS**, Orange County recognizes that persons with disabilities are a resource we cannot
 13 afford to overlook or not use to their highest potential;
 14

15 **NOW, THEREFORE**, be it proclaimed that the Orange County Board of Commissioners does
 16 hereby recognize the month of October 2013 as DISABILITY EMPLOYMENT
 17 AWARENESS MONTH in Orange County and calls upon employers, schools and
 18 other community organizations to become more aware of the needs, capabilities
 19 and hopes of people with disabilities.
 20

21
 22 This, the 1st day of October 2013.
 23

24 A motion was made by Commissioner Gordon, seconded by Commissioner McKee to
 25 approve a proclamation declaring October 2013 as Disability Employment Awareness Month in
 26 Orange County and authorize the Chair to sign.
 27

28 VOTE: UNANIMOUS
 29

30 **5. Consent Agenda**

- 31 • **Removal of Any Items from Consent Agenda -NONE**
- 32
- 33 • **Approval of Remaining Consent Agenda**

34 A motion was made by Commissioner McKee, seconded by Commissioner Rich to
 35 approve the items on the consent agenda.
 36

37 VOTE: UNANIMOUS
 38

39 **a. Minutes – None**

40

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

42 The Board adopted a resolution, which is incorporated by reference, to release motor
 43 vehicle property tax values for thirty-three (33) taxpayers with a total of thirty-seven (37) bills
 44 that will result in a reduction of revenue.

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

46 The Board adopted a resolution, which is incorporated by reference, to release property
 47 tax values for ten (10) taxpayers with a total of twenty-six (26) bills that will result in a reduction
 48 of revenue in accordance with North Carolina General Statute 105-381.

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

1 The Board approved ten (10) untimely applications for exemption/exclusion from ad
2 valorem taxation for thirteen (13) bills for the 2013 tax year.

3 **e. Approval of a New Public Health Preparedness Coordinator Position**

4 The Board approved a new Public Health Preparedness Coordinator position (1.0 FTE)
5 in Orange County as a shared position between Emergency Services (.50 FTE) and the Health
6 Department (.50 FTE).

7 **f. Memorandum of Agreement with the Town of Hillsborough for the Hillsborough**
8 **Circulator Transit Service**

9 The Board approved an amended Memorandum of Agreement (MOA) between the
10 Town of Hillsborough and Orange County for the Hillsborough Circulator bus service and
11 authorized the Interim County Manager to sign.

12 **g. Request for Road Addition to the State Maintained Secondary Road System**

13 The Board approved making a recommendation to the North Carolina Department of
14 Transportation (NCDOT) concerning a petition to add a subdivision road in Mallory Place
15 Subdivision (Casey Lane) to the State Maintained Secondary Road System.

16 **h. Appointment of Review Committee for the County Logo**

17 The Board approved the appointment of a Review Committee for the County logo.

18
19 **6. Public Hearings**

20
21 **a. North Carolina Department of Transportation, Rural Operating Assistance**
22 **Program (ROAP) Grant Application for FY 2013/2014**

23 The Board conducted a public hearing for the NCDOT Rural Operating Assistance
24 Program (ROAP) grant and considered approving the annual FY 2013/2014 ROAP grant
25 application and certified statement and authorizing the Chair and Interim County Manager to
26 sign.

27 Craig Benedict spoke on behalf of Al Terry, who was out on sick leave. He said this
28 application was estimated at \$200,000 during the budget process, and it involves three
29 separate funds, as outlined in the abstract. He reviewed the background section of the
30 abstract, including the following FY 2013-2014 ROAP Individual program totals:

31		
32	Elderly/Disabled Transportation Assistance Program	\$80,561
33	Employment Program	\$34,980
34	<u>Rural General Public Program</u>	<u>\$92,624</u>
35	TOTAL	\$208,165
36		

37 Craig Benedict said the purpose of the public hearing is to solicit comments from the
38 general public regarding the program or the need for services.

39 Commissioner Gordon said she did ask clarifying questions about this via email, and
40 she requested that her email to be entered into the record as follows:

41
42 From: Alice Gordon [<mailto:gordon.alice@gmail.com>]

43 Sent: Monday, September 30, 2013 10:24 AM

44 To: Barry Jacobs; Bernadette Pelissier; Earl McKee; gordon.alice@gmail.com; Alice Gordon;
45 Mark Dorosin; Penny Rich; Renee Price; Donna Baker; Frank Clifton; Greg Wilder; Michael
46 Talbert; Cheryl Young

47 Subject: Questions/ comments on Oct. 1, 2013 agenda

48
49 Questions/ comments on Oct. 1, 2013 agenda

50

1 6a - ROAP grant application
2

3 My understanding from the abstract is that the \$92,624 in RGP funds will be used for the
4 Hillsborough-Chapel Hill route and for the Hillsborough circulator route.
5 How much will be allocated to each of these routes? Are there any other general public routes
6 that will receive these funds?
7

8 The abstract refers to the "development of the Hillsborough to Chapel Hill public route, no
9 longer funded through Triangle Transit....."

10 Please clarify what this means. My understanding was that Triangle Transit did fund the
11 morning and evening service on this route, but that OPT funded the mid-day service. How are
12 these services funded now?
13

14 Staff Response:

15 **Although not clearly stated in the abstract, to clarify, Triangle Transit still funds the**
16 **morning and evening service for the Hillsborough to Chapel Hill route; however, the RGP**
17 **funds the County receives are partially used to support the midday service for that route.**
18 **RGP funds are not used at all for the Hillsborough Circulator bus service. The**
19 **Hillsborough Circulator route is financially supported exclusively through a Federal**
20 **CMAQ grant and the Town of Hillsborough's matching contribution. Other uses of RGP**
21 **funds by OPT in the county include:**
22

- 23 **1) Rural general public demand response trips;**
24 **2) Demand response medical trips for the disabled who do not qualify for the**
25 **Elderly/Disabled Transportation Assistance Program (EDTAP); and**
26 **3) Two fixed routes designed to transport persons with disabilities for employment trips**
27 **that are also open to the general public on a seat-available basis.**
28

29 Commissioner Dorosin asked if this is a competitive grant and if there is an expected
30 amount to be received.

31 Craig Benedict said the County can reasonably expect over \$200,000. He said this is
32 not too competitive, since OPT is the only rural entity providing transportation in this area. He
33 said there is legislation out there that may make this more competitive in the future.

34 Commissioner Price asked about the \$3.00 per trip co-pay, and questioned whether
35 Craig Benedict is aware of the percentage of residents that are unable to pay that amount.

36 Craig said he does not know a percentage. He said that OPT allows free companion
37 trips for residents taking a trip for medical reasons. He said over 116,000 one way passenger
38 trips are served per year. He said this isn't a source of revenue for the program; it simply
39 covers the segment of the population that is not elderly or being covered by Medicare costs.
40 He said this cost is being analyzed to see if there are any other support mechanisms to reduce
41 the amount.

42 Commissioner Price noted that the cost is \$3 for one way, and she asked if many
43 people use the service only for one way.

44 Craig Benedict said it varies, and it is not 100 percent two way trips.

45 Chair Jacobs said maybe this can be analyzed when there is more staff support
46 available, to see if Orange County can help out more financially.
47

48 PUBLIC COMMENT:
49

1 Marshall Morris said, being a disabled veteran, he was unaware of this mode of
 2 transportation. He asked if there is a schedule posted for this transportation entity so he can
 3 share it with other veterans, especially amputees. He asked if the transportation is handicap
 4 and wheelchair accessible.

5 Craig Benedict said there is information available. He said he would provide phone
 6 numbers for door to door service with handicap accessibility. He said there is a circulator route
 7 and a 420 bus to take people down to UNC Hospitals.

8 He said information is available on the website, through the Planning and Inspections
 9 Department and Orange Public Transportation.

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

13
 14 VOTE: UNANIMOUS

15
 16 A motion was made by Commissioner Gordon, seconded by Commissioner McKee to
 17 approve the annual FY 2013/2014 ROAP grant application and certified statement and
 18 authorize the Chair and Interim County Manager to sign.

19
 20 VOTE: UNANIMOUS

21
 22 **7. Regular Agenda**

23
 24 **a. Unified Animal Control Ordinance**

25 The Board considered approving revisions to the current Orange County Animal Control
 26 Ordinance to make it a Unified Animal Control Ordinance.

27 Chair Jacobs said he has asked staff to track some of the language changes that are
 28 made as this goes along. He said if a good stopping point cannot be reached tonight, this will
 29 be moved to the next meeting. He noted that there are some grammatical and typographical
 30 mistakes to be corrected.

31 *Commissioner Pelissier arrived at 7:44 pm.*

32 Bob Marotto reviewed the following PowerPoint slides:

33
 34 **Unified Animal Control Ordinance**

35 October 1, 2013 presentation

36
 37 **Background**

- 38 • Orange County's Animal Control ordinance has not been updated since it was created in
 39 1987
- 40 • Orange County Animal Services (OCAS) was created as a department in 2004/2005
 - 41 – part of the BOCC timeline included updating the ordinance
 - 42 – ordinance has yet to be updated to reflect the changes involved in the county
 43 integrating sheltering and animal control operations

44
 45 **Municipalities**

- 46 • Historically, Animal Control provided service to the unincorporated parts of the County
 - 47 – Hillsborough has received service from the county since the 1987 ordinance's
 48 adoption
 - 49 – Chapel Hill contracted with Animal Protection Society prior to OCAS creation
 50 (2004)

- 1 – Carrboro had separate Animal Control officer until 2013 (on-call provided
- 2 previously by OCAS)
- 3 – Mebane continues to provide its own Animal Control services (despite overtures
- 4 from OCAS)

6 **Reasons to Unify**

- 7 • To create a coherent and integrated ordinance for Orange County as a whole
- 8 – The municipalities that receive animal control services each have different
- 9 ordinances
- 10 – Ordinances are confusing to public, staff and judiciary process
- 11 • To provide necessary & overdue updates
- 12 – Reflect consolidation of sheltering and animal control operations in OCAS
- 13 • To fill critical gaps
- 14 – Years of judicial process have identified important gaps within each of the
- 15 ordinances
- 16 – Hampers department’s ability to protect the public and animals of the county

17
18 *Staff Attorney Annette Moore, presented the following slides:*

19 **Summary of Recommendations**

- 20 • Updating ordinance to reflect OCAS department creation
- 21 • Keeping & displaying of wild animals
- 22 • Creating an appeal process for administrative orders and civil citations
- 23 • Designating only animal control staff as cruelty investigators
- 24 • Creating authority for assuring humane treatment of animals and humane euthanasia
- 25 • Adding differentiation of public nuisances created by cats
- 26 • Establishing authority sufficient to effectively regulate potentially dangerous dogs

27 **Summary of Public Concerns**

- 28 • Livestock as nuisance animals
- 29 – § 4-45. (b) (6) added: “at large off the premises of the owner or Keeper, except
- 30 in the case of domestic livestock the Animal Services Director shall have the
- 31 discretion to determine a violation” [pg 23, strikethrough version of
- 32 recommended ordinance]
- 33 • Dangerous vs. Vicious
- 34 – Existing county ordinance includes vicious animals
- 35 – Any added language comes from Chapel Hill and Carrboro ordinances
- 36 • No appeal process for vicious dog declaration
- 37 – Existing ordinance has no appeal process, but proposed unified ordinance does
- 38 contain an appeal process for vicious dog declarations, as well as other
- 39 administrative orders
- 40 • Dual declaration appeals
- 41 – Existing ordinance has no appeal process for vicious dog declarations.
- 42 Proposed ordinance allows the appeal of both declarations to be considered in a
- 43 single appeal hearing.
- 44 • That proposed ordinance makes it responsibility of owner to prove intruder came onto
- 45 property with criminal intent
- 46 – § 4-42. (e) (4) deleted: “Committing a willful trespass or other tort as provided in
- 47 N.C. Gen. Stat. Chapter 14, Article 22B” [pg. 18 in strikethrough version of
- 48 recommended ordinance]
- 49
- 50

- 1 – Language now similar to that found in state statute and Carrboro ordinance
- 2 – Summary of Public Concerns cont.
- 3 • Watchdog definition
 - 4 – Existing language in current ordinance: § 4-37. “A dog that barks and threatens
 - 5 to bite any intruder that has not been specially trained or conditioned for that
 - 6 purpose.” [pg 8 in strikethrough version of recommended ordinance]
 - 7 – Barking and threatening to bite on owner’s property does not qualify the dog as
 - 8 potentially dangerous or vicious- hence the definition is meaningless. Once a
 - 9 dog bites, it no longer meets requirements of watchdog
 - 10 – This language was removed from proposed ordinance
- 11 • The distinction between rural and urban has been removed
 - 12 – Where significant differences occur between the municipal and county
 - 13 ordinances, they will be retained in the municipal code of ordinances
 - 14 • Examples: tethering, crowing roosters, livestock, chicken coops
 - 15 • none of these examples are included in the unified ordinance

16
17 Chair Jacobs acknowledged Susan Elmore’s work on the ASAB and with this process.
18 *Susan Elmore, ASAB Chair, DVM presented the following slides:*

20 **Summary of Public Concerns cont.**

- 21 • No School of Government involvement and no public input
 - 22 – Susan Elmore, ASAB Chair, DVM

24 **ASAB and Public Process**

- 25 • ASAB Chair spoke with Associate Professor Aimee Wall, UNC School of Government
- 26 • ASAB & Agricultural Preservation Board officers, along with senior staff of Animal
- 27 Services and DEAPR, met to discuss livestock concerns with ordinance
- 28 • ASAB Chair also spoke with a local farmer on matters related to at-large livestock and
- 29 other issues that might affect county farmers
- 30 • ASAB considered the ordinance 3 times prior to June 4th BOCC meeting
 - 31 – ASAB is comprised of Orange County residents who have been appointed by the
 - 32 BOCC to review such issues
 - 33 – One meeting dedicated to vicious/dangerous dog declarations and residents
 - 34 were invited to speak and their concerns were heard
- 35 • Since June 4th BOCC meeting, ASAB met again to discuss ordinance and they
- 36 unanimously recommended BOCC adoption
- 37 • The ASAB 2014 work plan will include a review of targeted items on the unified
- 38 ordinance

39
40 Bob Marotto reviewed the following slide:

42 **What the Unified Ordinance Is**

- 43 • A unification of the existing ordinances that
 - 44 – fills gaps
 - 45 – makes it possible to efficiently protect the public and carry out services
 - 46 – avoids existing confusion within department, public and court system
- 47 • A fluid document that still allows for differences between municipalities and county
- 48 where needed

49

1 Annette Moore said there needs to be a due process for administrative orders and civil
2 citations.

3 She said the designation of cruelty investigators will be helpful in instances of large
4 scale seizures. She said there needs to be a balance of sheltering and keeping these animals
5 as well.

6 Chair Jacobs said the Board has requested attachment 3, pages 20-21 at agenda
7 review, and it was useful information.

8 She said additional language has been added with regard to dangerous and vicious
9 dogs, and this language was taken from Chapel Hill and Carrboro's ordinances. She said
10 language has also been added to designate repeat offenders, which expands the authority to
11 restrict this dog to the property. She said there is also a new requirement to micro-chip repeat
12 offenders, in order to prove their identity.

13 Annette Moore reviewed the slides regarding public concerns. She reviewed
14 background regarding livestock as nuisance and said the new language captures the concern
15 over whether the Animal Services Director has discretion in these situations.

16 She reviewed the background and reasons for further definition of the term "trespasser."
17 She said the new language clarifies willful trespass.

18 Susan Elmore said Amy Wall agreed that it was a good idea to unify first with minimal
19 but critical changes.

20 She said discussions about the livestock concerns were productive. She said no one
21 wants a farmer to be cited for livestock that is off their property for reasons beyond their control.
22 She said the hope is that this new language will suffice. She said the Agricultural Preservation
23 Board will meet later this month to discuss this further.

24 Bob Marotto said he feels that a framework has been created that will allow for some
25 differences within the unincorporated areas of the county and the towns.

26 Commissioner McKee asked about the appeals process, as listed on page 49 of the
27 packet, section 4. He asked if this is assumed to be after the Animal Services Director has had
28 a chance to review.

29 Bob Marotto said yes.

30 Chair Jacobs asked if this designates 5 business days or 5 calendar days.

31 Annette Moore said it is 5 calendar days.

32 Commissioner Price asked about the appeals process and who would be involved in this
33 process. She feels this would be more of a quasi-judicial action, similar to the Board of
34 Adjustment. She said the people on these boards are specifically chosen. She asked if the
35 people doing appeals would need to have certain qualifications. She said this seems to tread
36 into legal matters.

37 Annette Moore said the ASAB does currently provide a quasi-judicial function, and all
38 members have received annual training. She said she and Bob Marotto provide the training
39 regarding the law and the consideration of dangerous dog appeals.

40 John Roberts said it is not unusual for an advisory board to also serve as a quasi-judicial
41 body, or for a legislative board to also serve as quasi-judicial body. He said there is not usually
42 extra training, but there is legal counsel available.

43 Bob Marotto said his experience with the ASAB in other locales is that these boards
44 hear dangerous dog appeals and are obligated to act within the law with the provision of
45 evidence.

46 Commissioner Price asked if there is a rigid schedule of issues in making decisions.

47 Annette Moore said this is done now.

48 Susan Elmore said she has served on the appeals board for many years, and the law is
49 followed very rigidly. She said statements are heard from both parties, and all documents are
50 read. She said this is taken very seriously and it has been 100% fair in her experience.

1 Bob Marotto said the board does have findings of fact that are the basis for a final
2 determination. He said, in the case of a hearing, the elements are conducted and a document
3 is completed, signed by the board and given to both parties. He said these are quasi-judicial
4 hearings that are mandated by state law. He said the Board of County Commissioners has
5 given this authority to the ASAB. He said there is an option to appeal to the Superior Court as a
6 second step in the appeal process.

7 Commissioner Dorosin referred to page 445, regarding the at-large language. He said
8 one issue with the language is the broad discretion it offers. He noted that Susan Elmore used
9 more specific language – “domestic livestock at large, through no fault of the owner.” He said
10 this specificity is needed to make things more clear.

11 Commissioner Pelissier said some of the concerns of the public relate to the watchdog
12 issue. She asked if cases have occurred where the owner ends up with a dog labeled vicious
13 when the owner did not know that the dog would bite, because this not a normal behavior for
14 the animal.

15 Bob Marotto said there may be a known propensity of the owner that the dog will bite or
16 it may be a trait that has not been seen yet. He said there may be a trigger that sets off the
17 behavior, such as chasing a bike. He said the number of bites is large and the reasons are
18 varied.

19 Commissioner Pelissier asked for clarification on the legal definitions for what would be
20 considered provocation.

21 Annette Moore said a definition for provocation is included on page 29 of the packet,
22 and this is a new definition that did not exist before.

23 Bob Marotto gave an example of a child who was bitten after going into a house with a
24 dog who had not previously bitten.

25 Commissioner Gordon asked if people who testify are sworn in when the ASAB hears
26 appeals. She asked if all cases can be appealed to the Superior Court.

27 Bob Marotto said that the NC general statute provides the right to an appeal process with
28 the local government, and there is an opportunity for a second step appeal within ten days of
29 that first decision

30 Commissioner Gordon asked if this applies to all cases.

31 Bob Marotto said yes.

32 John Roberts said this would be the final administrative piece of the process, and for
33 any final decision, there is the option to go to the courts after that.

34 Commissioner Gordon asked if all testimony is sworn.

35 Annette Moore said this is not currently in place, but it can be.

36 Commissioner Gordon asked why this is not in place.

37 John Roberts said it goes to the courts in the form of a de novo appeal; which means
38 everything is repeated again, so there is no need for this first appeal to have sworn testimony.
39 He said if the Board of County Commissioners wanted sworn testimony then that could be
40 provided.

41 Commissioner Rich asked why the watch dog definition is being taken out. She also
42 asked for the definition of “specially trained and conditioned” and clarification on who is
43 responsible for this training and conditioning. She said she is referring to the strikethrough on
44 page 30, item c.

45 Bob Marotto said this is a point of contrast with the preceding two types of security dogs,
46 which are professionally trained attack dogs. He said this can be done in private training or
47 police training for security or police dogs. He said this would be the kind of training for those
48 first two other types, and not to the watch dog. He said, in addition to the training that would be
49 professionally done to certify a dog as a sentry or patrol dog, there would be required

1 registration for these types of dogs. He said the watch dog is neither conditioned, trained or
2 registered in contrast to these two types.

3 Commissioner Rich asked if a watchdog is considered to be a dog that bites, versus just
4 a dog who barks.

5 Annette Moore said this can include any dog that barks to keep an intruder out, which
6 includes any dog. She said this makes the definition is meaningless.

7 Commissioner Rich asked about a case where someone tries to enter her house and
8 her dog bites the person in response.

9 Annette Moore said once the dog bites it is not a watch dog, according to the definition.

10 Commissioner Rich said she disagrees with this.

11 Commissioner McKee said if the term watch dog is generic and meaningless, then why
12 not leave it in. He disagreed with taking it out.

13 Annette Moore said this term makes the reader think that there are greater or fewer
14 rights given. She said that any dog that barks or threatens to bite an intruder on personal
15 property is a watchdog. She said there is nothing wrong with a dog that barks or threatens to
16 bite on your property; there is no legal issue with that.

17 Commissioner Price said her fear is that if someone has a watch dog that is barking,
18 and a person comes onto the property, and the dog bites this person, then the County can say
19 this is a dangerous dog.

20 Annette Moore said the board is looking at the terms in isolation. She said if an intruder
21 comes on to property and the dog bites, under the ordinance this is not a vicious dog - it is a
22 trespass. She said if an intruder innocently trespasses, and the watch dog barks or threatens
23 them, that has no legal meaning.

24 Commissioner Price asked if micro-chipped animals need to have rabies tags.

25 Bob Marotto said this differs for dogs and cats. He said state law does not require cats
26 to wear a rabies tag. He said the County does not require it as long as proof of vaccination can
27 be provided. He said the statute does not allow this for dogs. He said the microchip only
28 provides identification if a scanner is available.

29 Commissioner Rich asked about input from municipalities, since there are no animal
30 control officers in those towns. She asked who was contacted for input.

31 Bob Marotto said the board spoke with the members of the Carrboro police department.
32 He said the board spoke with Chapel Hill Police Chief Blue, as well as staff and the town
33 attorney. He said it has been a holistic approach with the municipalities from the beginning.

34 Commissioner Rich asked if the municipalities have seen this draft ordinance.

35 Bob Marotto said the municipalities have seen it and are fully on board. He noted that it
36 will still have to go back to the elected bodies for a vote. He said there has been an enormous
37 amount of work from all of these entities.

38 Commissioner Price said dog fighting is illegal in Orange County. She asked why the
39 ordinance lists precautions rather than a statement that it is illegal.

40 Bob Marotto said there was a case a few months ago, where the County had to ride with
41 police on a drug warrant. He said there was information that there were 15 dogs involved with
42 illegal dogfighting. He said there was no direct testimony available, but paraphernalia was
43 found, and it was used to build a case. This is the reasoning for the precautions.

44 Commissioner Price asked where the ordinance against dog fighting is located.

45 Bob Marotto said the County resorts to state statutes for that.

46 Chair Jacobs asked if there are fire standards for kennels.

47 Bob Marotto said, for most kennels, there is a planning and zoning process. He said
48 Animal Services has been responsible for the animal welfare and less for the building structure.

49
50 **PUBLIC COMMENT:**

1
2 Kris Bergstrand has been a Veterinarian for 33 years. She said she has experience in
3 small animal practice, academia, pharmaceutical research and toxicology. She said she has
4 been on the ASAB in the past, and during that period of time she heard many dangerous dog
5 appeals. She said there was always a veterinarian on board, with ordinance in hand during the
6 process.

7 She said she was here to show support for this unified ordinance. She said there has
8 been a tremendous amount of work and cooperation between the County and the towns. She
9 found during the tethering ordinance-process, that residents on both sides criticized the board,
10 and made wrongful assumptions.

11 She gave the Commissioners a hand out regarding statistics about dog bites in rural
12 versus urban areas.

13 Ed Johnson said he is submitting public comment on behalf of Bob Epting, who was
14 unable to attend. He submitted the following written statement from Bob Epting:

15
16 FROM BOB EPTING:

17 I have just received the materials you are being provided for your agenda item pertaining to
18 revision of the animal control ordinances into a Unified Ordinance.

19
20 While the original idea of consolidating the several Town and County ordinances into a Unified
21 Ordinance was a good one, the revised drafts go far beyond the simple consolidation the
22 Board envisioned and directed. We appeared and complained about this gross enlargement
23 of authority, resulting in the elimination of citizens' rights under the existing laws, at your
24 meeting before the summer break.

25
26 Sadly, the draft "Unified" ordinance retains the features we complained about, and still
27 exceeds your charge of simplification and consolidation.

28
29 In particular, I note that the provision in the existing law permitting a person to keep a
30 watchdog, and protecting the animal and its owner from vicious animal designation and legal
31 liability, (if the animal bites a trespasser on the owner's property), has been deleted. Thus,
32 the intruder is to be protected, while the owner is directed to lock up his dog for the rest of
33 its life, all for doing what the owner expected to protect his family and property.

34
35 Those who propose the "Unified" ordinance say they have retained the "sentry dog"
36 designation, which requires the animal to be trained or conditioned (no definition, discretion
37 of the AS Director, I suppose), and the property to be marked "No Trespassing." They argue
38 this will make it easier to enforce the law. I have seen the way these squishy provisions,
39 leaving discretion in the hands of AS Officers and the AS Director, are simply avenues for
40 uneven treatment of citizens from one case to the next.

41
42 In a case I was in last summer; defending a property owner whose dogs were declared
43 vicious animals" because one of the two had bitten a trespasser who had crept up from the
44 distant rural road through adjacent woods to the very steps of my client's home, we found
45 that the AS Officer was not even aware of the watchdog provision in the existing ordinance,
46 had no idea how his being an intruder affected the case, and had no interest in his having
47 been arrested several times in Alamance County for criminal trespass, or how that affected
48 the matter. WE DO NOT NEED MORE DISCRETION IN THE AS OFFICERS OR THEIR
49 DIRECTOR.
50

1 What we need is to have you act to preserve the citizen's right to keep a watchdog, especially
2 in rural Orange County, a natural human right that has existed since before there were laws,
3 and ought to continue to be recognized and defended by our elected officials.
4 Please do not vote to remove the present watchdog category, as the "Unified" ordinance
5 proposes to do.
6

7 Secondly, please be sure that the appeals Board, to which a citizen may appeal arbitrary,
8 baseless, or otherwise patently incorrect decisions that affect their animals, their homes and
9 their purses, is an independent appeals Board. The "Unified" ordinance requires that
10 appeals be heard by the Animal Services Board. In my opinion, the appeal ought to go to a
11 judicial authority, and I believe the "Unified" ordinance is unconstitutional because the right to
12 appeal agency decisions to judicial review is fundamental to the principle of due process. But
13 at least make the appeal's first step to a body consisting of a majority of citizens not directly
14 associated with the AS Board.
15

16 Finally, there are many places in the proposed "Unified" ordinance where sentences are
17 incomplete or nonsense words or phrases remain, even after our pointing them out
18 previously. Couldn't we at least expect that their product would have been edited so as to
19 be in a form you might adopt, rather than still needing the assistance of outside editors?
20

21 Bob Epting
22

23 Ed Johnson read his own statement, as follows:
24

25 I am glad that Animal Control has listened to both the Board and to us citizens who
26 have made complaints and offered suggestions. My appearance last time was
27 prompted by my dog's being declared "vicious" for biting someone. After I pointed
28 out that my dog was acting as a watchdog and had bitten a trespasser, the
29 declaration was rescinded.
30

31 In the June draft of the unified ordinance, Animal Control deleted the category of
32 watchdog and watered down the idea of a trespass. Under the new ordinance, my
33 dog would be nailed as "vicious." You told Animal Control to come back with a new
34 draft that makes no new laws.
35

36 Animal Control has now presented you with a new draft that presumably makes no
37 substantive changes from what already exists. Presumably, substantive changes will
38 be added later.
39

40 On page 2 of the Agenda Abstract, Animal Control says that rather than presenting
41 the ordinance for an up or down vote, the Board is given a "menu of choices" where
42 they can say yea or nay on each of seven issues. This is a quote: For example, it is
43 possible to adopt the ordinance while preserving watchdogs as a category of security
44 dog." The "menu" is on page 14. It does not contain the promised watchdog issue.
45

46 People in the country have dogs for two reasons: As pets and as guardians. I rely on my
47 dog's bark to alert me that someone is approaching. This is part of her job. So I would
48 like to see the category of watchdog retained. I'd even be willing to have her officially
49 registered with Animal Control as a watchdog.
50

1 In the new ordinance, my dog would be *off* the hook for biting a trespasser if my property
2 had placards "noting the presence of such animal." What does this mean? What should
3 the sign say? And in regards to placards, I'd like to say two things: 1. Do we really want to
4 clutter the countryside with the thousands of signs necessary to protect dog owners from
5 having their dog called vicious. And, 2, any competent lawyer will tell you that by posting a
6 "beware of dog" sign, you are admitting that you regard your dog as dangerous and
7 opening yourself up to legal liability.

8
9 I could say a lot more with extra time but I want to close with an amazing example of why
10 the draft ordinance needs more work. Take a look at the definition section on pages 69 and
11 70. Imagine you are bitten by a dog. Would you rather have an "injury" or a "severe injury?"
12 In the definition section a severe injury entails broken bones and lacerations. But an injury
13 requires "immediate medical attention to prevent death."

14 15 OTHER POINTS I'D LIKE TO MAKE

16 1. Why does Animal Control want to retain both categories, "vicious animal" and
17 "dangerous dog?" The County's designation "vicious animal" is only slightly different from
18 the State's designation of "dangerous dog. The double designation leads to cases such as I
19 cited at the June BOCC meeting where a single event led to an animal's being called both
20 "vicious" and "dangerous." This caused the dog's owner a lot of unnecessary grief and
21 caused Animal Control to have to spend a whole lot of additional time on the case.

22
23 2. The proposed ordinance is filled with dozens of instances where the public is at the
24 mercy of the judgment or discretion of an Animal Control officer or of the Animal Services
25 Director. In my own case from last winter, my wife and I fell victim to this discretion issue
26 when we opted to keep our dog at home for the required 10-day quarantine after she bit a
27 trespasser. I had no argument with the quarantine. But I did have to leave the county for a
28 short trip and asked if Animal Control could keep the dog overnight and then return her to
29 my custody. They said yes but when I went to pick her up, they said no. After a heated
30 discussion, they said yes again. Then they said no once more and finally after a face-to-face
31 meeting said yes again. Five changes of mind is four too many. Certainly there must be
32 some provision for experts to exercise professional judgment. But it would help the
33 ordinance if some of these discretionary points were fleshed out so as to let the public know
34 what to expect.

35
36 3. The designation of a dog as "vicious" is really serious. In essence it terminates any
37 freedom the dog previously enjoyed. He must be kept inside the owner's house. When
38 kept outside, it must be in a specially constructed pen built to Animal Control's
39 specifications and inspected annually for which the owner must pay an inspection fee.
40 When off the owner's property, the dog has to be on leash and wear a muzzle. When
41 outside on its owner's property, it must be on a leash. It is crucial that the owner be
42 provided an opportunity to appeal the designation to a quasi-judicial body that is
43 independent of Animal Control. The current Advisory Board certainly has the expertise
44 to serve as an appeal board but it is so intimately concerned with the inner workings
45 of Animal Control and its Director (and other personnel) that it simply cannot qualify
46 as an independent judicial body.

47 END.

48
49 Bonnie Hauser said it is hard to have an ordinance that satisfies both rural and urban
50 areas. She said direction is needed to get this on sound footing. She said this is not the time

1 to introduce changes or to increase the authority of Animal Services. She said this ordinance
2 does not accurately reflect the public's concerns. She discussed several examples of this.

3 She asked for a unified ordinance without changes and with assurance to the public that
4 there would be a transparent public process to change any ordinance. She said an
5 independent appeal process needs to be a priority. She said once an appeal process is in
6 place, then the other issues can be discussed.

7 Michelle Walker is the Vice Chair of the ASAB and is an attorney. She wanted to
8 address the appeals' process. She said this is a critical due process need that is supported by
9 state statutes for dangerous dogs. She said it is good to have the ASAB as the appeals' board,
10 because it is made up of Orange County residents from different backgrounds. She said the
11 board does not issue citations, so the people reviewing the decisions are not the same people
12 who made the original charge. She said there is an established process that it is working.

13 She said changes are sometimes necessary for operations and due process purposes.
14 She said the background behind the watchdog and trespass involved consideration of a lot of
15 scenarios. She said another way of describing this watchdog issue is to say that it creates an
16 exception that swallows the rule, as it means any dog that bites anyone on its property could be
17 considered a watchdog. She said the goal is to identify dogs that have bitten people without
18 provocation.

19 Don O'Leary said dogs have different personalities. He said micro-chipping of dogs has
20 statistically been shown to cause cancer, and he encouraged people to try to avoid chipping of
21 animals.

22 Chair Jacobs said Don O'Leary brought this up last time and he asked him to send his
23 citations to the county.

24 Kris Bergstrand noted that the health services director oversees quarantine of animals,
25 and not animal services.

26 Chair Jacobs referred to page 3 and noted that unless all of the Board approves this
27 ordinance, it will come back at the next meeting. He said it is not necessary to resolve all of the
28 issues tonight.

29 Commissioner Dorosin asked John Roberts for clarification on the approval process for
30 this ordinance

31 John Roberts said any ordinance that does not require a public hearing, is required to
32 have a unanimous vote to pass on the first meeting. Otherwise, it must come back to the
33 Board.

34 Commissioner Dorosin asked if the ordinance could pass without unanimous vote at a
35 subsequent meeting.

36 John Roberts said yes.

37 Commissioner McKee asked for clarification on Michelle Walker's comment regarding
38 lack of a due process for appeals.

39 Annette Moore said the state statute requires an appeal process for dangerous dogs;
40 she said the current ordinance does not have an appeal process.

41 Commissioner Price asked for clarification regarding the terminology of owner versus
42 keeper. She asked why it is required that someone over 18 be the person responsible for
43 caring for the animal.

44 Bob Marotto said experience shows that there will be some people who are keepers,
45 rather than designated owners. He said the keeper notion has some applications that can be
46 helpful, such as in transfers of ownership.

47 Annette Moore supported Bob Marotto's statement with past examples.

48 John Roberts referred back to Commissioner Dorosin's earlier question. He said if the
49 board votes on this tonight and it does not pass, it is defeated. However, if the Board votes

1 tonight and it passes without a unanimous vote, then it will need to come back for a second
2 reading, where it will only need a majority vote to pass.

3 He said if this is sent back with further changes and no vote, the vote at the next
4 meeting will still have to be unanimous.

5 Commissioner Dorosin referred to the watch dog issue. He noted that under current
6 ordinance, there is a blanket lack of liability for an owner if someone comes onto their land. He
7 said the concern of dog owners is that this will be turned 180 degrees to imply a strict liability if
8 the dog bites anyone. He said these are two extreme positions. He said the case of a break-in
9 is clear, but the case of a neighbor's child is not so clear.

10 He said he does not think the goal is to give land owners blanket liability, but to give
11 language that allows for a case by case analysis. He is not in favor of this "blanket immunity."
12 He said the purpose of the appeals process is to make case by case determinations.

13 Commissioner Dorosin said if the appeals process is honed, it is reasonable that it be
14 done with the ASAB. He said members of the public serve on this board and advice is available
15 from legal counsel. He said if this quasi-judicial process is implemented, this is the place to do
16 it.

17 Chair Jacobs noted that time is limited and it seems that Commissioner Dorosin has
18 brought up the issues that most Board members are concerned with - watch dog/trespassing
19 and the appeals process with the ASAB. He asked if these items could be discussed in order.

20 Commissioner Rich said she likes this idea. She agrees with Commissioner Dorosin on
21 the watch dog issue. She would like an expanded definition of a watch dog. She said she is in
22 the middle of the two extremes. She would like to find out what happens to that person in the
23 middle- the owner with the dog that doesn't normally bite and then does bite.

24 She said she would like to keep the ASAB as the appeals board.

25 Commissioner Pelissier said she agrees with the other Commissioners' comments. She
26 said taking out the watch dog definition will take out one of the extremes, as people will not be
27 able to excuse any aggression because their dog is a "watchdog." She said people are upset
28 that their dog may be deemed dangerous, when the only requirement is that residents put up
29 signs or fence the dog.

30 She said the ASAB will assess each case individually and will look at the whole situation.
31 She asked that the board look at how many cases have come under the new ordinance and
32 then assess how it is working with balancing people's right to have dogs.

33 Commissioner McKee said the wording will be hard to define. He said security dogs are
34 trained to attack. He said there are hundreds or thousands of dogs in the County that are kept
35 for the purpose of increasing a feeling of security; however, only a small percentage of those
36 dogs bite. He said the problem with taking out the definition of watch dog is that it only leaves
37 the option for people to spend thousands of dollars and increase their liability by having a
38 trained attack dog on their property. He said no dogs are allowed to run free, and these dogs
39 will have to be contained. He said he agrees that a middle ground needs to be found, but he
40 wants to keep the watch dog definition in there, with a way to define it.

41 Commissioner McKee said Durham County has a different solution for appeals. He said
42 their appeals board resides in the sheriff's office and is made up of three members of county
43 staff and two members of the general public. He is in favor of an independent appeals board.
44 He does not question any motives of the ASAB, but he feels that residents will be more
45 comfortable if these two boards are separate.

46 Commissioner Price echoed Commissioner McKee's comments. She said she would
47 like to keep the watch dog definition and come up with better definition of trespassing.

48 She said her concern about the appeals board is that the members should be vetted if
49 their responsibilities are to be expanded.

1 Commissioner Gordon said good points have been made regarding the two extremes
2 related to the watch dog definition. She thinks this issue should be addressed.

3 She feels the appeals process needs to be worked on, and there should be sworn
4 testimony. She has not made up her mind yet about who should be the appeals board, but she
5 does feel there should be work done on the definition of trespassing;

6 Chair Jacobs said he originally thought there should be another step between ASAB and
7 the courts, and he still thinks this is a possibility. He is comfortable with the ASAB hearing
8 appeals at the current time. He said he is also amenable to another step.

9 He said he is very uncomfortable with the issue of trespassing. He said there are very
10 few innocent trespassing incidents in the rural areas. He said, in the case of a trespassing child,
11 a parent should be in a position of supervision. He said there is a middle ground that needs to
12 be found.

13 He said there may not need to be a definition of a watchdog, but there needs to be
14 definition of an animal that is on its property minding its own business when a human comes on
15 to the property and is not minding their own business. He said things do not have to reach a
16 point of going so quickly from a benign situation to a quasi- judicial situation.

17 Commissioner Dorosin said the problem with the current definition of watch dog is that it
18 encompasses every single dog that exists. He does not see a way to make a separate
19 category.

20 He thinks that the idea of some intermediate step before the vicious dog determination
21 is a good one. He said all of the facts need to be looked at per case.

22 He said there is an implicit invitation to be solicited unless there is a sign that says
23 otherwise; and this is one reason why the appeals process is so important for providing a case
24 by case analysis.

25 Commissioner Pelissier said she feels the watch dog definition is useless. She asked
26 the attorney if there could be a different definition of trespassing.

27 John Roberts said the trespassing definition can be modified. He said the best idea is to
28 modify it to refer to the criminal trespass statutes, as provided in NC General Statute 14, article
29 22b. He said there are two different trespass statutes provided in that article; one would cover
30 someone who climbs over your fence, and the other would cover someone who comes onto or
31 stays on your property after being told to leave.

32 Commissioner Pelissier gave the example of someone being bitten by a dog when it
33 was not a case of trespass. She asked if this dog is automatically declared vicious if it is not
34 normally aggressive. She said this needs to be clearer.

35 Bob Marotto said there is a review process, and all circumstances are reviewed to see if
36 there is provocation. He said there are routine instances of this, and these are evaluated
37 individually.

38 Bob Marotto said the language regarding dangerous dogs is permissive and allows for
39 decisions by qualified staff, based on the facts of evidence.

40 Commissioner McKee said the general public identifies with the term watch dog. He
41 noted that dogs are not supposed to run free in Orange County. He said this ordinance shifts
42 responsibilities to the owner rather than to the person trespassing.

43 Commissioner Gordon thanked all the individuals who drafted the ordinance and she
44 recognized that it is a difficult task. She said there are certain basic aspects of the ordinance
45 that need to be addressed before the Board can effectively consider it. She said some of these
46 issues have already been discussed, and noted two specific issues, as follows:

- 47 • Use of the word “injury” on page 28 and page 30 – The definitions of “injury” (page 28)
48 and “severe injury” (page 30) need to be revised.
- 49 • Lack of clarity in wording on page 42, section 4-43, regarding Impoundment. The
50 paragraph beginning “Any animal found at large...” needs to be revised.

1 Commissioner Gordon recommended that the Board ask ASAB and staff to look at the
 2 substantive issues. She said there are fundamental issues that need to be addressed, along
 3 with consideration of written comments from the Board of County Commissioners and the
 4 public. She suggested there should be no vote tonight, and that staff should bring the
 5 ordinance back for first reading, with the proposed revisions.

6 Commissioner Gordon said she has one other issue. She questioned why there is a
 7 difference between dogs and other animals, and she referred to pages 45 and 47.

8 Commissioner Gordon said staff needs to go through and deal with the internal
 9 inconsistencies in the ordinance, and then deal with the substantive issues.

10 She said she has read through all of this, and she realizes that it is very difficult to
 11 merge three different ordinances.

12 Chair Jacobs referred to page 49 and said the section on the appeals process should
 13 say "5 working days" rather than "five days."

14 He referred to the language on page 42 regarding animals put to death. He said there
 15 should be language noting that the owner be notified to be made aware of what has happened.

16 Chair Jacobs said he would rather not assume that the planning department has
 17 approved the fire standards of kennels and facilities. He would rather the Animal Services go
 18 back and find this information and bring it back to the Board.

19 Chair Jacobs reviewed the following list:
 20 Main issues:

- 21
- 22 • General comfort level of ASAB being part of appeals process – Is there need for an
- 23 intermediate step?
- 24 • Watch dog issue- Is it too extreme? Can the term be related to trespassing?
- 25 • Term of trespassing – This needs to be addressed and clarified.
- 26 • Dog bites – How are these regarded? Is there another mechanism of punishment to be
- 27 considered for the owner, if not the animal?
- 28 • Notes and suggestions – Board members and staff are directed to give hand written
- 29 notes and suggestions to the board.
- 30

31 Chair Jacobs suggested staff address the main sticking points, and bring this back in
 32 two weeks or however long it takes to satisfy the majority of the Board.

33 Annette Moore referred to Commissioner Gordon's question about the definition section.
 34 She said a lot of these definitions come directly from state statutes, and efforts were being
 35 made to conform to these. She asked if this was a request to change that language.

36 Chair Jacobs said if the statutes seem contradictory then that should be indicated, and
 37 there should be some clarifying language to bridge what makes sense and what the statutes
 38 say.

39 Commissioner Gordon said some of the definitions used in the ordinance do not
 40 conform to established factors. She said some of these things are common sense issues, such
 41 as the idea that "injury" should be less severe than "severe injury." She said a key provision to
 42 the whole ordinance is the issue of injury, and this definition must be addressed.

43 Commissioner Price said the definition of wild animals needs to be clarified. She said
 44 there also needs to be a limit for cold weather as it relates to animal cruelty.

45 Commissioner Pelissier said she is concerned that the Board is not giving clear direction
 46 for the watch dog issue.

47 Chair Jacobs said the Board is not clear on that point, and that is why there is a request
 48 for more clarity from the experts.

1 A motion was made by Commissioner Price, seconded by Commissioner McKee to table
2 this item for staff/ASAB to have time to review proposed suggestions from the Board and
3 provide responses to Board concerns.

4 Commissioner Gordon asked John Roberts if this motion is acceptable.

5 John Roberts said yes.

6 Commissioner McKee suggested that Professor Wall from the School of Government
7 might be made available to provide more direction.

8 Commissioner Gordon asked how the Commissioners can provide additional written
9 comments.

10 Michael Talbert said any written comments should be sent to the Manager's office.

11
12 VOTE: UNANIMOUS

13
14 **b. Orange County Volunteer Application-Proposed Revisions**

15 The Board considered proposed revisions to the Orange County Volunteer Application
16 for boards and commissions. A committee including Commissioner Gordon, Commissioner
17 Pelissier and Clerk to the Board Donna Baker had been charged by the Board to bring back
18 recommendations for Board consideration.

19 Commissioner Pelissier said she petitioned the Board in the spring to bring this forth to
20 add additional questions for particular boards. She said, for each of these five boards there
21 were some suggested additions. She talked with some board members and Donna Baker did a
22 survey of other boards and commissions.

23 She noted that there was an additional question suggested, outside of the charge. She
24 said this is included in the packet.

25 Commissioner Gordon said Donna Baker provided examples from other governmental
26 entities in the region and out of state.

27 She said the main discussion should be regarding the additional questions for the
28 selected boards.

29 Commissioner Price had concerns about the questions. She asked for an explanation
30 of the goal or purpose of these additional questions. She liked the four basic questions, but
31 she said she does not understand the need for some of the others.

32 She said the question regarding gender and ethnicity should be optional.

33 She said the term "domicile" is a bit ambiguous.

34 She asked if someone would be disqualified over the question of tax issues.

35 Donna Baker noted that these were questions that were suggested by a past Board of
36 County Commissioners.

37 Chair Jacobs said the Board should try to keep the discussion limited to pages 2, 3, and
38 4.

39 Commissioner Dorosin said he thinks the general question, regarding reasons for
40 serving on the board, is a good one. He is not in favor of making it more difficult for people to
41 get on these boards, and he feels that what the County currently uses is legitimate. He said he
42 is not in favor of any additional questions.

43 Commissioner McKee said he wants to see what people hope to accomplish on a board
44 and what their view is of Orange County's direction. He said this discussion is not about all
45 boards, but is only about the statutory and quasi-judicial boards. He wants to know something
46 about the people appointed to these boards.

47 Commissioner Rich said she likes some of the additional questions, such as the one for
48 OWASA, since she is more familiar with this board. She said she wants to know that an
49 applicant actually knows what OWASA does. She wants people appointed to the board to be

1 people that really want to know about the board and the issues. She feels that more
2 information is better.

3 Chair Jacobs said the conflict of interest question should be on every board. He said
4 this also gives another way of seeing if people understand the function of a board.

5 Chair Jacobs suggested asking applicants to list their preferences for serving on boards.
6 in order of priority

7 Chair Jacobs said he does not want these questions to be too onerous. He suggested
8 that comments be limited to 100 words or something brief, in order to encourage simplicity

9 Commissioner Price said some of these questions are too involved. She was on the
10 Board of Adjustment (BOA). She said it wasn't possible to get into the goals and priorities of
11 the Board of County Commissioners. She would rather know someone's expertise.

12 Commissioner Pelissier agreed with Commissioner Price about the BOA. She said
13 some of the questions are geared toward making sure the applicants know what kind of board
14 they are getting on.

15 Commissioner Dorosin said the conflict of interest question is too broad and has a legal
16 connotation. He said it may not be productive or useful. He said the only criteria should be that
17 applicants are residents who want to be involved and want to serve.

18 Commissioner Rich asked if there is other wording that could be used for the conflict of
19 interest question.

20 Commissioner Dorosin said he does not think so. He said most people will gravitate to
21 boards that are related to their expertise and interest.

22 Donna Baker said the Code of Ethics includes a conflict of interest clause, and this may
23 be duplication.

24 Chair Jacobs asked if this can be simplified.

25 The committee will consider the comments made by the Board, and recommend
26 appropriate changes and then this item will come back for action at a future Board meeting.
27

28 **8. Reports**

29 None
30

31 **9. County Manager's Report**

32 Michael Talbert said the County is moving forward with Hi Chew and Morinaga of
33 America. He said there will be two public hearings at the next meeting and the groundbreaking
34 is planned for March or April of 2014.
35

36 **10. County Attorney's Report**

37 None
38

39 **11. Appointments**

40 **a. Appointments to the Assessment of Jail Alternatives Work Group**

41 The Board considered making/confirming appointments to the *Assessment of Jail*
42 *Alternatives Work Group*.
43

44 Commissioner Gordon asked about the two Judge nominees for position number 1.

45 Donna Baker said these applicants would work together and alternate in the position, as
46 court schedules allow.

47 Commissioner Rich asked if the appointee for position number 10 was the only person
48 to fill this position. She noted the issues with Cardinal Healthcare.

49 Commissioner Dorosin said he would like to see someone else in that position, but he
50 would defer to the Department of Health.

1 Commissioner Pelissier noted that Debra Farrington was on staff with OPC when she
2 was on the board. She said she feels comfortable with Debra Farrington in this position.

3 Commissioner Price asked if any of the appointees are connected with the Latino
4 Community.

5 Donna Baker said many of these appointees were suggested by other entities.

6 Commissioner Price said she is just looking for more diversity.

7 Chair Jacobs said the answer may be no and this is beyond the Board's control.

8
9 A motion was made by Commissioner McKee, seconded by Commissioner Rich to
10 confirm the appointments to the Assessment of Jail Alternatives Work Group.

11
12 VOTE: UNANIMOUS

13
14 **b. Chapel Hill Library Board of Trustees**

15 The Board considered making an appointment to the Chapel Hill Library Board of
16 Trustees.

17 Chair Jacobs said the Library Board recommended a person who has already served
18 the limit of two full terms. He suggested that this spot be advertised.

19 Donna Baker said this has been advertised throughout the summer.

20
21 A motion was made by Commissioner Price, seconded by Commissioner Dorosin to
22 appoint James Stroud to the Orange County position on the Chapel Hill Library Board of
23 Trustees.

24
25 Commissioner McKee said he feels it would be a good idea to have a County
26 Commissioner appointed to this board, given the amount of money contributed to the Chapel
27 Hill Library. He said he would be interested in serving on this board.

28 Chair Jacobs said he does not want to appoint someone who does not know the history
29 of library relations between the Town of Chapel Hill and Orange County. He said he does not
30 know James Stroud, and this is a very important position.

31 Commissioner Gordon suggested that the position be re-advertised.

32 Commissioner Dorosin said he would like for James Stroud to be considered, because
33 he is a member of the Rogers Road community and would bring diversity to board. He noted
34 that James Stroud has lived in Orange County since 1955 and has knowledge of the County's
35 history.

36 He suggested the appointment be made, followed by the briefing requested by Chair
37 Jacobs.

38 Commissioner Rich said it really is important to understand the issues and conflicts, but
39 she would like to talk with the nominee before appointing him.

40 Commissioner Price said this is an advisory board, and it is good to have someone with
41 experience, but it is also good to have someone with interest. She said she does not see the
42 major concern.

43 Commissioner Pelissier suggested that possibly she and Chair Jacobs could meet with
44 James Stroud and the library director. She said it would also be good for him to have a
45 conversation with Orange County library staff if he is appointed.

46 Commissioner Price asked why the Board is doing this with this applicant and not with
47 other applicants.

48 Commissioner Pelissier said this would be like an orientation and would occur after the
49 appointment, not before.

1 Chair Jacobs said that the same person had represented that board for 8 years, and the
2 relationships and stakes have changed considerably in that time. He said Orange County has
3 specific interests with this Board.

4 Commissioner McKee's said his suggestion does not need to rest on just himself. He
5 said it could be any commissioner. He said his suggestion was based on the fact that the
6 County contributes heavily to the library and there has been some dissention over issues. He
7 feels it would be advantageous to have a direct link.

8
9 VOTE: 5-2 (Ayes, 5; Nays, 2 - Commissioner McKee and Commissioner Gordon)

10
11 **c. Orange County Housing Authority**

12 The Board considered making appointments to the Orange County Housing Authority.

13
14 A motion was made by, Chair Jacobs, seconded by Commissioner Price to appoint
15 Tammy Jacobs and Britney Walden to the Orange County Housing Authority.

16
17 VOTE: UNANIMOUS

18
19 **12. Board Comments**

20 Commissioner Rich – none

21 Commissioner Dorosin – none

22 Commissioner Price – none

23 Commissioner Gordon – none

24 Commissioner McKee – none

25
26 Commissioner Pelissier said that Triangle Transit is getting monthly updates on the light
27 rail project, and all of the agency comments that were made in the draft environmental impact
28 statement are being addressed.

29 Commissioner Pelissier said earlier this spring she made a petition regarding
30 Agricultural Support Enterprises to also include arts and culture. She said, at the last QPH, she
31 noted that there was nothing related to arts and culture. She referred back to the minutes from
32 the May 14 meeting and realized that the minutes are not very clear about the Board's intention
33 and direction for staff regarding arts and culture. She has talked to several Board members
34 and their understanding was that it was requested that arts and culture should be included.
35 She wants to make sure staff has clear direction.

36 Chair Jacobs said it would be helpful to have a verbatim transcript of these minutes.

37 Donna Baker said she could provide the verbatim minutes of this section of the
38 discussion from the May 14th BOCC work session for clarification to Board members and staff.

39 Chair Jacobs asked Commissioner Pelissier to update the public on Project Connect,
40 which will be happening on October 10th.

41 Commissioner Pelissier said she would encourage people to volunteer for Project
42 Connect. She said this is a great opportunity to get a first hand understanding of what is
43 happening in the community with the people who are homeless or at risk of becoming
44 homeless. She said donations are also welcomed, as Project Connect does not use County
45 money and is funded through donations and run by volunteers.

46
47 **13. Information Items**

- 48
49 • September 17, 2013 BOCC Meeting Follow-up Actions List
50 • Tax Collector's Report – Numerical Analysis

- 1 • BOCC Chair Letter Regarding Petitions from September 17, 2013 Regular Meeting

2

3 **14. Closed Session**

4

NONE

5

6 **15. Adjournment**

7 A motion was made by Commissioner Gordon, seconded by Commissioner Dorosin to
8 adjourn the meeting at 10:34pm.

9

10 VOTE: UNANIMOUS

11

12

Barry Jacobs, Chair

13

14

15 Donna Baker

16 Clerk to the Board

17

Attachment 2

DRAFT

MINUTES
ORANGE COUNTY BOARD OF COMMISSIONERS
JOINT MEETING WITH BOARD OF HEALTH
October 8, 2013
5:30 p.m.

The Orange County Board of Commissioners met for a joint meeting with the Board of Health on Tuesday, October 8, 2013 at 5:30 p.m. at the Link Government Services Center, in Hillsborough, N.C.

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

COUNTY COMMISSIONERS ABSENT:

COUNTY ATTORNEYS PRESENT: John Roberts

COUNTY STAFF PRESENT: Interim County Manager Michael Talbert, Assistant County Managers Clarence Grier, Cheryl Young and Deputy Clerk to the Board David Hunt (All other staff members will be identified appropriately below)

Chair Jacobs called the meeting to order.

1. Welcome from the Chairs

Chair Jacobs welcomed everyone.

Board of Health Chair, Matthew Kelm expressed appreciation for the Commissioners' time.

Introductions were made.

2. Health Department's Major Accomplishments

Colleen Bridger presented the following PowerPoint slides:

Board of County Commissioners & Board of Health
2013 Joint Meeting

Our Vision

- Innovation
- High Quality
- Efficient
- Customer Centered

Expansion of Services

Breast and Cancer Services

- 275 people will be able to receive services
 - Clinical Breast Exams
 - Mammograms
 - Pap Test
 - Diagnostic testing if results are abnormal

Outbreak Management (Chart)

1 **Data Driven** (Chart)

2

3 **Electronic Medical Records**

4 Efficiency - Accuracy- Integrated between clinic locations - Saves \$ - Improves access to data -

5 Environmentally friendly

6 (*Chart*)

7

8 **Outreach & Education** (photos)

9

10 **Outreach & Education** (Website photos)

11

12 Colleen Bridger said the Health Department staff recently went through a visioning
13 retreat after finishing several major projects. She noted the tremendous influx of new staff and
14 the need to think about where the department wanted to go.

15 She discussed some of the recent accomplishments of the department.

16 She said two grants have been received for expansion of breast and cervical cancer
17 services. She noted that Orange County falls below the state average in breast cancer
18 diagnoses.

19 She said Orange County had the highest number of measles outbreaks in the state, and
20 she outlined the difference between isolation and quarantine - isolation cases are already ill;
21 and quarantine cases are not ill, but have been exposed to the illness.

22

23 *BOH member Corey Davis arrived at 5:50.*

24

25 Commissioner Rich asked how the board knows that quarantined people stay in their
26 homes.

27 Colleen Bridger said staff checks on them daily. She said most are children who were
28 exposed in school.

29 Commissioner Rich asked if there had been any issue with low income needing support.

30 Colleen Bridger said that had not been the case with this outbreak.

31 Commissioner Price asked where people go during isolation.

32 Colleen Bridger said the people under isolation actually had the illness, and had
33 symptoms, so they were usually already in bed. She said the quarantined people had been
34 exposed to measles and were not vaccinated.

35 Commissioner Dorosin asked if this was a result of the anti-vaccine movement.

36 Colleen Bridger said many of these parents decided not to vaccinate their children as a
37 result of the anti-vaccine movement. She noted that this movement was initiated by poor
38 research and has developed a life of its own, despite reputable medical research to dispute the
39 myth that vaccines cause autism.

40 Colleen Bridger said people claim religious exemption, and this is a legal challenge.

41 BOH Member Paul Chelminski said vaccine intervention actually saves money for
42 society.

43 Colleen Bridger said the Health Department is here to respond to cases like this and to
44 prevent exposure. She said this was done successfully in this case.

45 Commissioner Rich clarified that one of these cases went to a doctor and then the
46 doctor reported it to the health department.

47 Colleen Bridger said the board contacted parents and provided guidance before the
48 children became symptomatic, which helped limit exposure.

49 Commissioner Rich asked about the specific location of the cases

50 Colleen Bridger said she did not know.

1 Commissioner Pelissier said she recalled that most cases were at one particular school.
2 Colleen Bridger said most cases were probably at the Emerson Waldorf School, which
3 has a high percentage of unvaccinated children. She said many people were vaccinated after
4 this outbreak.

5 Paul Chelminski said these children are not out of the woods yet, as there is a potential
6 fatal reactivation of measles that can occur decades later.

7 Commissioner Price asked if the health department approaches the school to make
8 contact with parents when there is knowledge of a child with an illness.

9 Colleen Bridger said each situation is different. She said contact is made with the
10 school to get the immunization records of each child that came in contact with the affected
11 person. She said contact is made with the parents of any unimmunized child.

12 She said a letter is also sent to each classroom, as well as bus riders, afterschool
13 programs and church groups. She said it is quite a complicated process.

14 Commissioner Price asked which staff members do that work.

15 Colleen Bridger said this is primarily done by nurses, sometimes paired with staff
16 persons.

17
18 *Commissioner Gordon arrived at 5:58.*

19
20 Colleen Bridger noted that the Orange County Health Department was given an award
21 for the best outbreak response.

22 Colleen Bridger said decisions of the Health Department are data driven and multi-
23 faceted. She said dashboards have been created for each of the board's three priorities –
24 access to care, substance abuse and mental health, and childhood obesity. She said this will
25 allow tracking of progress in each of these areas.

26 She said the Health Department is also developing management dashboards internally
27 for different departments, such as billing and appointments.

28 She said the Patagonia rollout is moving forward. She said the current focus is on the
29 electronic medical record piece. She said this is helping the department take better care of
30 patients and make better decisions about the allocation of resources.

31 She said Public Health has an annual "PHield" trip centered on Outreach and Education,
32 and students from the school of Public Health are brought to Hillsborough. She said this year's
33 group had 45 students, and staff worked hard to help them understand real world Public Health.

34 Colleen Bridger said videos have been created to tell the story of the Health
35 Department. She showed a video created by staff.

36 She showed a second video created by high school students in response to a peer
37 education program supported by Health Department grant funds. She said the purpose of this
38 was to improve HPV vaccinations among students.

39 She said, as a result of this campaign, there were 24 students who received the first of a
40 series of three vaccinations. She said half of these were male.

41 She passed out fliers regarding drug drop off boxes.
42

43 **3. Board of Health's Strategic Plan Progress**

44
45 Matthew Kelm reviewed the following slides:

46
47 **Board of Health**
48 **Strategic Plan 2012-2014**

49
50 **Priority Areas (Graphic)**

- 1 Community Health Assessment + Evidence Base
 2 - Access to Care
 3 - Substance Abuse & Mental Health
 4 - Childhood & Family Obesity
 5

6 **Evidence Based Decisions** (flowchart)
 7

8 **Access to Care**

9 Specifically:

- 10 • Lack of awareness of existing resources
 11 • Low Health Literacy
 12 • Sporadic availability transportation to health care
 13
 14 - Catalyze partnerships in Orange County
 15 - Advocate for and communicate about effective interventions
 16 - Encourage innovation at the OCHD
 17

18 **Access to Care**

- 19• Exploring the link between health and access to transportation
 20• Pursuing OCHD representation on a transit board
 21•

22 **Access to Care**

23 Innovations Grant

- 24 • 2013 Grant cycle near complete
 25 • 2013 Grants
 26 - EHR Integrated Medical Equipment
 27 - OCHD Media Resources
 28 - Childhood Lead Poisoning Prevention
 29 - Tobacco Cessation for County Employees
 30

31 Wide Angle Lens

- 32 • Advocacy training for framing children's mental health issues
 33 - Part 1 – Fall 2012
 34 - Part 2 – January 2013
 35

35 **Access to Care**

- 36• - Creating Health Literacy Policy for OCHD, with national expert at UNC-CH
 37• - Health Literacy Policy as eventual model for OC organizations
 38•

39 **Looking Forward** (timeline)
 40

41 Matthew Kelm said evidence based strategies ensure that the department is using
 42 finances and community resources as efficiently as possible. He used the example of
 43 childhood obesity interventions, which began as 24 strategies that were then narrowed down to
 44 the 5 that were the best fit for the County. He said 1 out of 4 County residents in the community
 45 health assessment were uncomfortable speaking with their physician.

46 He said physical access to healthcare is a subject of sporadic availability due to
 47 transportation. He said access to care is a wide category with 5 parts, or 5 A's. These are:
 48 availability, affordability, accessibility, acceptability, and accommodation.

49 He said that one focus of increasing access to care is examining transportation in the
 50 County. He reviewed a map developed by staff that depicts the location of medical facilities,

1 transportation routes and household access to personal vehicles. He said staff is seeking
2 representation on the transit board.

3 He reviewed the slide information on innovation grants

4 Commissioner Dorosin asked if these are grants given internally to employees of the
5 Health Department.

6 Matthew Kelm said yes

7 He said the second innovative thing done by the Health department was wide angle lens
8 training, which teaches effective framing for public health issues.

9 He defined health literacy as a person's ability to understand health related information,
10 instructions and decisions. He said the goal is to pass a health literacy policy in October and to
11 present data on transportation and health to the Board in March of 2014.

12 He reviewed the timeline slide and invited questions from the Board.

13 Commissioner Gordon asked about complete streets and also transportation and land
14 use planning.

15 Matthew Kelm said data is being looked at to determine existing opportunities. He said
16 someone visited from the planning department to give a primer on complete streets.

17
18 Susan Elmore reviewed the following slides on childhood and family obesity:

19 **Childhood & Family Obesity**

- 20 • Obesity continues to be top health concern in Orange County
- 21 • Primary prevention by working with children and their families is most effective

22
23 - Catalyze partnerships in Orange County

24 - Identify strategies proven to work

25 - Advocate to make the healthy choice the easy choice

26 27 **Childhood & Family Obesity**

28 Orange County Sportsplex

- 29 - Work will serve as model for improving food policies at child centered facilities

- 30
31 • Partnership led to:

32 - Nutritional assessment of all foods sold, with plan for improvements

33 - Removed fried food from camp lunches

34 - Provided over 700 healthy lunches to summer camps

- 35 • Biggest Nutritional issue was fried food

36 - Exploring replacement of fryer with convection oven.

37 38 **Looking Forward** (timeline)

39
40 Susan Elmore said less than 50% of the adults in Orange County get the recommended
41 amount of daily exercise, and less than 50% of the adults in Orange County are considered to
42 be of healthy weight.

43
44 Susan Elmore discussed the slide on the successful partnership with the Orange County
45 Sportsplex. She said the hope is that this partnership will serve as a model for improving food
46 policies at other child centered facilities.

47 She reviewed the following priorities in the "looking forward" timeline: Advocate for an
48 afterschool physical activity policy this fall; Identify lactation rooms at the Orange County Health
49 Department clinics in early 2014; Promote child care obesity prevention curriculum in spring of
50 2014; Evaluate Progress made at the Sportsplex in summer 2014.

1 Commissioner Price said she is glad to see the partnership with the Sportsplex. She
2 asked about the number of children reached here.

3 Susan Elmore said this was just one example of a partnership, but there are others.

4 Colleen Bridger said the purpose was to show that this could be done before spreading
5 the message broadly. She said implementation concerns have now been worked through.

6 Commissioner Price asked about the relationship with the schools.

7 Colleen Bridger said the school lunches are relatively healthy, as this is overseen by the
8 federal and state agencies. She said the primary focus in schools is physical activity. She said
9 there is more and more research to show that children do better in school when they are
10 physically active.

11
12 Tony Whitaker reviewed the following slides regarding substance abuse and mental
13 health:

14 **Substance Abuse & Mental Health**

- 15 • Health concerns range from second hand smoke to the increasing rates of overdose in
16 North Carolina
- 17 • Complex issues with far-reaching health and economic impacts
- 18 • Current state and national focus on parity and integration of mental health and
19 substance abuse services
- 20
- 21 - Review smoking policies for expansion
- 22 - Advocate for mental health and substance abuse treatment
- 23 - Explore integration of mental health and primary care
- 24

25 **SFPP Community Engagement** (Photos)

26 Stakeholders' voices heard during passage of rule, and to inform messaging and strategy to
27 date.

28 • **Smoke-Free Public Places**

29 Communication

- 30 • 9,711,652 Impressions
- 31 • 550 Signs posted

32 Cessation

- 33 • 74 OC Quit line participants
- 34 • 25 Cessation class participants

35 Nicotine Replacement Therapy

- 36 • 209 boxes of NRT distributed thanks to funding from the OC BOCC
- 37
- 38

39 **Substance Abuse & Mental Health**

40 Spotlight Series

41 October 23rd

42 *"New Opportunities in Substance Abuse Treatment*
43 *& the Legal System"*

44 Nov 20th

45 *"Diverse Perspectives on the Need and Success*
46 *of Integrative Healthcare"*

47 **Substance Abuse & Mental Health**

- 48 • - Promotion of recent legislative changes and system to track prescriptions

- 1• - Expand distribution of Naloxone, a medication that safely and quickly reverses opioid
- 2 overdose
- 3• - Healthy Carolinians of Orange County promoting “on the ground” community efforts
- 4 Project Lazarus (graphic)

6 **Looking Forward** (timeline)

8 Tony Whitaker said a committee has been formed to look at the topic of substance
9 abuse and mental health. He said these topics have been combined because they are so
10 closely related.

11 He said there has been a lot of discussion of innovation tonight, but not all innovation is
12 high visibility. He said the Board of Health reorganized the standard committees to represent
13 the board’s points of focus.

14 He said the Smoke Free Public Places (SFPP) initiative was one of the most successful
15 accomplishments of this past year. He said public input was valuable in tailoring the rule that
16 was eventually adopted.

17 He noted that the 550 signs posted for this initiative were covered by the funding
18 received.

19 Commissioner Rich asked about the cessation class.

20 Colleen Bridger said the “Fresh Start” model is used, and this involves a four session
21 class. Each class is facilitated by a trained educator. She said the class teaches people how to
22 quit smoking, set goals and create coping mechanisms.

23 Commissioner Rich asked if this has been successful.

24 Colleen Bridger said this is being evaluated. She said typically less than half of those
25 who try to quit smoking are successful. She said the rates are a little higher than that on the
26 initial evaluations. She is not comfortable publishing this information until 6-12 months after the
27 classes.

28 Tony Whitaker said nicotine replacement therapy kits have also been distributed, and he
29 thanked the Board for funding this.

30 He said the focus has now been shifted to a substance abuse and mental health
31 evaluation. He reviewed upcoming sessions happening on October 23, and November 20th,
32 and he invited Board members to attend.

33 He noted that Project Lazarus is an intervention model that has been used successfully
34 in Wilkes County. He said there are a number of different strategies that are community based,
35 education based and policy based. He said Healthy Carolinians has already begun community
36 and educational strategies, including installation of prescription drug boxes at three police
37 departments in the County.

38 He said Healthy Carolinians has received grant money to continue this work, and the
39 Board of Health is working with them to look at how to do more at a policy level.

40 Tony Whitaker said there are several coalition building efforts in the works for the future.

41 **4. Affordable Care Act Marketplace Status**

42 Colleen Bridger noted the flyer included in the abstract, which reviews information on the
43 Affordable Care Act.

44 She said her focus tonight is on how to work together as a community to get as many
45 people as possible enrolled in the marketplace. She said the first part of this process is letting
46 people know about it.

47 She said there is a national organization called Enroll America that has deployed workers
48 to states with the highest number of uninsured residents. She said North Carolina is one of those
49 states. She said there are volunteers being mobilized to go door to door to answer general
50

1 questions about the marketplace. She said Orange County is working closely with this
2 organization.

3 She said people reach a point of needing assistance enrolling in the marketplace. She
4 said many of these people haven't had health insurance in several years, and there is a lack of
5 knowledge of the terminology, as well as a lack of access to computers.

6 She said people connected to the Health Department, Social Services, the Department on
7 Aging, Planned Parenthood, Piedmont Health Services, or the hospital can go to one of those
8 agencies to receive assistance from a certified counselor.

9 Colleen Bridger said residents not already affiliated with any of these agencies can be
10 served by another coalition of folks from Piedmont Health Services, or by the coalition led by
11 CCNC. She said there is a toll free number for people to call to speak with a trained specialist.
12 She said there are people out there putting this information out there.

13 She asked the Board to help spread the word that people do not have to enroll in October.
14

15 Commissioner Gordon asked what efforts are being made to enroll 18-24 year olds.

16 Colleen Bridger said there were discussions in the beginning about targeting specific
17 population groups, but efforts have now turned more to a blanketing approach for everyone. She
18 said this can be adjusted if there appear to be gaps.

19 Commissioner Gordon said, after the blanket approach, there are different communication
20 methods that can be used to target different groups. She feels that there needs to be a
21 communication strategy.

22 Colleen Bridger said the communications piece is a Federal program. She said Enroll
23 America is providing a booster to that message and Orange County is providing assistance with
24 actually filling out the forms. She said people in that age group are much more likely to be able to
25 fill out those forms, but there is help available for choosing a plan. She said the County is taking
26 its lead from the federal government on getting the message out.

27 Commissioner Gordon asked who is getting the flyer.

28 Colleen Bridger said this is being given out at the health department.

29 Commissioner Gordon said that there should be a more comprehensive communications
30 strategy.

31 Colleen Bridger said the County needs to target the information, but the lead is taken from
32 the federal government.

33 Commissioner McKee said he has been to several events where this has been discussed,
34 and he warned that the program may have a bumpy start. He said he has directed people to the
35 Health Department for help with computer access and use.

36 He feels that a lot of the people who do not have health insurance are clients of county
37 organizations. He hopes the County can put out some press releases to get the word out
38 directing residents to the right organizations.

39 Colleen Bridger said there are letters and flyers being mailed and other agencies are doing
40 the same thing.

41 Chair Jacobs noted that the website is misspelled.

42 Commissioner Pelissier said that this dashboard technology falls in line with the
43 discussions on the strategic plan.

44 Commissioner Price asked if schools are tied into the electronic health records.

45 Colleen Bridger said there is only access to the immunization registry.

46 Commissioner Price asked if at risk students can be indentified in the case of an outbreak.

47 Colleen Bridger said this would only be possible if physicians enter the information into the
48 immunization registry.

49 Commissioner Price asked why breast cancer is so high in this County.

1 Colleen Bridger said the incidence rate is higher than the state, but mortality is also higher
2 than the state average and this is age adjusted data. She said this means it cannot be attributed
3 to overpopulation. She said there is no good explanation, but the solution is better screening.

4 Commissioner Rich asked if there is any ethnic data.

5 Colleen said the incidence is more prevalent in African Americans. She said screening
6 activities are targeted to African American churches.

7 Commissioner Dorosin said he would like to see more attention focused on child poverty in
8 the County. He asked for feedback on what else ought to be done.

9 He asked if there was anything that the Health Department would like to request from the
10 Board.

11 Colleen Bridger said more funding would be helpful.

12 She said one of the dashboards being worked on is "Social Determinants of Health". She
13 said poverty is a big indicator for all of the priority issues. She said there needs to be a better
14 understanding of the pockets of poverty in the County. She said this will allow greater focus for
15 the interventions.

16 She said the other initiative is to continue to invest in education, which is the solution to
17 pulling people out of poverty.

18 Commissioner Dorosin said he is thinking about the needs of children even before they
19 reach public school. He feels there needs to be more early intervention.

20 Colleen Bridger said the first five years are critical. She said it might be interesting to
21 delve into the brain development in the first five years, to further understand the importance of
22 investing in that age.

23 She said that her answer to Commissioner Dorosin's question is that the Board of Health
24 would like to better integrate health into things like planning and transportation. She said help is
25 needed from the Board in order to move forward with becoming more involved in this
26 conversation. She said more money would also be great.

27 Commissioner Dorosin asked if there were more money, would you be doing more of the
28 same thing to a larger number of people, or if it would mean expanding priorities.

29 Colleen Bridger said the department would expand their priorities.

30 Corey Davis said there is a huge list.

31 Commissioner Dorosin said he is interested in seeing that list.

32 Matthew Kelm said one of the intervention ideas came from working with environmental
33 health. He said this led to a realization that there could be more done to educate families about
34 lead in the water.

35 Colleen Bridger said the department was very appreciative of the additional funding for this
36 year.

37 Commissioner Pelissier referred to the comment on transportation and health. She said
38 the Master Aging Plan committee is always talking about transportation for the aging population.

39 She said it would be good to collaborate with other departments, such as the Department
40 on Aging.

41 Colleen Bridger said she would make sure this is on the radar screen.

42
43 *With no further business, the meeting was adjourned at 6:57 pm.*

44
45 Barry Jacobs, Chair

46
47
48 David Hunt
49 Deputy Clerk to the Board

50

Attachment 3

1
2
3 **EXCERPT FROM DRAFT MINUTES –ITEMS 5a and 5b--DECEMBER 2, 2013 BOCC**
4 **MEETING (TIME SENSITIVE)**

5
6 **DRAFT**

7 **MINUTES**
8 **BOARD OF COMMISSIONERS**
9 **REGULAR MEETING**
10 **December 2, 2013**
11 **7:00 p.m.**

12 The Orange County Board of Commissioners met in regular session on Monday,
13 December 2, 2013 at 7:00 p.m. at the DSS offices, in Hillsborough, N.C.

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

17 **COUNTY COMMISSIONERS ABSENT:**

18 **COUNTY ATTORNEYS PRESENT:** John Roberts

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

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

24
25 **5. Public Hearings**

26
27 **a. Community Development Block Grant (CDBG) Program – Economic Recovery**
28 **Program**

29 The Board conducted a public hearing to receive public comments prior to official close-out of
30 the County's FY 2010 Community Development Block Grant (CDBG) Economic Recovery
31 Program and authorized execution of the Certificate of Completion by the Chair of the Board of
32 County Commissioners.

33
34 Tara Fikes said the purpose of this meeting tonight is to conduct a public hearing to receive
35 public comments prior to official close-out of the County's FY 2010 Community Development
36 Block Grant (CDBG) Economic Recovery Program and authorize execution of the Certificate of
37 Completion by the Chair of the Board of County Commissioners. Tara Fikes said in February
38 2011, Orange County was officially awarded a \$500,000 Community Development Block Grant
39 (CDBG) from the N.C. Department of Commerce for an Economic Recovery Program. Funds
40 from this grant were intended to be used to repair eight (8) deteriorated housing units,
41 reconstruct one (1) dwelling unit and provide urgent repair assistance for an additional 15
42 dwelling units in the County.

43
44 She said all CDBG activities have now been completed and eight (8) homes were substantially
45 rehabilitated and 15 dwelling units received urgent repair assistance. The targeted home for
46 reconstruction activity was not completed due to the owner's reluctance to participate in the
47 program. A summary of the program beneficiaries is in their agenda packet. In order to
48 complete the grant close-out process, the N.C. Department of Commerce requires that a public
49 hearing be held prior to the official closeout of the Economic Recovery Program to assess the
50 performance of the County in administering the grant program. In addition, the County is
51 required to execute the Certificate of Completion form.

1
2 Tara Fikes said this grant provided \$500,000 in the community for this grant program.
3 She said a total of \$484,000 was expended for this program, leaving \$16,000 that was
4 associated with clearance and relocation costs for the home that withdrew from the program.
5 Thus, \$16,000 from this program will be retained by the State Community Development
6 Program.
7 Commissioner Pelissier asked that on targeted homes for reconstruction that did not participate
8 – was there a listing of back up homes.
9

10 Tara Fikes said there were backup homes and they did use funding to repair another
11 home. They were not able to re-program the other funds.
12

13 Commissioner Dorosin said in the future that he would like to see if staff could list all properties
14 that were rehabilitated and as well as the homes that are listed for urgent repairs.
15

16 Commissioner Dorosin said that the house that chose not to not participate in the program was
17 slated for reconstruction— what will happen to that house now.
18

19 Tara Fikes said a family lives there now and they have been working with some church groups
20 that are trying to help with some of the most urgent needs and repairs.
21

22 Commissioner Dorosin said of the 8 homes listed, how were these homes chosen.
23

24 Tara Fikes said at the time of the application process, they had to list the homes in need and
25 they had 8 homes plus an alternate list of about 6 other homes. They do have a waiting list of
26 about 20 homes that are in need of repair and her department normally maintains a list.
27

28
29 NO PUBLIC COMMENT
30

31 A motion was made by Commissioner Rich seconded by Commissioner Dorosin to close the
32 public hearing.
33

34 VOTE: UNANIMOUS
35

36 A motion was made by Commissioner Price seconded by Commissioner Rich to authorize
37 execution of the Certificate of Completion by the Chair of the Board of County Commissioners.
38

39 VOTE: UNANIMOUS
40
41
42
43
44

45 **b. Community Development Block Grant (CDBG) Program – Scattered Site Housing**
46 **Rehabilitation Program**

47 The Board will conducted a public hearing to receive public comments prior to official close-out
48 of the County's FY 2010 Community Development (CDBG) Scattered Site Housing
49 Rehabilitation Program and authorized execution of the Certificate of Completion by the Chair of
50 the Board of County Commissioners.
51

1 Tara Fikes said the purpose of tonight's meeting was to conduct a public hearing to receive
2 public comments prior to official close-out of the County's FY 2010 Community Development
3 (CDBG) Scattered Site Housing Rehabilitation Program and authorize execution of the
4 Certificate of Completion by the Chair of the Board of County Commissioners. She said in
5 February 2011, Orange County was officially awarded a \$400,000 Community Development
6 Block Grant (CDBG) from the N.C. Department of Commerce for a Scattered Site Housing
7 Rehabilitation Program. Funds from this grant were intended to be used to repair eight (8)
8 deteriorated housing units in the County.

9
10 Tara Fikes said that all CDBG activities have now been completed and seven (7) homes were
11 substantially rehabilitated. She said four of the homes were in the Town of Hillsborough, one in
12 Carrboro and two in the unincorporated area of the County. In order to complete the grant
13 close-out process, the N.C. Department of Commerce requires that a public hearing be held
14 prior to the official closeout of the Scattered Site Housing Rehabilitation Program to assess the
15 performance of the County in administering the grant program. In addition, the County is
16 required to execute the Certificate of Completion form.

17
18 Tara Fikes said the total costs for the completion of the housing rehabilitation plus associated
19 administrative costs is \$351,257. Thus, \$48,743 will be retained by the State Community
20 Development Program.

21
22 Commissioner Dorosin asked how are these homes selected and identified, what was the
23 criteria used to choose these homes and how they prioritize these homes.

24
25 Tara Fikes said these homes were identified as a result of her department making a public
26 advertisement in 2010. They took applications for a period of time to determine the need in the
27 community and also they received referrals from other agencies and individuals. This program
28 requires that recipients are homeowners and have an income below 60% of the area medium
29 and also had to tie the needs of the homes with the requirements of the program. The CDBG
30 program has a limit of \$40,000 per home but sometimes they have to ask for more depending
31 on the needs of the home. They try to look at requirements of each of their programs.

32
33 Commissioner Dorosin asked if any applications were turned down.

34
35 Tara Fikes said yes because of title issues on a couple of the applications. She added that the
36 program was a deferred loan program, meaning that the loan did not need to be paid back if the
37 resident lived in the home for the duration of the loan which is 15-years. The resident is
38 responsible for paying taxes and insurance on the home.

39
40 NO PUBLIC COMMENT

41
42
43 A motion was made by Commissioner Pelissier seconded by Commissioner Rich to close the
44 public hearing.

45
46 VOTE: UNANIMOUS

47
48 A motion was made by Commissioner Pelissier seconded by Commissioner Rich to authorize
49 execution of the Certificate of Completion by the Chair of the Board of County Commissioners.

50
51 VOTE: UNANIMOUS

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Chair Jacobs said it was hard to leave \$65,000 on table and to make sure next year to add projects or request waivers to be able to utilize the allocated amount.

Tara Fike said she tried to re-program the money but the state was eager to close out their programs this year but she will be aware of this next year.

Barry Jacobs, Chair

Donna Baker
Clerk to the Board

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No.** 6-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 nineteen (19) taxpayers with a total of twenty (20) 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 \$3,268.24 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2013-2014 is \$47,132.85.

RECOMMENDATION(S): The 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 release/refund resolution.

NORTH CAROLINA

RES-2013-108

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 DECEMBER 10, 2013

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Benton, James	1043988	2013	3,000	2,500	(7.90)	Damage (Appraisal appeal)
Churas, John Charles	9788928	2013	28,360	28,360	(236.40)	Incorrect situs address (Illegal tax)
Crumpton, Danny Lee II	8669543	2013	19,100	500	(170.75)	Antique auto plate (Appraisal appeal)
Edwards, Emanuel	1048467	2013	21,260	0	(366.00)	County changed to Guilford (Illegal tax)
Fairchild, Muki	1048695	2013	34,520	0	(575.55)	County changed to Durham (Illegal tax)
Hauser, Mark Richard	1023259	2012	5,930	5,930	(70.88)	Incorrect situs address (Illegal tax)
Kemp, Everett	1045711	2013	1,560	0	(54.65)	County changed to Durham (Illegal tax)
Kemp, Everett	1047255	2013	12,390	0	(225.81)	County changed to Durham (Illegal tax)
Ling, Cynthia Diane	1047964	2013	23,600	0	(402.97)	County changed to Buncombe (Illegal tax)
Mack, Russell	1028269	2012	18,490	0	(183.80)	County changed to Durham (Illegal tax)
McBryde, Aubrey	948480	2013	15,410	11,403	(37.33)	High mileage (Appraisal appeal)
Miller, Rodrick	9400450	2013	13,330	10,034	(52.10)	Price paid (Appraisal appeal)
Newton, Mary	1009789	2013	4,420	3,801	(5.76)	High mileage (Appraisal appeal)
Nicholson, Katherine	1048334	2013	19,110	17,199	(22.29)	High mileage (Appraisal appeal)
Picotte, Vincent	5761045	2013	9,110	7,470	(15.27)	High mileage (Appraisal appeal)
Riley, Kateri	1044517	2013	61,430	30,715	(485.42)	Half off value-Co owner is Military exempt - Home of record TX
Southgate, Mark	1048706	2013	53,639	33,639	(186.32)	Price paid (Appraisal appeal)
Stuchiner, Noa	1047710	2013	23,550	17,154	(101.09)	Price paid (Appraisal appeal)
Thomas, Michael Bradley	604520	2013	13,290	9,835	(32.19)	High mileage (Appraisal appeal)
Torain, Brittany	1014088	2013	14,530	12,205	(35.76)	High mileage (Appraisal appeal)
				Total	(3,268.24)	

November 14, 2013 thru
 November 20, 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: December 10, 2013

**Action Agenda
Item No. 6-c**

SUBJECT: Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

Resolution
Spreadsheet
Health Systems Properties, LLC
Memorandum of Understanding

INFORMATION CONTACT:

Dwane Brinson, Tax Administrator
(919) 245-2726

PURPOSE: To consider adoption of a resolution to release property tax values for four (4) taxpayers with a total of six (6) bills that will result in a reduction of revenue.

BACKGROUND: The Tax Administration Office has received four 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". A refund occurs when a tax bill has already been paid. A release occurs when a tax bill remains due, and such action creates an adjustment to the outstanding tax bill.

Three of the requests are for Health System Properties, LLC. In January 2012, a Memorandum of Understanding (MOU) was created between Health Systems Properties, LLC and Orange County, but the MOU was not implemented at that time. The MOU established that Health System Properties, LLC would pay to the Tax Office a sum of \$18,205.73 in 2011 and future years. These payments would be in lieu of paying a tax bill based on the true property value as Health Systems Properties, LLC is exempt from property taxes under North Carolina law. These two requests create a \$149,936.12 refund for the two previously paid tax bills (2011 and 2012). Contingent upon approval of this item, the County would provide a check with the refund to Health System Properties LLC.

The third request for Health System Properties, LLC would result in an adjustment to the 2013 unpaid bill to lower the amount due by \$78,404.34, per the MOU. To make these reductions, and fulfill the agreed-upon amounts due, assessed values for 2011, 2012, and 2013 should be reduced as shown on the accompanying spreadsheet.

It should also be noted that Health System Properties, LLC did provide the County with the agreed upon amount as outlined in the MOU of \$18,205.73 in both 2011 and 2012. Staff understands that the 2013 payment will be made following resolution of these requests.

Additionally, there is a release for University of North Carolina Hospitals at Chapel Hill in the amount of \$76,141.77. A release occurs when a tax bill is unpaid, and it creates a new amount due. This is government-owned property which is exempt by operation of law, but was taxed for 2013 due to an inadvertent omission of an exempt code when the property was recently subdivided.

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 \$306,849.12 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 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-2013-109

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
 DECEMBER 10, 2013**

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Dale Jackson	303352	2012	4,020	0	(44.59)	Illegal tax- double billed
Health System Properties, LLC	281883	2011	6,000,700	1,179,481	(74,266.06)	Illegal Tax--Amount Agreed Upon per MOU
Health System Properties, LLC	281883	2012	6,000,700	1,088,336	(75,670.06)	Illegal Tax--Amount Agreed Upon per MOU
Health System Properties, LLC	281883	2013	6,000,700	1,039,656	(78,404.34)	Illegal Tax--Amount Agreed Upon per MOU
Mary Avary Whittier	317409	2013	1,240,100	1,041,000	(2,322.30)	Clerical Error
University of North Carolina Hospitals at Chapel Hill	988774	2013	4,950,700	0	(76,141.77)	Illegal Tax--Governmental Exempt Property
				Total	(306,849.12)	

November 14, 2013 thru
 November 20, 2013



CONTRACT ROUTING FORM

Parties: UNC Health System Properties, LLC and Orange County

Contract#:

Term: Effective 01/01/11 - 06/30/111

- New
- Renewal
- Amendment
- Termination
- Accounts Payable
- Accounts Receivable

Purpose of Contract: In return for valuable consideration Health System Properties, LLC will pay \$18,205.73 as a fixed amount on an annual basis for the property located at 1350 Raleigh Road. *CURRENT LOCATION FOR IMAGING & SPINE CENTER*

Dept.: Strategic Planning

Dept. Contact: Mary Beck

Phone: 966-4038

REVIEW (in following order):

1. *Sylvia Thibaut* 1/10/12
Attorney or Purchasing Date
(Sylvia Thibaut)

4. *Gary Park*
President UNC Hospitals Date
(Gary Park)

2. *Mary Beck*
Department Director Date
(Mary Beck)

5. *William L. Roper* 25 Jan 2012
HSP President Date
(William L. Roper)

3. *Mel Hurston*
Property Committee Date 1/14/12
(Mel Hurston)

Contract to be signed by the CEO of the UNC Health care System or his/her designee following the completion of this form.

Copy to Purchasing on:
SUSAN HEIDINGER Date 2/1/12

Copy to Department on:
R. LAFRENAIE Date 2/1/12

PERSON REQUESTING CONTRACT: (Ray Lafrenaye)

- Terms of Contract:** 01/01/11 - 06/30/111
- If payment to be paid by Health System Properties LLC:** HSP Account
Enter Cost Center/Dept:
- Total Estimated Costs:** \$18,205.73

Please return signed routing and contract originals to Ray Lafrenaye, Facility Planning & Development



Office of the County
Attorney

ORANGE COUNTY
P.O. BOX 8181
200 S. CAMERON STREET
HILLSBOROUGH, NC 27278

January 4, 2012

RECEIVED

JAN 10 2012

LEGAL DEPT.

Sylvia Thibaut
Assistant General Counsel
UNC Health Care System
Legal Dept.
101 Manning Drive
4th Floor, Wing E
Chapel Hill, NC 27514

Re: Memorandum of Understanding for Health System Properties Acquisitions

Dear Sylvia:

Enclosed for signature are two originals of the referenced Memorandum. Both have been signed by the Orange County Manager, Frank Clifton. Once Mr. Roper has signed them please forward one signed original to me at the above address.

Thank you for your work on this.

Yours truly,

A handwritten signature in black ink, appearing to read 'John Roberts', is written over a horizontal line.

John Roberts

Encl. (2)

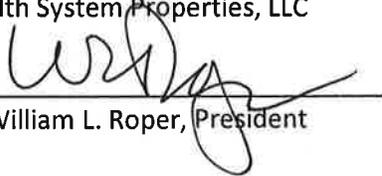
MEMORANDUM OF UNDERSTANDING FOR HEALTH SYSTEM PROPERTIES ACQUISITIONS

NOW COME Health System Properties, LLC, corporate entity, and Orange County, a political subdivision of the State of North Carolina, together "the Parties", and acknowledge and agree to the following:

1. In return for good and valuable consideration, the receipt of which is hereby acknowledged, Health System Properties, LLC, has agreed to pay a sum equal to the 2011 property tax amount on a tract of land, located in Orange County, Chapel Hill, North Carolina, at 1350 Raleigh Road (Orange County Property Identifier # 9798-44-1499), which it purchased on May 12, 2005.
2. The Parties agree that Health System Properties, LLC, will pay \$18,205.73 as a fixed amount on an annual basis, upon receipt of an invoice from the Orange County Tax Collector Office, for the property located in Orange County, Chapel Hill, North Carolina, at 1350 Raleigh Road (Orange County Property Identifier # 9798-44-1499).
3. The Parties agree that the \$18,205.73 shall be distributed annually on a pro rata basis the same as the tax receipts for any other similarly situated property would be distributed.
4. Health System Properties, LLC, does not own and did not construct the building located in Orange County, Chapel Hill, North Carolina, at 1350 Raleigh Road (Orange County Property Identifier # 9798-44-1499).
5. The University of North Carolina Hospitals constructed the building located in Orange County, Chapel Hill, North Carolina, at 1350 Raleigh Road (Orange County Property Identifier # 9798-44-1499), and entered into a ground lease with Health System Properties, LLC, effective 1 January 2011, for ninety-nine years and six months, for that property.
6. The term of this Memorandum of Understanding ("Memorandum") shall coincide with the term of the ground lease referenced in Section 5 above. This Memorandum shall thereafter automatically renew for successive terms of one-year or for the full term of any successive ground lease.
7. The Parties hereby agree that Health System Properties, LLC, will not pay any amount, annual or otherwise, for the structures or equipment located in Orange County, Chapel Hill, North Carolina, at 1350 Raleigh Road (Orange County Property Identifier # 9798-44-1499).
8. The Parties agree that this Memorandum constitutes and expresses the entire agreement and understanding between the Parties concerning the subject matter herein.

This the 25th day of January 2012.

Health System Properties, LLC

By: 
William L. Roper, President

Orange County

By: 
Frank Clifton, County Manager

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No.** 6-d

SUBJECT: NC State Firemen's and Rescue Squad Annual Certification Roster

DEPARTMENT: Emergency Services

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

Certification Form, Roster, & Training
Records Database (3)

INFORMATION CONTACT:

James Groves, 919-245-6100
Jason Shepherd, 919-245-6100

PURPOSE: To approve the certification requirements for the Fire Marshal's Division to participate in the North Carolina State Firemen's Association for the year 2013.

BACKGROUND: The NC State Firemen's Association requires eligible members to attend thirty-six (36) hours of training in each calendar year. The Fire Marshal received 68 hours of training and the Assistant Fire Marshals received 49.50 and 70.50 hours of training respectively in fire/arson investigations, NC Fire Prevention Code updates, fire behavior, and emergency medical services. The training received is required to maintain various certifications held by staff. A training records database of hours and training topics is attached.

North Carolina General Statute 58-86-25 requires submission of a complete and certified roster of eligible staff annually. As the governing body, the Board of County Commissioners must certify the annual certification roster. The certified roster and minimum training requirements determine eligibility for benefits through the Association, including line of duty death benefits, accidental death and dismemberment benefits and participation in the pension fund. The certification roster is attached and lists three individuals. Individual County fire districts submit their own certification rosters based on approval by their respective boards of directors and signature of approval by the board's president.

FINANCIAL IMPACT: The County provides funding for the costs associated with staff attending various training classes to maintain certifications and memberships in the NC State Firemen's Association. The cost to attend classes for certification for the Fire Marshal's Division was approximately \$1,172.

RECOMMENDATION(S): The Manager recommends that the Board approve the certification roster and authorize the Chair to sign the certification documents.

North Carolina State Firemen's Association
323 West Jones Street, Suite 401
Raleigh, NC 27603
1-800-253-4733

2013

ANNUAL CERTIFICATION OF FIREFIGHTERS

This form MUST be filled out and sent in for your Roster Renewal to be complete

North Carolina General Statute 58-86-25 requires that all certified fire departments submit a complete roster of its eligible firemen annually. This certified list determines eligibility for the \$50,000 line-of-duty death benefit as well as eligibility for Pension Fund credit. Failure to accurately and promptly report this information is a violation of G.S. 58-86-25 and will automatically result in a loss or reduction of benefits.

REPORT BY FIRE DEPARTMENT CHIEF

As Fire Department Chief, I have determined that the attached roster is a valid and accurate list of all eligible firemen, within the definition contained in North Carolina General Statute 58-86-25.

Name of Fire Department Orange County Fire Marshal Division

Fire Department Mailing Address 510 Meadowlands Drive

City Hillsborough State N.C. Zip Code 27278

Name of Fire Chief Jason Brian Shepherd
(Please print or type)

Signature of Fire Chief JASON B. SHEPHERD

Date 21 Nov 2013 Daytime Telephone (919) 245-6100

County Orange

CERTIFICATION BY GOVERNING BODY

Pursuant to G.S. 58-86-25, the governing body of a fire department operated by (i) a county is the county board of commissioners, (ii) a city is the city council, (iii) a sanitary district is the sanitary district board, (iv) a corporation, whether profit or non-profit, is the corporation's board of directors and (v) any other entity is that group designated by the board. Therefore, in our capacity as the governing body of the above-named fire department, we certify and find that the attached roster is a valid and accurate list of all eligible firemen in accordance with G.S. 58-86-25.

Name of Governing Body _____

Name of Governing Body Official _____
(Please print or type)

Authorized Signature _____ Title _____

Date _____ Daytime Telephone () _____

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This is a printer-friendly view of the page. To return to the normal view, click the Back button.

Department	Roster Management	Certification
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Manage Roster



- [add member](#)
- [manage certification](#)
- [pay dues](#)
- [print roster](#)

Department Roster



NCSFA ID	Name	Member Type	City	Company Id	Dept ID	Remove
133397	Elizabeth F. Gregory	A Paid Firefighter	Graham	100783	100783	Remove
183247	Jason Brian Shepherd	A Paid Firefighter	Efland	100783	100783	Remove
133396	Thomas David Sykes	A Paid Firefighter	Efland	100783	100783	Remove

Department Totals

Paid	Retired	Volunteer	Vacant	Totals
3	0	0	0	3



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Emergency Services

Training Attendance by Staff

Class Date Between {09/01/2013} And {10/31/2013}
and Last Name = "shepherd"

Date	Time	Category - Class Description	CEU	Hours	Hrs Pd	Points	Obj?
6397 Shepherd, Jason B							
09/09/2013	08:00	FV30 NC IAAI Testing		32.00	32.00	0.00	Y
10/14/2013	08:00	IAAI IAAI Conference		36.00	36.00	0.00	Y
Totals for Staff Member:				68.00	68.00	0.00	

Emergency Services

Training Attendance by Staff

Class Date Between {01/01/2013} And {11/18/2013}
and Staff ID = "SYKE01"

Date	Time	Category - Class Description	CEU	Hours	Hrs Pd	Points	Obj?
SYKE01 Sykes, David							
04/27/2013	09:00	FC40 Strategic and Tactical Operations		12.00	32.00	0.00	Y
05/06/2013	09:00	IAAI IAAI Conference		32.00	32.00	0.00	Y
08/07/2013	13:00	FP01 General Fire Prevention		2.00	2.00	0.00	Y
08/08/2013	13:00	FV01 General Fire Investigation		2.00	2.00	0.00	Y
08/09/2013	09:30	ISO ISO Grading Principles		1.50	1.50	0.00	Y
Totals for Staff Member:				49.50	69.50	0.00	

Emergency Services

Training Attendance by Staff

Class Date Between {01/01/2013} And {11/18/2013}
and Staff ID = "5600"

Date	Time	Category - Class Description	CEU	Hours	Hrs Pd	Points	Obj?
5600 Gregory, Elizabeth							
04/15/2013	08:00	FI01 Fire Inspections		30.00	30.00	0.00	Y
05/06/2013	09:00	IAAI IAAI Conference		32.00	32.00	0.00	Y
06/05/2013	13:30	FIADMIN Fire Service Administration / Leadership		3.00	3.00	0.00	Y
08/07/2013	13:00	FP01 General Fire Prevention		2.00	2.00	0.00	Y
08/08/2013	13:00	FV01 General Fire Investigation		2.00	2.00	0.00	Y
08/09/2013	09:30	ISO ISO Grading Principles		1.50	1.50	0.00	Y
Totals for Staff Member:				70.50	70.50	0.00	

*=Unexcused Absence X=Excused Absence

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

Action Agenda

Item No. 6-e

SUBJECT: Approval of Financing Arrangement and Fund Balance Appropriation for Orange Rural Fire Department No. 1, Inc. to Purchase a Replacement Fire Truck

DEPARTMENT: Finance and Administrative Services

PUBLIC HEARING: (Y/N)

No

ATTACHMENT (S):

Attachment 1. Letter from Orange Rural Fire Department No. 1, Inc. Board of Directors President

Attachment 2. November 14, 2013 Public Hearing Notice

Attachment 3. November 14, 2013 Public Meeting Notes

Attachment 4. Fire Service Agreement

Attachment 5. Certificate of Approval

INFORMATION CONTACT:

Clarence Grier, (919) 245-2151

PURPOSE: To approve a request from Orange Rural Fire Department No. 1, Inc. to enter into a financing arrangement to purchase a fire truck, authorize the Board of Commissioners' Chair to sign the appropriate documents related to the financing arrangement, and appropriate \$70,000 from the District's County-held fund balance.

BACKGROUND: In the attached letter (Attachment 1) addressed to Orange County Budget Office, Jeff Roberts, President of the Orange Rural Fire Department No. 1, Inc. indicated the department's intent to purchase a replacement fire truck. The department will purchase a 2014 Sutphen Engine to replace its current 1987 LTI truck. The President confirmed that the department went through a competitive bid process and awarded the bid to Sutphen Corporation.

According to Attachment 1, the purchase price of the truck totals \$490,251. The Department's Board of Directors agreed to borrow up to \$375,000 from CommunityOne Bank and to pay the remaining \$115,251 from the Department's capital reserve. The interest rate for the 5-year note is 3.29 percent with monthly payments of \$6,790. The total repayment, including principal and interest, equals \$407,400. It is important to note that these figures may vary slightly depending upon the actual loan closing date.

Section 147 of the Internal Revenue Code of 1986 outlines specific steps that must occur when a tax supported fire department enters into a financing arrangement:

- **Conduct a public hearing** – On November 14, 2013, the department held a public hearing regarding the purchase. The Department advertised the hearing in *The News of Orange* (Attachment 2). Per Attachment 3, no members of the public were present at the hearing and the Department did not receive any written comments from residents of the district.
- **Obtain approval of the “applicable elected representatives”** – In accordance with Section 147, the Board of County Commissioners must approve the District’s plan to enter into the debt arrangement. This approval does not create liability on the part of Orange County nor does it make the County responsible for the repayment of any debt assumed by the fire district. The approval provides a mechanism for the BOCC to acknowledge that, through this financing arrangement, Orange Rural Fire Department No. 1, Inc. is pledging use of the District’s tax dollars to repay the loan. In order to comply with this IRS requirement, the Chair of the Board of Commissioners must sign the Fire Service Agreement (Attachment 4) and Certificate of Approval (Attachment 5).

FINANCIAL IMPACT: The department’s major revenues consist of County fire district taxes and fees for service from the Town of Hillsborough. According to the district’s June 30, 2013 financial statements, the district received about \$1,442,734 during fiscal year 2012-13 from those two sources. The department had about \$500,250 in its bank accounts as of June 30, 2013. Funds remaining in the Department’s bank accounts would serve as a reserve that would potentially be used to cover unanticipated major expenses such as repairs or replacements of other older equipment.

In addition to requesting that the Board of Commissioners approve the financing arrangement for the replacement of the fire truck, the District also requests that Commissioners approve an appropriation of \$70,000 from the its County-held fund balance to purchase equipment to help outfit the truck. Should the Board approve the District’s request to appropriate \$70,000, approximately \$16,000 would remain in the department’s County-held unassigned fund balance.

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

1. Approve a request from Orange Rural Fire Department No. 1, Inc. to enter into a financing arrangement with CommunityOne Bank to purchase a fire truck;
2. Authorize the Board of Commissioners’ Chair to sign the appropriate documents related to the financing arrangement; and
3. Appropriate \$70,000 from the District’s County-held fund balance for the purposes outlined in the Financial Impact above.

Orange Rural Fire Department**P.O. Box 1511 • Hillsborough, NC 27278****919-732-7911 • www.orfd.net**

Paul Laughton
Orange County Budget Office
P.O. Box 8181
Hillsborough, NC 27278

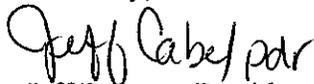
Dear Paul:

It is the intent of the Orange Rural Fire Department to purchase a replacement fire engine. The engine will replace a 1987 LTI. The total amount of the truck is \$490,251.67. The Orange Rural Fire Department has funds set aside from the sale of the 1987 truck in the amount of \$58,500 that will be used to help offset the purchase of the new truck. We will also take \$59,000.00 from the budget that was ear-marked for the new truck purchase. The Orange Rural Fire Department would also like to request \$70,000.00 from our unassigned fund balance to purchase equipment to help out fit the truck.

We have been pre-approved for a loan in the amount of \$375,000 from Communiyt One. The term of the loan will be five years with an interest rate of 3.29%. We are also in a USDA grant process with Piedmont Electric for an interest free loan. If awarded, we would be funded through the grant process with a zero percent interest. We have been approved for this grant through Piedmont Electric but are awaiting approval from the USDA. We anticipate that by the time delivery of the truck takes place that we will know for sure if we have been awarded.

If you have any questions, please feel free to contact me at 919-732-7911.

Sincerely,


Jeff Roberts, President

News of Orange

WEDNESDAY, OCTOBER 30, 2013 • B8

LEGALS

PUBLIC NOTICE

Public Notice is hereby given that the Orange Rural Fire Department No. 1 Inc. will meet on Thursday, November 14, 2013 at the fire department located at 206 S. Churton St., Hillsborough, NC 27278 at 6:00 p.m., in a public hearing pursuant to the requirements of section 147(f) of the Internal Revenue Code of 1986, as amended, on a proposal that the buyer enter into a term loan under the "Code" in order to finance the acquisition of equipment. The equipment to be financed consists of a Fire Truck (the equipment) and will be located at the firehouse in Hillsborough, NC. To finance the costs of such equipment and to pay costs and expenses incidental to the financing, the Buyer proposes to enter into a term loan agreement in the maximum aggregate principal amount of \$396,000.00 The Buyer will be required to pay all expenses of operating, maintaining, and insuring the project and to pay all taxes on the Equipment. The payments due pursuant to the term loan agreement will be payable and secured by a security interest Lien on the equipment above here mentioned. All persons interested may appear and be at said time and place or may file written comments with the department prior to the hearing set forth herein above, November 12, 2013, by order of the Orange Rural Fire Department No. 1 Inc.

October 30, 2013

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Lauri M.
Counsel,
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- C St., Chapel Hill, NC 27514, 3.25 acres, \$461.
- ive Maher Nouredine , 526 N Scotswood Blvd. Hillsbor-
ough, to Kervin B. Mack, 526 North Scotswood Blvd.,
Hillsborough, p100/107, 0.52 acres, \$980.
- ancy Sharon Paul A, 17 Arrowhead Drive, Brunswick, ME
45 04011 to John W. Larson, 386 Londin Cir., St. Paul, MN
55119, p92/48, 1 lot, \$15.
- h, Fine Corporate Enterprises LLC, 121 North Columbia
30x St., Chapel Hill, NC 27514 to Beatrice H. Workman,
1815 Guilford College Road Jamestown, NC 27282, 6.27

Attachment 3

**Orange Rural Fire Department
Public Hearing
11/14/2013**

Attending: Jeff Roberts, Chief Cabe

Call to Order at 6:00 by Jeff Roberts

Public meeting to discuss the purchase of a new truck.

There were no citizens present.

Adjourned at 7:00

Fire Service Agreement

This agreement, dated this ____ day of _____, 20____, by and between Orange Rural fire Department No. 1, Inc., a body corporate organized under the Laws of the State of North Carolina, the ("Fire Department"), and Orange County, a body politic, the ("Political Subdivision").

WHEREAS, Fire Department is a not for profit organization duly authorized for the purpose of providing firefighting services in an area within the jurisdiction of the Political Subdivision; and,

WHEREAS, the parties wish to enter into an agreement setting forth the area and duties of the Fire Department.

NOW THEREFORE, the Fire Department and Political Subdivision do hereby agree as follow:

1. Political Subdivision recognizes that Fire Department provides firefighting services to the hereafter generally described area or areas:
2. The area in which Fire Department has primary firefighting responsibilities (area of responsibility) is Orange Rural Fire District.
3. Political Subdivision shall not be liable or responsible for the conduct and activities of Fire Department.

IN WITNESS WHEREOF, the parties have had this agreement executed by duly authorized representatives thereof.

Orange Rural Fire Department No. 1, Inc.

By _____

Name _____

Title _____

Orange County

By _____

Name _____

Title _____

Certificate of Approval

Approval of Chief Elected Official of Orange County

I, _____, Chair of the Board of County Commissioners of Orange County, pursuant to the Internal Revenue Code of 1986, as amended (the "Code") hereby approve, authorize the entering into by Orange Rural Fire Department No. 1, Inc. a commercial loan by CommunityOne Bank for the amount of \$375,000 to finance a fire engine truck to be located in Hillsborough, NC 27278.

Execution of this document in no way creates liability on the part of Orange County and Orange County is not responsible for the repayment of any loan pursuant hereto.

By: _____

Title _____

Date _____

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No.** 6-f

SUBJECT: Resolution of Approval – Hughes-Morgan Conservation Easement Donation

DEPARTMENT: Environment, Agriculture,
Parks and Recreation
(DEAPR)

PUBLIC HEARING: (Y/N)

No

ATTACHMENTS:

Resolution of Approval
Vicinity Map
Site Map
Draft Conservation Easement

INFORMATION CONTACT:

David Stancil, 919-245-2510
Rich Shaw, 919-245-2514

PURPOSE: To consider a resolution to approve the acceptance by Orange County of a conservation easement to protect a portion of the Hughes-Morgan property.

BACKGROUND: The Lands Legacy Program works with landowners and other conservation partners to protect important natural and cultural resource lands in Orange County. Through this program, the County uses a variety of voluntary means to protect lands, including fee-simple acquisition, land donations, and purchase or donation of conservation easements. Since the program's inception (April 2000), the County and its partners have protected over 2,000 acres of prime farmland and riparian buffers with permanent conservation easements, and another 1,000 acres of important natural and cultural resource lands by other means.

Michael Hughes and Dale Morgan own a 29-acre property located east of Orange Grove Road (Bingham Township). Along with the family's residence and outbuildings, the parcel includes a forested area containing approximately 1,000 linear feet of Collins Creek, a perennial stream that originates in Orange County and flows into Chatham County and the Haw River.

The owners intend to protect an 11-acre portion of the property with a permanent conservation easement, which would safeguard forested buffers and wildlife habitat along both sides of Collins Creek. Collins Creek is one of only four water bodies within Orange County's jurisdiction with water quality designated as "impaired" by the State of North Carolina. The County's 2030 Comprehensive Plan includes a specific objective to reduce the number of State-listed impaired streams by minimizing impacts of non-point and point source pollution.

DEAPR Staff and the County Attorney are working with the owners to prepare an agreement that meets their needs and the County's interests. The easement will prohibit future subdivision, thereby eliminating two potential house sites, and preserve the mixed hardwood forest and

Collins Creek corridor in their natural condition. All future development rights will be extinguished. DEAPR staff will monitor the property on an annual basis. A copy of the draft easement is attached.

FINANCIAL IMPACT: The landowners, Michael Hughes and Dale Morgan, intend to donate the conservation easement to Orange County and pursue state and federal tax benefits available for such easement donations. The cost to the County would be approximately \$6,000 in transaction costs, including the appraisal, easement survey, title search and closing fees. Those funds would come from existing funds budgeted in the Lands Legacy Capital Project.

The owners intend to take advantage of the NC Conservation Tax Credit program – available for easement donations – before the program expires December 31, 2013. The owners will also qualify for enhanced federal tax incentives for easement donations, which are also due to expire at the end of 2013.

RECOMMENDATION: The Manager recommends the Board adopt and authorize the Chair to sign the resolution approving the acceptance by Orange County of the conservation easement and authorize the Chair and the Clerk to sign the conservation easement agreement, subject to final review by staff and County Attorney, with a closing and recordation of the document expected to occur on or about December 31, 2013.

RES-2013-110

ORANGE COUNTY BOARD OF COMMISSIONERS**RESOLUTION****Approval of Conservation Easement between
Orange County and
Michael Hughes and Dale Morgan**

WHEREAS, Orange County has adopted goals that promote the preservation of natural areas, wildlife habitat, farmland and open space in the County; and

WHEREAS, Orange County established the Lands Legacy Program for the purpose of protecting the most significant natural and cultural resources through partnerships with landowners and other conservation entities; and

WHEREAS, one component of the Lands Legacy Program is the acquisition of conservation easements on lands that include natural areas, wildlife habitat and riparian buffers within water supply watersheds; and

WHEREAS, Michael Hughes and Dale Morgan own a 29-acre property located within the Haw River water supply watershed; and

WHEREAS, Michael Hughes and Dale Morgan wish to protect an 11-acre portion of their property—including an intact forested stream corridor with approximately 1,000 linear feet of Collins Creek, which flows through the property en route to Haw River and Jordan Lake; and

WHEREAS, Michael Hughes and Dale Morgan wish to donate a permanent conservation easement to Orange County, which will protect significant natural resources on the property:

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Commissioners does hereby 1) accept on behalf of Orange County the conservation easement in the property owned by Michael Hughes and Dale Morgan that is described in the conservation easement agreement; 2) approve the execution of this conservation easement agreement with Michael Hughes and Dale Morgan, in accordance with the terms of the attached easement agreement, subject to final review by staff and the County Attorney; and 3) authorize the Chair and the Clerk to sign the easement agreement on behalf of the Board, with a closing to occur on or about December 31, 2013.

BE IT FURTHER RESOLVED that the Board thanks Mr. Hughes and Ms. Morgan for their civic-minded interest in pursuing this conservation easement through the Lands Legacy Program.

This the 10th day of December, 2013.

Barry Jacobs, Chair
Orange County Board of Commissioners

Donna Baker, Clerk to the Board

Hughes-Morgan Conservation Easement

Site Map



-  Hughes-Morgan boundary
-  Easement area (11.21 acres)
-  Parcel boundary

2012 aerial



1 inch = 369 feet



This instrument prepared by and return to: John L. Roberts, Office of the Orange County Attorney
Box 8181, Hillsborough, NC 27278

Revenue Stamps: _____

NORTH CAROLINA
COUNTY OF ORANGE

**WARRANTY DEED OF
CONSERVATION EASEMENT**

This Deed of Conservation Easement (hereinafter "Conservation Easement") is made on this ____ day of _____, 2013 by **MICHAEL HUGHES** and **DALE A. MORGAN**, having an address of 8112 Orange Grove Road, Chapel Hill, NC 27516 (hereinafter "Grantor") and **ORANGE COUNTY, NORTH CAROLINA**, having an address of Post Office Box 8181, Hillsborough, NC 27278 (hereinafter "Grantee" or "the Grantee").

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include singular, plural, masculine, feminine or neuter pronouns as required by context.

RECITALS

A. The Grantor is the sole owner in fee simple of certain real property located in Bingham Township, Orange County, North Carolina, and described on Exhibit A hereto, which is incorporated herein by reference. The tract of land comprises approximately 11.18 acres, and is hereinafter referred to as "the Easement Area." The Easement Area includes buildings and other improvements, which are shown on Exhibit C, attached hereto and incorporated herein.

B. The Grantee is a body politic and corporate, a political subdivision of the State of North Carolina, with powers prescribed in Chapter 153A of the North Carolina General Statutes.

C. To the extent practicable, the Grantor and Grantee wish to maintain the Easement Area as a combination of woodland and open space suitable as habitat for the native flora and fauna of the North Carolina Piedmont, and to protect the water quality of Collins Creek and other perennial streams that flow through this land and eventually to the Haw River and Jordan Lake. The grant of this Conservation Easement will further said wish, and will serve the following "Conservation Purposes," as such that term is defined in Section 170 (h)(4)(A) of the Code:

The Easement Area contains a natural area that has not been subject to significant development, which provides a "...relatively natural habitat of fish, wildlife, or plants, or similar ecosystem," as that phrase is used in P.L. 96-541, 26 UCS 170(h)(A)(ii), as amended, and in regulations promulgated thereunder.

The Easement Area contains complex natural communities including: bottomland hardwood forest dominated by hardwood wetland trees; Collins Creek and three feeder streams; upland forest dominated by beech, oaks, hickories, and large pines; a diverse forested habitat for several species of birds; and natural depressions in low-lying areas that provide breeding sites for salamanders, a community ranked "globally rare" and "very rare in the state" by the North Carolina Natural Heritage Program. It is a primary purpose of this Conservation Easement to protect the largely undeveloped nature of the Easement Area and, in doing so, to support and help protect the natural area and wildlife habitat associated with this area.

The Easement Area also contains an intact segment of Collins Creek, which the State of North Carolina identifies on its list of "303(d) impaired streams." It is a specific objective of Orange County in its 2030 Comprehensive Plan, to reduce the number of 303(d) impaired streams by minimizing impacts of non-point and point source pollution. Another primary purpose of this Easement is to protect the undeveloped nature of the Grantor's Easement Area and, in doing so, helping to protect the water quality associated with Collins Creek.

The Easement Area also contributes to the open space and rural character of this section of Bingham Township. It is a further purpose of this Conservation Easement to help to protect the rural character and open space of Bingham Township.

The natural habitat of the Easement Area, and its contribution to the protection of Collins Creek water quality, as well as the open space and rural character of Bingham Township are collectively referred to as the "conservation values" of the Easement Area.

The Grantor and Grantee agree that the current uses of and improvements to the Easement Area are consistent with the conservation purposes of this Conservation Easement. The conservation purposes of this easement, notwithstanding anything to the contrary contained herein, are also recognized by, and this Conservation Easement will also serve, the following clearly delineated governmental conservation policies:

(1) the Orange County Board of Commissioners' goal (adopted June 21, 1999) to identify and coordinate the preservation of the County's most significant natural areas; and

(2) the Land Use Element of the Orange County Comprehensive Plan (adopted November 18, 2008) with its goal of "Land uses that are appropriate to on-site environmental conditions and features, and that protect natural resources, cultural resources, and community character."

(3) the protection of similar Orange County properties designed to protect conservation and open space values through conservation easements granted to the Grantee and others in the immediate vicinity of the Easement Area; and

(4) NCGS § 139-2 *et seq.*, which provides that "it is hereby declared ...that the farm, forest and grazing lands of the State of North Carolina are among the basic assets of the State and the preservation of these lands is necessary to protect and promote the health, safety and general welfare of its people... it is hereby declared to be the policy of the legislature to provide for the conservation of the soil and resources of this State"; and

(6) Article 17 of the North Carolina General Statutes NCGS 113A-240-241, entitled Conservation, Farmland and Open Space Protection and Coordination, otherwise known as the "Million Acre Initiative," which states that the State of North Carolina shall encourage, facilitate, plan, coordinate, and support appropriate federal, State, local, and private land protection efforts so that an additional one million acres of farmland, open space and conservation lands in the State are permanently protected by December 31, 2009; and

(7) the North Carolina Conservation Tax Credit Program, authorized by NCGS § 105-130.34 and 105-151.12 *et seq.*, which provides for state income tax credits for donations of land that are useful for fish and wildlife conservation and other similar land conservation purposes; and

(8) the Clean Water Management Trust Fund, authorized by NCGS § 113A-251 *et seq.*, which finances projects to acquire land and interests in land, including conservation easements for the purposes of providing environmental protection for surface waters and urban drinking water supplies; and

(9) the Soil and Water Conservation Districts Act, authorized by NCGS § 139-1, *et seq.*, which provides for the preservation of farm, forest and grazing lands; and

(10) the special use assessment of farm and forestland as set forth in NCGS § 105-277.2 *et seq.*, which allows for lower property tax rates for land enrolled in active agricultural uses.

D. The characteristics and conservation values of the Easement Area, its current use and state of improvement, are described in a report entitled "Baseline Documentation Report for the Fern Creek Conservation Easement," dated December 2013 (hereafter "the Baseline Report") prepared by Orange County DEAPR for the Grantor, of which a summary is attached as Exhibit B to this Conservation Easement. The Grantor worked with the Grantee to ensure that the report is a complete and accurate description of the Easement Area as of the date of this Conservation Easement. It will be used by the Grantor and Grantee to assure that any future changes in the use of the Easement Area will be consistent with the terms of this Conservation Easement. However, the Baseline Report is not intended to preclude the use of other evidence to establish the present condition of the Easement Area if there is a question about its use.

E. The Grantor and Grantee have the common purpose of conserving the above-described conservation values of the Easement Area in perpetuity, and the State of North Carolina has authorized the creation of Conservation Easements pursuant to the terms of the North Carolina Conservation and Historic Preservation Agreements Act, N.C. Gen. Stat. § 121-34 *et seq.*, and G.S. § 153A-176 and G.S. § 160A-266 - 279, which provide for the enforceability of restrictions, easements, covenants or conditions "appropriate to retaining land or water areas predominantly in their natural, scenic or open condition or in agricultural, horticultural, farming, or forest uses," and which provide for tax assessment of lands subject to such agreements "on the basis of the true value of the land and improvements less any reduction in value caused by the agreement"; and the Grantor and Grantee wish to avail themselves of the provisions of those laws.

NOW, THEREFORE, the Grantor, as an absolute gift of no monetary consideration, but in consideration of the facts recited above and of the mutual covenants, terms, conditions and restrictions contained herein, hereby gives, grants and conveys unto the Grantee, its successors and assigns, forever and in perpetuity for the benefit of the people of North Carolina, a Conservation Easement over the Easement Area of the nature and character as follows:

With the exception of those rights retained herein, Grantor conveys to Grantee all development rights that are now or hereafter allocated to, implied, reserved or inherent in the Easement Area, and the parties agree that such rights are terminated and extinguished, and may not be used on or transmitted to any portion of the Easement Area, as it now or hereafter may be bounded or described, or to any other property.

1. **PURPOSE.** As outlined in the Recitals above, the purposes of this Conservation Easement are to ensure that the Easement Area will be retained forever, predominantly in its

natural, forested, and open space condition; to protect native plants and animals, or plant communities on the Easement Area, while allowing certain limited uses on the Easement Area that are compatible with and not destructive of the conservation values of the Easement Area; and to prevent any use of the Easement Area that will significantly impair or interfere with conservation values or interests of the Easement Area.

Grantor will not perform, nor knowingly allow others to perform, any act on or affecting the Easement Area that is inconsistent with the purposes of this Conservation Easement. However, unless otherwise specified below, nothing in this Conservation Easement shall require the Grantor to take any action to restore the condition of the Easement Area after any act of nature or other event over which Grantor had no control. Grantor understands that nothing in this Conservation Easement relieves her of any obligation or restriction on the use of the Easement Area imposed by law.

2. **EASEMENT AREA USES.** Any activity on, or use of, the Easement Area inconsistent with the purposes of this Conservation Easement is prohibited. The Easement Area shall be maintained in its natural and open condition and restricted from any development that would impair or interfere with the conservation values of the Easement Area. Without limiting the generality of the foregoing, the following is a listing of activities and uses which are expressly prohibited or which are expressly allowed. Grantor and Grantee have determined that the allowed activities do not impair the conservation values of the Easement Area. Additional retained rights of Grantor are set forth in Paragraph 3 below.

2.1 Subdivision and Conveyance. The Easement Area is a portion of one tax parcel (herein “parcel”), which is described in Exhibit A. The Easement Area itself may not be further divided, subdivided or partitioned to establish additional parcels. Any future conveyance of the fee simple interest in the Easement Area shall be subject to this Conservation Easement. Grantor agrees for themselves, their successors and assigns, that in the event they transfer the Easement Area, such transfer is subject to the Grantee’s right of ingress, egress, and regress over and across the Easement Area for the purposes set forth herein.

2.2 Construction. No permanent structures exist on the Easement Area at the time of this Conservation Easement. The Grantors’ reserve the right to construct or reconstruct new structures and other improvements described in subparagraphs (a) through (c) below. Any construction or reconstruction not permitted below is prohibited. Furthermore, there shall be no constructing or placing of any outdoor lighting, utility pole, utility tower, conduit or line on or above the Easement Area. Before undertaking any construction or reconstruction that requires advance permission, Grantor shall notify Grantee and obtain written permission from the Orange County Department of Environment, Agriculture, Parks and Recreation or a successor department. All construction or reconstruction is subject to Orange County zoning regulations

and must be consistent with permits required by and issued by Orange County under its laws and ordinances for such construction activities.

(a) Fences – Fences may be built on the Easement Area to identify property boundaries and thereafter repaired and replaced without any further permission of Grantee.

(b) New Structures and Improvements – Grantors have the right to construct no more than three (3) small pedestrian bridges to cross over streams within the Easement Area. No other structures may be placed or constructed on the Easement Area.

(c) Pedestrian Trails – Pedestrian trails may be constructed as long as such trails be of a natural surface, not be more than six feet (6') wide, and located at a minimum distance of thirty (30) feet from the top of the bank of the Collins Creek.

2.3 Utility Services and Septic Systems. Construction, maintenance, repair or improvement of electric, gas, water facilities, sewer lines and/or other public or private utilities, including telephone or other communication services is prohibited within the Easement Area.

2.4 Agricultural, Grazing and Horticultural Use. Agricultural, grazing, and horticultural uses of the Easement Area are prohibited.

2.5 Timber Harvesting and Forest Management. Commercial timbering of trees on the Easement Area is prohibited. Trees may be removed, cut and otherwise managed to control insects and disease, to prevent personal injury and property damage, to remove non-native species, and/or to salvage wind-thrown timber for firewood and other non-commercial purposes, including for construction of permitted improvements and fences on the Easement Area. Such management activities must be pursuant to a written Forest Management Plan or Forest Stewardship Plan prepared by a North Carolina registered forester, the selection of whom is mutually agreed upon by Grantor and Grantee and which management activities must be agreed to in advance by Grantee and Grantor.

2.6 Recreational Use. Consistent with the purpose of and the limitations contained in this Conservation Easement, Grantor shall have the right to engage in and permit others, whether or not for consideration, to engage in recreational uses of the Easement Area, including, but not limited to, hiking, picnicking, and other recreational uses that require no buildings, facilities, surface alteration or other development of the land. Hunting is prohibited except as authorized in Section 2.13 of this Conservation Easement. Grantor reserves the right to promulgate and enforce reasonable rules and regulations for all activities incident to recreational use of the Easement Area, including but not limited to the right to prohibit any recreational use that would permit destruction of other significant conservation values of the Easement Area.

2.7 Excavation. There shall be no filling, excavation, dredging, mining or drilling; no removal of topsoil, sand, gravel, rock, peat, minerals or other materials; and no change in the topography of the land in any manner except as necessary to allow a) the construction of the improvements permitted herein, b) the maintenance of hiking trails permitted herein, c) the combating of erosion or flooding, and d) to enhance the plant and animal ecosystems native to the locality.

2.8 Destruction of Plants. Grantor shall have the right to cut and remove diseased trees, shrubs, or other plants, to cut and remove invasive (usually non-native) trees, shrubs and other plants, and to cut firebreaks. Grantor shall also have the right to cut and remove trees, shrubs, or other plants to accommodate the activities expressly allowed under this Conservation Easement. There shall be no additional removal, harvesting, destruction or cutting of native trees, shrubs or other plants. Furthermore, except to accommodate the activities expressly permitted in this easement, there shall be no use of fertilizers, plowing, introduction of non-native animals, or disturbance or change in the natural habitat in any manner.

2.9 Water Quality and Drainage Patterns. There shall be no pollution of surface water, natural water courses, lakes, ponds, marshes, subsurface water or any other water bodies, nor shall activities be conducted on the Easement Area that would be detrimental to water purity or, except as specified herein, that could alter the natural water level or flow in or over the Easement Area. There shall be no alteration, depletion or extraction of surface water, natural watercourses, lakes, ponds, marshes, subsurface water or any other water bodies on the Easement Area. Diking, draining, filling or removal of wetlands is prohibited.

2.10 Signage. No signs or billboards or other advertising displays are allowed on the Easement Area except as otherwise permitted herein and as follows: signs authorized by Orange County zoning regulations whose placement, number and design do not diminish the scenic character of the Easement Area may be displayed to identify the conservation values of the Easement Area, to identify the Conservation Easement, to give directions, to advertise or regulate permitted uses on the Easement Area and prescribe rules and regulations for educational use of the Easement Area, to advertise the Easement Area for sale or rent, to post the Easement Area against trespassers, and to identify the Grantor as fee simple owner of the Easement Area, and to identify the Grantee as holder of the Conservation Easement.

2.11 No Biocides. There shall be no use of pesticides or biocides, including but not limited to insecticides, fungicides, rodenticides, and herbicides, except as approved by Grantee to control invasive species detrimental to the conservation values of the Easement Area.

2.12 No Dumping. There shall be no storage or dumping of trash, garbage, abandoned vehicles, appliances, or machinery, or other unsightly or offensive material, hazardous substance, or toxic waste on the Easement Area. There shall be no changing of the topography through the placing of soil or other substance or material such as land fill or dredging

spoils, nor shall activities be conducted on the Easement Area that could cause erosion or siltation on the Easement Area.

2.13 Predator Control. Grantor shall have the right to control, destroy, or trap predatory and problem animals that pose a material threat to humans by means and methods with prior written approval of Grantee. The method employed shall be selective and specific to individuals, rather than broadcast, nonselective techniques.

2.14 Commercial Development. Any commercial or industrial use of or activity within the Easement Area is prohibited. This restriction on use shall not be construed to prohibit use of the Easement Area for recreational, educational and scientific purposes, as long as such activities are undertaken on a noncommercial basis.

2.14 Development Rights. Grantor conveys to Grantee all development rights that are now or hereafter allocated to, implied, reserved or inherent in the Easement Area, and the parties agree that such rights are terminated and extinguished, and may not be used on or transmitted to any portion of the Easement Area, as it now or hereafter may be bounded or described, or to any other property.

3. **ADDITIONAL RIGHTS RETAINED BY GRANTOR.** Grantor retains the following additional rights:

(a) Existing Uses. The right to undertake or continue any activity or use of the Easement Area not prohibited by this Conservation Easement. Prior to making any change in use of the Easement Area, Grantor shall notify Grantee in writing to allow Grantee a reasonable opportunity to determine whether such change would violate the terms of this Conservation Easement. This determination by Grantee shall be made in writing.

(b) Transfer. The right to sell, give, mortgage, lease, or otherwise convey the Easement Area is subject to the terms of this Conservation Easement.

4. **GRANTEE'S RIGHTS AND RESPONSIBILITIES.** To accomplish the purposes of this Conservation Easement, the following rights are granted to Grantee and the following responsibilities are reserved to Grantee by this Conservation Easement:

(a) Right to Protect. The right to preserve and protect the conservation values of the Easement Area and enforce the terms of this Conservation Easement.

(b) Right of Entry. Grantee, its employees, representatives, and agents and its successors and assigns, have the right, after reasonable advance notice to Grantor or with Grantor's prior verbal consent, to enter the Easement Area for the purposes of: (a) inspecting the Easement Area to determine whether the Grantor, her representatives, assigns, heirs and successors are complying with the

covenants and purposes of this Conservation Easement; and (b) monitoring and research as described below.

- (c) Monitoring and Research. The right, but not the obligation, to monitor the native plant and wildlife populations, plant communities and natural habitats on the Easement Area. Grantee agrees that all monitoring activity, inventory and assessment work or other natural resource research conducted by Grantee or at Grantee's direction or with Grantee's permission shall be reported to Grantor. Grantor agrees that all monitoring activity, inventory and assessment work or other natural resource research conducted by Grantor or at Grantor's direction or with Grantor's permission shall be reported to Grantee.
- (d) Management of Exotics and Invasive Species. The right, but not the obligation, to control, manage or destroy exotic non-native species or invasive species of plants and animals that threaten the conservation values of the Easement Area. Grantee will consult with Grantor prior to implementing any such control activities.

5. **RESPONSIBILITIES OF GRANTOR AND GRANTEE NOT AFFECTED.**

Other than as specified herein, this Conservation Easement is not intended to impose any legal or other responsibility on the Grantor, or in any way to affect any existing obligation of the Grantor as owner of the Easement Area. Among other things, this means:

(a) Taxes – The Grantor shall continue to be solely responsible for payment of all taxes and assessments levied against the Easement Area. If Grantee is ever required to pay any taxes or assessments on its interest in the Easement Area, the Grantor will reimburse Grantee for the same.

(b) Upkeep and Maintenance – The Grantor retains all responsibilities and shall bear all costs and liability of any kind related to the ownership, operation, and upkeep and maintenance of the Easement Area, including the maintenance of adequate comprehensive general liability insurance coverage. Grantee shall have no obligation for the upkeep or maintenance of the Easement Area. Grantor will remain responsible for upkeep, maintenance, and repairs to any impoundments located on the Easement Area.

(c) Liability and Indemnification – Grantor agrees to indemnify and hold Grantee harmless from any and all costs, claims or liability, including but not limited to reasonable attorneys' fees arising from any personal injury, accidents, negligence or damage relating to the Easement Area, or any claim thereof, unless due to the negligence of Grantee or agents of Grantee, in which case liability shall be as provided by law. In addition, Grantor agrees to maintain liability insurance covering the Easement Area with the limits as follows: (i) \$300,000 per person for personal injury or death, up to \$300,000 per occurrence; and (ii) \$300,000 per occurrence for property damage; and warrant that Grantee is and will remain a named insured on property insurance policies covering the Easement Area. Grantor shall provide Grantee with a

certificate of insurance coverage on the effective date of this Conservation Easement and within 10 days of each insurance renewal date.

6. **ACCESS.** No right of access by the general public to any portion of the Easement Area is conveyed by this Conservation Easement. However, the public has the right to view the Easement Area from adjacent publicly accessible areas such as public lands, roads and waterways.

7. **ENFORCEMENT.** The Grantee shall have the right to prevent and correct violations of the terms of this Conservation Easement.

(a) With reasonable advance notice provided to the Grantor or with the Grantor's prior verbal consent, the Grantee shall have the right to enter the Easement Area for the purpose of inspecting for compliance with the terms of this Conservation Easement. The Grantee shall have the right to prevent violations and remedy violations of the terms of this Conservation Easement through judicial action, which shall include, without limitation, the right to bring proceedings in law or in equity against any party or parties attempting to violate the terms of this Conservation Easement. Except when an ongoing or imminent violation could irreversibly diminish or impair the conservation values of the Easement Area, the Grantee shall give the Grantor written notice of the violation and thirty (30) days to cure the violation, before commencing any legal proceedings. The Grantee may obtain an injunction to stop a violation or a threatened violation, temporarily or permanently. The parties agree that a court may issue an injunction or order requiring the Grantor to restore the Easement Area to its condition prior to the violation, as restoration of the property may be the only appropriate remedy. In any case where a court finds that a violation has occurred, the Grantor shall reimburse the Grantee for all its expenses incurred in stopping and correcting the violation, including but not limited to reasonable attorneys' fees. In any case where a court finds no such violation has occurred, each party shall bear its own costs. In any case where the court finds that there was a complete absence of a justiciable issue of either law or fact raised by the losing party, the court may award a reasonable attorney's fee to the prevailing party as provided by law. The failure of the Grantee to discover a violation or to take immediate legal action shall not bar it from doing so at a later time for that violation or any subsequent violations.

(b) Grantee shall not bring any action against Grantor for any injury or change to the Easement Area caused by third parties, or resulting from causes beyond the Grantor's control, including, without limitation, fire, flood, storm and naturally caused earth movement, or from any prudent action taken in good faith by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to life, damage to the Easement Area or harm to the Easement Area resulting from such action.

8. **TRANSFER OF EASEMENT.** The Grantee shall have the right to transfer, assign, convey, or otherwise to co-hold the Conservation Easement created by this Deed to any public agency or private nonprofit organization that, at the time of transfer, is a qualified

organization under Section 170(h) of the U.S. Internal Revenue Code, as amended and under NCGS 121-34 *et seq.*, provided the agency or organization expressly agrees to assume the responsibility imposed on Grantee by this Deed. If the Grantee ever ceases to exist or no longer qualifies under Section 170(h) of the U.S. Internal Revenue Code, or applicable state law, a court with jurisdiction shall transfer this Conservation Easement to another qualified organization having similar purposes that agrees to assume the responsibility imposed by this Conservation Easement.

9. **TRANSFER OF EASEMENT AREA.** The Grantor agrees to incorporate by reference the terms of this Conservation Easement in any deed or other legal instrument by which it transfers or divests itself of any interest, including leasehold interest, in all or a portion of the Easement Area. The Grantor shall notify the Grantee in writing at least thirty (30) days before conveying the Easement Area, or any part thereof or interest therein. Failure of Grantor to do so shall not impair the validity of this Conservation Easement or limit its enforceability in any way.

10. **AMENDMENT OF EASEMENT.** This Conservation Easement may be amended only with the written consent of Grantor and Grantee. Any such amendment shall be consistent with the purposes of this Conservation Easement and shall comply with Sec. 170(h) of the Internal Revenue Code, or any regulations promulgated in accordance with that section. Any such amendment shall also be consistent with the Uniform Conservation and Historic Preservation Agreements Act, N.C. Gen. Stat. § 121-34 *et seq.*, or any regulations promulgated pursuant to that law. Grantor and Grantee have no right or power to agree to any amendment that would affect the enforceability of this Conservation Easement.

11. **PROCEDURE IN THE EVENT OF TERMINATION OF CONSERVATION EASEMENT.** If it determines that conditions on or surrounding the Easement Area change so much that it becomes impossible to fulfill the conservation purposes of this Conservation Easement, a court with jurisdiction may, at the joint request of both the Grantor and the Grantee, terminate or modify the Conservation Easement created by this Deed in accordance with applicable State law. If the Conservation Easement is terminated and the Easement Area is sold, then as required by Section 1.1 70A-14(g)(6) of the IRS regulations, the Grantee shall be entitled to a percentage of gross sale proceeds or condemnation award (minus any amount attributed to new improvements made after the date of the conveyance, which amount shall be reserved to Grantor), equal to the ratio of the appraised value of this Conservation Easement to the unrestricted fair market value of the Easement Area, as these values are determined on the date of this Conservation Easement, subject to any applicable law which expressly provides for a different disposition of the proceeds.

All termination related expenses, including reasonable attorney fees, incurred by the Grantor and the Grantee shall be paid out of any recovered proceeds prior to distribution of the net proceeds as described herein.

12. **PROCEDURE IN THE EVENT OF CONDEMNATION OR EMINENT DOMAIN.** Grantor and Grantee recognize that the partial sale of this Conservation Easement gives rise to a property right, immediately vested in the Grantee, with a fair market value equal to the proportionate value that the Conservation Easement bears to the value of the Easement Area prior to the restrictions imposed by the Conservation Easement. Accordingly, if any condemnation or eminent domain action shall be taken, on all or part of the Easement Area, by any authorized authority, said authority shall be liable to the Grantee for the value of the property right vested in the Grantee at the time of the signing of this Conservation Easement.

If condemnation or a taking by eminent domain of a part of the Easement Area or the entire Easement Area by a public authority renders it impossible to fulfill any of the conservation purposes of this Conservation Easement on all or part of the Easement Area, this Conservation Easement may be terminated or modified accordingly through condemnation proceedings. Grantor and Grantee agree that this Conservation Easement is a currently vested real property right with a value equal to the proportionate value of the Conservation Easement to the unencumbered value of the fee, as of the date of this Conservation Easement. If the Conservation Easement is terminated or modified and any or all of the Easement Area is sold or taken for public use, then, as required by Section 1.170A-14(g)(6) of the IRS regulations, the Grantee shall be entitled to a percentage of gross sale proceeds or condemnation award (minus any amount attributed to new improvements made after the date of the conveyance, which amount shall be reserved to Grantor), equal to the ratio of the appraised value of this Conservation Easement to the unrestricted fair market value of the Easement Area, as these values are determined on the date of this Conservation Easement, subject to any applicable law which expressly provides for a different disposition of the proceeds.

If, however, after the condemnation or eminent domain proceedings, a court of jurisdiction does not include in the just compensation awarded as a result of the taking, the amount of the Conservation Easement value, then the Grantor shall not be responsible to share any proceeds awarded.

All condemnation related expenses, including reasonable attorney fees, incurred by the Grantor and the Grantee shall be paid out of any recovered proceeds prior to distribution of the net proceeds as described herein.

13. **INTERPRETATION.** This Conservation Easement shall be interpreted under the laws of North Carolina, resolving any ambiguities and questions of the validity of specific provisions as to give maximum effect to its conservation purposes.

14. **TITLE.** The Grantor covenants and represents that she is the sole owner and seized of Easement Area in fee simple and have good right to grant and convey this Conservation Easement; that the Easement Area is free and clear of any mortgages not subordinated to this Conservation Easement, and that the Grantee shall have the use of and enjoy all the benefits

derived from and arising out of this Conservation Easement, subject to any easements or encumbrances of record.

15. **NOTICES.** Any notices required by this Conservation Easement shall be in writing and shall be personally delivered or sent by first class mail, to Grantor and Grantee, respectively, at the following addresses, unless a party has been notified by the other of a change of address.

To the Grantor:

Michael Hughes and Dale Morgan
8112 Orange Grove Road
Chapel Hill, NC 27516

To the Grantee:

Orange County Dept. of Environment,
Agriculture, Parks and Recreation
P.O. Box 8181
Hillsborough, NC 27278

16. **ENVIRONMENTAL CONDITION.** The Grantor warrants that she has no actual knowledge of a release or threatened release of hazardous substances or wastes on the Easement Area.

17. **SEVERABILITY.** If any provision of this Conservation Easement is found to be invalid, the remaining provisions shall not be altered thereby.

18. **PARTIES.** Every provision of this Conservation Easement that applies to the Grantor or Grantee shall also apply to their respective heirs, executors, administrators, assigns, and all other successors as their interest may appear. This Conservation Easement shall not be construed to benefit or to create any rights in any third parties, including but not limited to the general public.

19. **RE-RECORDING.** In order to ensure the perpetual enforceability of the Conservation Easement, the Grantee is authorized to re-record this instrument or any other appropriate notice or instrument.

20. **MERGER.** The parties agree that the terms of this Conservation Easement shall survive any merger of the fee and easement interest in the Easement Area.

21. **SUBSEQUENT LIENS ON PROPERTY.** No provisions of this Conservation Easement should be construed as impairing the ability of Grantor to use the Easement Area as collateral for subsequent borrowing, provided that any mortgage or lien arising from such a borrowing is made subordinate to this Conservation Easement.

22. **EXHIBITS AND DOCUMENTATION.**

(a) Baseline Documentation Report. The parties acknowledge that the Baseline Documentation Report, a copy of which is on file at the offices of the Grantee, accurately establishes the uses, structures, conservation values and condition of the Easement Area as of the date hereof. A summary is attached as Exhibit B.

(b) Existing Conditions. Exhibit C is a GIS map and sketch showing the configuration of the Easement Area and surrounding property.

23. **ENTIRE AGREEMENT**. This instrument sets forth the entire agreement of the parties with respect to the Conservation Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Easement. If any provision is found to be invalid, the remainder of the provisions of this Conservation Easement, and the application of such provision to persons or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.

24. **ACCEPTANCE AND EFFECTIVE DATE**. As attested by the Clerk of the Grantee and the signature of its authorized representative affixed hereto, the Grantee hereby accepts without reservation the rights and responsibilities conveyed by this Conservation Easement. This Conservation Easement is to be effective the date recorded in the Orange County Registry of Deeds.

TO HAVE AND TO HOLD, this Grant of Conservation Easement unto the said Grantee its successors and assigns, forever.

[The remainder of this page is intentionally left blank. Signature page follows.]

Fern Creek Conservation Easement

Draft 11/21/13

IN WITNESS WHEREOF, the Grantor and Grantee, intending to legally bind themselves, have set their hands on the date first written above.

GRANTOR:

Michael Hughes

Dale A. Morgan

Accepted:

GRANTEE:

ORANGE COUNTY, NORTH CAROLINA

By: _____
Barry Jacobs, Chair
Orange County Board of Commissioners

ATTEST:

By: _____
Donna S. Baker, Clerk to the
Board of Commissioners

Acknowledgments

NORTH CAROLINA
COUNTY OF ORANGE

I, _____, a Notary Public in and for said County and State do hereby certify that _____ and _____ personally appeared before me this day and duly acknowledged the execution of the foregone Conservation Easement.

Witness my hand and official stamp or seal this the ____ day of _____, 2013.

Notary Public

(Notary's printed or typed name)

My commission expires:

NORTH CAROLINA
COUNTY OF ORANGE

I, _____, a Notary Public of the County and State aforesaid, certify that Donna S. Baker personally came before me this day and acknowledged that she is Clerk to the Board of Commissioners for Orange County, North Carolina and that by authority duly given and as the act of said County, the foregoing instrument was signed in its name by the Chair of said Board of Commissioners and attested by her as Clerk to said Board of Commissioners.

Witness my hand and official stamp or seal this the ____ day of _____, 2013.

Notary Public

(Notary's printed or typed name)

My commission expires:

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No.** 6-g

SUBJECT: Adoption of the Final Financing Resolution Authorizing the Issuance of \$10,500,000 of Installment Financing to Finance Various County and School Capital Investment Plan Projects and County Equipment

DEPARTMENT: Finance and Administrative
Services

PUBLIC HEARING: (Y/N)

N

ATTACHMENT(S):

1. Listing of Projects to be Financed
2. Bid Summary and Debt Service Schedule
3. Resolution Approving Financing Terms and Documents for 2014 Installment Financing

INFORMATION CONTACTS:

Clarence Grier, 919-245-2453
Robert Jessup, 919-933-9891

PURPOSE: To adopt the final financing resolution authorizing the issue of \$10,500,000 of installment financing to finance various County and School Capital Investment Plan Projects and County equipment.

BACKGROUND: During its November 5, 2013 meeting, the Board of County Commissioners approved the financing of various County and School Capital projects and County equipment (Attachment 1).

Staff requested and received bids for the proposed installment financing from the following financial institutions:

1. SunTrust Institutional and Government Inc.
2. Bank of America Public Capital Corp
3. PNC Bank
4. First Tennessee Bank

Bank of America was selected as the financially responsive and financially responsible bidder. The financing agreement will be subdivided into two installment financing agreements: one for the financing of the capital investment projects and one for the financing of the equipment.

The financing terms of the two installment financing agreements will be follows:

1. Installment Financing Agreement 1 – Capital Projects - \$8.16 million in total debt service, Interest Rate – 2.41%, Average debt service over 15 years totals \$544,252.
2. Installment Financing Agreement 1 – Equipment - \$3.88 million, Interest Rate – 1.24%, Average debt service over 5 years totals \$776,537.

Total debt service will average \$803,098 over the term of the installment financing agreements.

FINANCIAL IMPACT: There will be a financial impact in proceeding with the financing. The maximum annual debt service applicable to the County and School capital investment projects financing would require \$646,920, and \$796,415 for the equipment financing in fiscal year 2014-15. The total combined debt service for the fiscal year 2014 – 2015 for this financing would be \$1,443,335.

RECOMMENDATION(S): The Manager recommends the Board approve the resolution authorizing the steps to move forward with the financing of the stated capital project and equipment financing.

Attachment 1 – Proposed Projects

<u>Project</u>	<u>Estimated Amount</u>	<u>Description</u>
Culbreth Middle School Science Wing	\$ 4,971,676	Science Wing for Chapel Hill – Carrboro City Schools
HVAC Projects	\$ 130,000	Community Geothermal Projects
Roofing Projects	\$ 115,000	County
Information Technology	\$ 1,436,000	Equipment, BOCC Initiatives, Firehouse Software and Central Permitting Software
Whitted Building Renovations	\$ 1,700,000	BOCC Meeting Room
Viper Radio System	\$ 500,000	Additional Channels for Existing Towers increase the Viper System capacity
Communication System Improvements	\$ 709,062	Purchase of additional Viper Radios
Vehicle Replacements	\$ 899,416	Vehicles Purchases

Orange County, NC
2013 IPC

	Banc of America Public Capital Corp			First Tennessee Bank	PNC Equipment Finance
					
	Option A	Option C	Requested Alternative	Option A	Option A
NTE Amount	3,736,000	10,461,154	10,461,154	3,736,000	3,736,000
Term	60 Months	180 Months	180 Months	5 Years	5 Years
Interest Mode		Fixed through maturity		Fixed through Maturity	Fixed through Maturity
Final Maturity	2/1/2019	2/1/2029	2/1/2029	2/1/2019	2/1/2019
Interest Rate	1.24%	2.41%	1.24% / 2.41% Blend	1.44%	1.59%
Optional Call Provisions	Prepayment without penalty at anytime (with 30 days notice) on any payment date	Prepayment without penalty at anytime (with 30 days notice) after half the term has elapsed on any payment date	Prepayment without penalty at anytime (with 30 days notice) after half the term has elapsed on any payment date	Prepayment without penalty at anytime Subject to Make-whole payments	Prepayment in whole with 3% penalty on any payment date beginning 2nd anniversary of lease commencement
Bank / Legal Fees	None	\$7,500 Legal Fee	\$7,500 Legal Fee	Not to exceed \$3,500 Attorney's fees	\$1,500 Legal Costs
Offer Expiration		Offer must be accepted by November 29, 2013		Offer must be accepted by December 11, 2013	Offer must be accepted by January 7, 2013
Other		None Specified		Must maintain Borrower's LT GO Debt Rating by Moody's at A1 or better and Borrower's LT Debt Rating by S&P at A+ or better	None
Estimated Debt Service				Not a commitment to lend. Bank must complete due diligence	
FY 15	796,414.83	1,491,207.89	1,443,334.61	804,384.96	811,225.64
FY 16	785,063.60	1,443,817.00	1,407,921.40	791,041.60	795,525.10
FY 17	774,788.40	1,414,463.20	1,387,541.50	779,270.40	782,631.90
FY 18	770,157.00	1,385,109.40	1,367,161.60	768,513.60	770,754.60
FY 19	756,262.80	1,355,755.60	1,346,781.70	757,756.80	758,877.30
FY 20		559,401.80	559,401.80		
FY 21		548,532.70	548,532.70		
FY 22		536,663.60	536,663.60		
FY 23		525,818.60	525,818.60		
FY 24		514,973.60	514,973.60		
FY 25		504,128.60	504,128.60		
FY 26		492,283.60	492,283.60		
FY 27		481,462.70	481,462.70		
FY 28		470,641.80	470,641.80		
FY 29		459,820.90	459,820.90		
Total	3,882,686.63	12,184,080.99	12,046,468.71	3,900,967.36	3,919,014.54

Orange County, NC
2013 IPC

		STEFL		SunTrust Institutional & Government					
									
		Option A (Annex II)		Option B (Annex I) if Annex II is accepted		Option B (Annex I) if Annex II is not accepted		Option A & Option B Combination	
NTE Amount		3,736,000		6,864,000		6,864,000		10,461,154	
Term		5 Years		15 Years		15 Years		15 Years	
Interest Mode		Fixed through Maturity		Fixed through Maturity		Fixed through Maturity		Fixed through Maturity	
Final Maturity		2/1/2019		15 Years from Closing		15 Years from Closing		15 Years from Closing	
Interest Rate		1.51%	1.71%	2.70%	2.87%	3.02%	3.21%	1.51% / 2.70% Blend	
Optional Call Provisions		Prepayment on any payment date at 101% of par		Prepayment on any payment date (make whole)		Prepayment on any payment date (make whole)		Prepayment on any payment date (make whole)	
Bank / Legal Fees		\$5,000 Document Review Fee + \$500 STEFL Fee		\$5,000 Document Review Fee					
Offer Expiration		Offer must be accepted by November 26, 2013 and close by January 7, 2013		Offer must be accepted by November 26, 2013 and close by January 7, 2013					
Other		An escrow set up fee of \$250 will be assessed.							
Estimated Debt Service									
FY 15		829,785.17	837,968.64	645,428.80	657,670.61	668,536.64	682,222.72	1,475,213.97	
FY 16		813,326.80	819,462.80	621,100.00	631,810.00	641,320.40	653,294.20	1,434,426.80	
FY 17		801,745.10	806,347.10	608,923.00	618,866.30	627,700.20	638,817.10	1,410,668.10	
FY 18		790,163.40	793,231.40	596,746.00	605,922.60	614,080.00	624,340.00	1,386,909.40	
FY 19		778,581.70	780,115.70	584,569.00	592,978.90	600,459.80	609,862.90	1,363,150.70	
FY 20				572,392.00	580,035.20	586,839.60	595,385.80	572,392.00	
FY 21				559,215.00	566,091.50	573,219.40	580,908.70	559,215.00	
FY 22				547,065.00	553,176.50	558,599.20	565,431.60	547,065.00	
FY 23				534,915.00	540,261.50	545,009.20	550,986.60	534,915.00	
FY 24				522,765.00	527,346.50	531,419.20	536,541.60	522,765.00	
FY 25				509,615.00	513,431.50	517,829.20	522,096.60	509,615.00	
FY 26				497,492.00	500,545.20	503,239.20	506,651.60	497,492.00	
FY 27				485,369.00	487,658.90	489,679.40	492,238.70	485,369.00	
FY 28				473,246.00	474,772.60	476,119.60	477,825.80	473,246.00	
FY 29				461,123.00	461,886.30	462,559.80	463,412.90	461,123.00	
Total		4,013,602.17	4,037,125.64	8,219,963.80	8,312,454.11	8,396,610.84	8,500,016.82	12,233,565.97	

Disclaimer

The U.S. Securities and Exchange Commission (the “SEC”) has clarified that a broker, dealer or municipal securities dealer engaging in municipal advisory activities outside the scope of underwriting a particular issuance of municipal securities should be subject to municipal advisor registration. Davenport & Company LLC (“Davenport”) has registered as a municipal advisor with the SEC. As a registered municipal advisor Davenport may provide advice to a municipal entity or obligated person. When acting as a registered municipal advisor Davenport is a fiduciary required by federal law to act in the best interest of a municipal entity or obligated person without regard to its own financial or other interests, except when Davenport acts as an underwriter, as noted below, or as a registered investment advisor. If and when an issuer engages Davenport to provide financial advisory or consultant services with respect to the issuance of municipal securities, Davenport is obligated to evidence such a financial advisory relationship with a written agreement. As a financial advisor, Davenport’s fiduciary obligations to the issuer are the same as those of a registered municipal advisor.

However, should an issuer choose to consider Davenport as an underwriter, under the Municipal Securities Rulemaking Board (“MSRB”) Rule G-17 Davenport is obligated to disclose that the underwriter’s primary role is to purchase securities with a view to distribution in an arm’s length commercial transaction with the issuer and the underwriter has financial and other interests that differ from those of the issuer; unlike a municipal advisor, the underwriter does not have a fiduciary duty to the issuer under the federal securities laws and is, therefore, not required by federal law to act in the best interest of the issuer without regard to its own financial or other interests; the underwriter has a duty to purchase securities from the issuer at a fair and reasonable price, but must balance that duty with its duty to sell municipal securities to investors at prices that are fair and reasonable; the underwriter will review the official statement of the issuer’s securities in accordance with, and as part of, its responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of the transaction. Rule G-17 also requires an underwriter to deal fairly at all times with both municipal issuers and investors. The SEC has clarified that in order for a person to serve as an underwriter with respect to an issuance of municipal securities there must be a relationship to a particular transaction.

Davenport’s compensation when serving as an underwriter is normally contingent on the closing of a transaction. Clients generally prefer this arrangement so they are not obligated to pay a fee unless the transaction is completed. However, MSRB Rule G-17 requires an underwriter to disclose that compensation that is contingent on the closing of a transaction or the size of a transaction presents a conflict of interest, because it may cause the underwriter to recommend a transaction that is unnecessary or to recommend that the size of the transaction be larger than is necessary.

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RES-2013-111

Resolution Approving Financing Terms and Documents For 2014 Installment Financing

WHEREAS --

Orange County has previously determined to carry out a plan (the "Project") to acquire, construct and finance various public improvements as identified in the County's capital improvement plan, including a new science wing for Culbreth Middle School and the other projects and improvements shown on Exhibit A.

The County has solicited competitive proposals from financial institutions to provide the financing, and Banc of America Public Capital Corporation (the "Lender") has submitted the best proposal.

The County's Finance Officer has made available to this Board the draft agreements listed on Exhibit B (the "Agreements"), which relate to the County's carrying out the financing plan.

This resolution provides the County Board's final approval of the financing terms and documents for the financing of the Project.

BE IT THEREFORE RESOLVED by the Board of Commissioners of Orange County, North Carolina, as follows:

1. *Determination To Proceed with Financing* – The County confirms its plans to undertake the Project. The County will carry out the plan with financing from the Lender, substantially in accordance with the Lender's financing proposal.

Under the financing plan, the Lender will make funds available to the County for use on Project costs. The County will repay the amount advanced, with interest, over time. The County will grant to the Lender a mortgage-type interest in Culbreth Middle School to secure the County's repayment obligation. As part of this financing plan, the Chapel Hill – Carrboro Board of Education will transfer the school property to the County.

2. *Approval of Agreements; Direction To Execute Agreements* -- The Board approves the forms of the Agreements submitted to this meeting. The Board authorizes the Board's Chair and the County Manager, or either of them, to execute and deliver the Agreements in their final forms. The Agreements in their respective final forms must be

in substantially the forms presented, with such changes as the Chair or the County Manager may approve. The execution and delivery of any Agreement by an authorized County officer will be conclusive evidence of such officer's approval of any such changes.

The Agreements in final form, however, must be consistent with the financing plan described in this resolution and must provide (a) for the amount financed by the County not to exceed \$10,600,000, (b) for an annual interest rate not to exceed 2.75% (in the absence of default, or a change in tax status), and (c) for a financing term not to extend more than 15.5 years from the funding date.

3. *Officers To Complete Closing* – The County Manager, the Finance Officer and all other County officers and employees are authorized to take all proper steps to complete the financing in cooperation with the Lender and in accordance with this resolution.

The Board authorizes the Finance Officer to hold executed copies of all financing documents authorized by this resolution in escrow on the County's behalf until the conditions for their delivery have been completed to his satisfaction, and thereupon to release the executed copies of the documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Board specifically authorizes the Finance Officer (a) to approve and enter into additional agreements to carry out the financing contemplated by this resolution, including agreements for the custody of financing proceeds and agreements for appropriate professional services, and (b) to approve changes to any documents previously signed by County officers or employees, provided that the changes do not contradict this resolution or substantially alter the intent from that expressed in the form originally signed. The Finance Officer's authorization of the release of any document for delivery will constitute conclusive evidence of his approval of the final form.

In addition, the Finance Officer is authorized to take all appropriate steps for the efficient and convenient carrying out of the County's on-going responsibilities with respect to the Project. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under this resolution or otherwise with respect to the financing.

4. *Acceptance of Property Transfer* – The County agrees to accept title to the Culbreth School and its associated real property to facilitate the financing arrangements contemplated by the Agreements.

5. ***Lender May Act through Affiliates*** -- The Finance Officer may approve entering into the Agreements with an affiliate of the Lender if the Lender requests a change.

6. ***Resolutions as to Tax Matters*** -- The County will not take or omit to take any action the taking or omission of which will cause its obligations to pay principal and interest (the "Obligations") to be "arbitrage bonds," within the meaning of Section 148 of the "Code" (as defined below), or "private activity bonds" within the meaning of Code Section 141, or otherwise cause interest components of the installment payments to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the County will comply with any Code provision that may require the County at any time to pay to the United States any part of the earnings derived from the investment of the financing proceeds. In this resolution, the Code" means the United States Internal Revenue Code of 1986, as amended, and includes applicable Treasury regulations.

7. ***Miscellaneous Provisions*** -- All County officers and employees are authorized to take all such further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. All such prior actions of County officers and employees are ratified. Upon the absence, unavailability or refusal to act of the County Manager, the Chair or the Finance Officer, any other of such officers may assume any responsibility or carry out any function assigned in this resolution. In addition, the Vice Chair or any Deputy or Assistant Clerk to the Board may in any event assume any responsibility or carry out any function assigned to the Chair or the Clerk, respectively, in this resolution. All other Board proceedings, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

Exhibit A – proposed projects

Project	Estimated Amount (\$)
Culbreth Middle School Science Wing addition – construction and equipping	4,971,676
HVAC projects	130,000
Roofing projects	115,000
Information technology (including firehouse software and central permitting software)	1,436,000
Whitted Building – renovation costs and recapture of planning costs	1,700,000
VIPER radio system	500,000
Communication system improvements	709,062
Vehicle replacements	899,416
<i>TOTAL</i>	10,461,154

The County also expects to use additional financing proceeds to pay financing expenses.

Exhibit B -- draft agreements

(a) A draft dated November 26, 2013, of an Installment Financing Contract to be dated on or about January 1, 2014 (the "Financing Contract"), between the County and the Lender, providing for the advance of funds to the County for the County's undertaking of the project, setting out the County's repayment obligation and setting out the County's obligations regarding care for the collateral and other matters.

(b) A draft dated November 26, 2013, of a Deed of Trust and Security Agreement to be dated on or about January 1, 2014, from the County to a deed of trust trustee for the Lender's benefit, providing for a security interest in Culbreth Middle School, and its associated real property to secure the County's repayment obligations.

(c) A draft dated November 14, 2013, of a Lease to be dated on or about January 1, 2014, from the County to the Board of Education for the Chapel Hill – Carrboro City Schools (the "School Board"), providing for the School Board's continued use of the Culbreth Middle School property during the financing term.

(d) A draft dated November 14, 2013, of a Project Completion and Agency Agreement to be dated on or about January 1, 2014, between the County and the School Board, setting out their respective responsibilities for carrying out the acquisition and construction of the new Culbreth science wing.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No.** 6-h

SUBJECT: Proclamation – Bill of Rights Day

DEPARTMENT: BOCC

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

Proclamation

INFORMATION CONTACT:

Donna Baker, Clerk to the Orange
County Board of Commissioners
(919) 245-2130

PURPOSE: To adopt a proclamation to officially recognize Bill of Rights Day in Orange County during the month of December.

BACKGROUND: The necessary States ratified the **Bill of Rights**, the first ten amendments to the United States Constitution, on December 15, 1791. The **Bill of Rights** protects every person of this state and nation from the infringement of basic human and civil rights; and the freedoms of speech and association and the right to due process and equal protection of the law, as embodied in the **Bill of Rights**, are a model for democratic institutions and laws all over the world.

FINANCIAL IMPACT: None

RECOMMENDATION(S): The Manager recommends the Board adopt the Proclamation regarding the Bill of Rights Day and authorize the Chair to sign the Proclamation.

ORANGE COUNTY BOARD OF COMMISSIONERS

PROCLAMATION

Bill of Rights Day

DECEMBER 15, 2013

Whereas, the necessary states ratified the **Bill of Rights**, the first ten amendments to the United States Constitution, on December 15, 1791; and

Whereas, the **Bill of Rights** protects every person of this state and nation from the infringement of basic human and civil rights; and

Whereas, the freedoms of speech and association and the right to due process and equal protection of the law, as embodied in the **Bill of Rights**, are a model for democratic institutions and laws all over the world; and

Whereas, the people of North Carolina stood strong in withholding ratification of the Constitution until the **Bill of Rights** was added to ensure their inalienable rights; and

Whereas, the Orange County Board of Commissioners demonstrated its commitment to “upholding the civil rights and civil liberties of all persons in Orange County and their free exercise and enjoyment of any and all rights and privileges secured by our constitutions and laws of the United States, the State of North Carolina, and Orange County,” in a May 20, 2003 approved resolution entitled “A Resolution Regarding the Protection of Civil Rights and Civil Liberties”; and

Whereas, the Orange County Board of Commissioners reaffirmed the protections of all its residents by passing “A Resolution Opposing the Use of Local Law Enforcement to Enforce Civil Immigration Law and Policy” on January 23, 2007;

Now, Therefore Be It Resolved that we the Orange County Board of Commissioners do hereby proclaim **December 15, 2013** as “**BILL OF RIGHTS DAY**” in Orange County and commend this observance to all people.

This, the 10th day of December 2013.

Barry Jacobs, Chair
Orange County Board of Commissioners

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No.** 7-a

SUBJECT: Assessment of Jail Alternatives and Jail Development

DEPARTMENT: County Manager and Asset
Management Services

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

- 1) Site Locator
- 2) Jail Excerpt from FY2013-18
Capital Investment Plan
- 3) October 1, 2013 BOCC Meeting
Action Agenda Item Abstract
- 4) Professional Services Agreement
Jail Alternatives
- 5) Professional Services Agreement
Jail Programming Development
- 6) Schematic Jail Project Budget

INFORMATION CONTACT:

Jeff Thompson, 919-245-2658
Cheryl Young, 919-245-2307

PURPOSE: To:

- 1) Receive a progress update regarding the Orange County Jail development;
- 2) Approve a professional services agreement with Solutions for Local Government in the amount of \$24,665 to consult with the County regarding jail alternatives; and
- 3) Approve a professional services agreement with Solutions for Local Government in the amount of \$26,400 to consult with the County regarding jail facility programming, design guideline development, integration of potential jail alternative programs, and architectural design selection process development.

BACKGROUND:

Land Lease Execution – In October 2012, the North Carolina Council of State (“COS”) approved a 50 year Land Lease with Orange County for the purpose of a permanent Orange County jail facility. The Board of County Commissioners authorized the execution of the Lease in June of 2013. Governor Pat McCrory completed the full execution of the lease on September 4, 2013, marking the “Effective Date” of the Lease.

Attachment 1, “Site Locator”, illustrates the 6.8 acre leased parcel adjacent to the Orange Correctional Center managed by the State. This arrangement provides adequate space for a facility that may accommodate up to 250 inmates and allows the existing jail facility to be re-purposed for other uses.

The consideration for the 50 year term of the Land Lease is \$1.00. The County will provide for all development, design, construction and operations for the facility throughout the term. At the end of the 50 year term, the County may choose to approach the Council of State for a renewal of the Lease that is in the County's best interest.

The terms of the Lease allow a thirty-six month period for the County to design and begin construction of the jail facility, and an additional thirty-six month period to finish construction and begin operation of the facility.

The FY2013-18 Capital Investment Plan (Attachment 2) estimates a total capital project development cost of \$30 million for the facility.

In anticipation of the new jail, the BOCC established an Assessment of Jail Alternatives Work Group to undertake a comprehensive assessment of jail alternatives programs and the impact each program may have on inmate population. The BOCC requested that the Work Group review the charge set forth in Attachment 3 and recommend whether changes to the charge were needed. The Work Group reviewed the charge and recommends the charge be expanded to include additional program evaluation and evaluation of certain processes that may impact jail populations. The expanded charge is set forth in the scope of work set forth in the Professional Services Agreement Jail Alternatives included in Attachment 4.

Staff recommends Solutions in Local Government assist the County in assessing the alternatives to incarceration and the processes that may impact the jail population.

Development Progress – Since September staff has coordinated the necessary boundary survey, environmental site assessment, initial geotechnical assessment, and title work to inform the architectural and engineering design activities contemplated to begin in the spring of 2014. Staff intends to complete this initial development work in the next few weeks.

Staff recommends that Solutions in Local Government assist the County in developing a set of facility programming and design criteria to inform the most effective selection process for the professional services design firm that will be charged with designing and overseeing construction of the facility.

Developing the facility programming guidelines in advance of the architect selection benefits the County by: 1) first allowing pertinent County staff (Sheriff, Courts, Asset Management Services) to work on a program without the pressure of building biases inherent with programming with the ultimate design team; 2) allowing a more effective selection process for the design team since the major programming and operations decisions would already be selected and validated (thereby allowing the focus of the selection process to truly focus on the actual qualifications of the design candidates); and 3) providing the most return on investment since the prospective consultant is working with the Jail Alternatives Work Group in developing effective programs that directly affect the design and programming of the jail facility (as well as potential uses of the existing jail facility in downtown Hillsborough), pending final Board approval of the work group's charge.

The updated estimated timeline for the development, construction, and operation of the facility is as follows:

TASK	PROPOSED BEGINNING DATE	END BY DATE
Board of County Commission Action: Approval of Lease Agreement between Orange County and the State of North Carolina during regular meeting agenda	6/18/13	6/18/13
Governor execution of Lease, marking the Effective Date of the Lease	9/4/13	9/4/13
Board of County Commission Action: Facility Programming Consultant authorization-Solutions in Local Government	12/10/13	12/10/13
Project programming, Designer Selection Process	12/11/13	3/30/14
Board of County Commission Action: Award of Project Designer professional services agreement	April 2014	
Board of County Commission Action: Approval of Schematic Design, authorization to develop construction documents, submit for regulatory review and bid project	September 2014	
Project construction document preparation (est. 6 month duration)	9/2014	3/2015
Regulatory review, permitting process, bid process (est.15 month duration)	3/2015	9/2016
Board of County Commission Action: Approval bid award to construct project	9/2016	9/2016
Project Construction and Commissioning (est. 36 month duration)	9/2016	9/2019

FINANCIAL IMPACT: The Manager's recommended Capital Investment Plan contemplated a budget of \$30 million for this project. FY2013-14 appropriations of \$250,000 will accommodate the costs for the services of Solutions in Local Government for work with the Jail Alternatives Work Group as well as for the portions of the initial site programming and schematic design work proposed to be completed by Solutions in Local Government.

Accepted market costs for jail facility programming typically amount to .05% of the construction cost of the project, which is estimated to be \$125,000 for a \$25 million project. The combined proposed fee of \$51,065 for Solutions in Local Government in supporting project programming and jail alternative evaluations is less than half of the market expectation for jail facility programming.

RECOMMENDATION(S): The Manager recommends the Board:

- 1) Receive a progress update regarding the Orange County Jail development;
- 2) Approve a professional services agreement with Solutions for Local Government in the amount of \$24,665 to consult with the County regarding Jail Alternatives; and
- 3) Approve a professional services agreement with Solutions for Local Government in the amount of \$26,400 to consult with the County regarding jail facility programming, design guideline development, integration of potential jail alternative programs, and architectural design selection process development.

Data Sources: First Dataset -- Source, YYYY; Second Dataset -- Source, YYYY | \C\TGIS\GISI... | Last Updated: MM-DD-YY



Orange County Site Planning Setbacks and Distances

Attachment 2

**County Capital Projects
Fiscal Years 2013-18**

Project Name	Proposed Jail Governing and Management Asset Management Services						Project Status	Proposed	
Functional Service Area							Starting Date	7/1/2013	
Department							Completion Date	6/30/2018	
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>									
<i>Land/Building</i>								-	
<i>Professional Services</i>			250,000		500,000	500,000		1,250,000	
<i>Construction/Repairs/Renovations</i>							29,000,000	29,000,000	
<i>Equipment/Furnishings</i>									
<i>Total Project Budget</i>	-	-	250,000	-	500,000	500,000	29,000,000	30,250,000	-
<i>General Fund Related Operating Costs</i>									
<i>Personnel Services</i>									
<i>Operations</i>									
<i>New Debt Service</i>				24,000	24,000	72,000	144,000	264,000	14,520,000
<i>Total Operating Costs</i>			-	24,000	24,000	72,000	144,000	264,000	14,520,000
<i>Revenues/Funding Source</i>									
<i>General Fund - Debt Service</i>				24,000	24,000	72,000	144,000	264,000	14,520,000
<i>Transfer from Projects</i>									
<i>Debt Financing</i>			250,000		500,000	500,000	29,000,000	30,250,000	
<i>Total</i>	-	-	250,000	24,000	524,000	572,000	29,144,000	30,514,000	14,520,000

Project Description/Justification

In October, 2012, NC Council of State authorized issuance of a 50 year land lease to Orange County for approximately 6.8 acres for construction of this facility. A consultant has been retained to evaluate the site and determine the best configuration of the potential site, along with whatever constraints (environmental/regulatory for example) that might impact the development. Site related planning costs have been included at \$250,000 for FY 2013-14. Construction cost estimates from firms in the business of building detention facilities range from \$80,000 to \$120,000 per bed. The new jail is intended to house a minimum of 250 prisoners and contain support spaces needed for such a facility. While the estimate may be reduced at some point in the future as the project is more firmly developed, funding at the \$120K per bed level has been included in this request. Site Design costs are included in FY 15-16, and Architectural/Engineering costs are included in FY 16-17, with construction costs in FY 17-18.

COPY

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT

Meeting Date: October 1, 2013

Action Agenda

Item No. 11-a

SUBJECT: Appointments to the Assessment of Jail Alternatives Work Group

DEPARTMENT: Board of Commissioners**PUBLIC HEARING:** (Y/N)

ATTACHMENT(S): Under Separate Cover
Membership Roster
Invitation Email to Participate in Work
Group**INFORMATION CONTACT:**
Clerk's Office -919-245-2130
Cheryl Young –Assistant County Manager

PURPOSE: The Board will consider making/confirming appointments to the *Assessment of Jail Alternatives Work Group*.

BACKGROUND: The Orange County Board of Commissioners created an ***Assessment of Jail Alternatives Work Group*** at their regular meeting on September 5th. The Board said that before planning of a new jail begins, a comprehensive assessment of jail alternative programs needs to be completed and that the creation of such a work group to address alternatives to incarceration programs and the impact each program may have on inmate population could be a feasible solution.

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

- Pretrial Release
- Pretrial Diversion
- Drug Court
- Family Court
- Adult Probation

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

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

FINANCIAL IMPACT: To be determined.

RECOMMENDATION(S): The Manager recommends for the Board to make/confirm appointments to the Assessment of Jail Alternatives Work Group.

Position Number	Special Representation	Appointee/Designee
1	Senior Resident Superior Court Judge or Designee (1)	Judge Fox/Judge Baddour
2	Chief District Court Judge or Designee (1)	Judge Buckner/Marie Lamoureaux Programs and Special Projects Manager District Court Judges' Office
3	District Attorney or Designee (1)	Jim Woodall – District Attorney
4	Public Defender or Designee (1)	James Williams-Public Defender
5	Clerk of Court or Designee (1)	James Stanford- Clerk of Court
6	Orange County Sheriff or Designee (1)	Sheriff Lindy Pendergrass
7	Municipal Police Chief (1)	Chief Chris Blue from Chapel Hill
8	Jail Administrator or Designee (1)	Jail Administrator John Sellew/Deputy Jail Administrator David Bolton
9	Department of Social Services representative (1)	Nancy Coston – DSS Director
10	Mental Health representative (1)	Debra Farrington-Executive Director Cardinal Innovations Healthcare Solutions- OPC/Alternate - Tom Velivil
11	Faith Community representative (1)	Nkosi Mtumwa- Trustee—First Community Missionary Baptist Church
12	Project to End Homelessness representative (1)	Jeff Nieman, Orange County DA's office and Vice Chair of the Leadership Team of the Partnership to End Homelessness
13	Adult Probation (1)	Aries Cox – awaiting direction from District Manager
14	Drug treatment (1)	Courtney Kennedy, Coordinator Drug Treatment Court
15/16	Board of County Commissioners (2)	Chair Jacobs and Commissioner Pelissier Commissioner Price-Alternate
17/18	Client 1/2	TBD
19	Staff/Legal Support	Cheryl Young- Assistant County Manager

Donna Baker

Subject: FW: Assessment of Jail Alternative Work Group -Board of Commissioners

From: Donna Baker
Sent: Thursday, September 12, 2013 10:08 AM
To: 'carl.r.fox@nccourts.org'
Cc: Cheryl Young
Subject: Assessment of Jail Alternative Work Group -Board of Commissioners

Elected Officials/Court Administrators/Community Representatives/Staff:

The Orange County Board of Commissioners created an **Assessment of Jail Alternative Work Group** at their regular meeting on September 5th. The Board said that before planning of a new jail begins, a comprehensive assessment of jail alternative programs needs to be completed and that the creation of such a work group to address alternatives to incarceration programs and the impact each program may have on inmate population could be a feasible solution.

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

- Pretrial Release
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- Drug Court
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- Adult Probation

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

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

The following is the work group composition:

Assistant Orange County Manager – Coordinator

Senior Resident Superior Court Judge or Designee 1
 Chief District Court Judge or Designee 1
 District Attorney or Designee 1
 Public Defender or Designee 1
 Clerk of Court or Designee 1
 Sheriff or Designee 1
 Municipal police chief or designee 1

Jail Administrator or Designee 1
 Department of Social Services representative 1
 Mental Health representative 1
 Faith Community representative 1
 Project to End Homelessness representative 1
 Staff/Legal Support 1

Client- 1or 2— *The Commissioners want a client(s) who can work in a group, can articulate challenges they perceive in being treated fairly and efficiently in the current framework, and perhaps has first-hand experience with alternative sentencing or treatment programs.*

Adult Probation 1
 Drug treatment 1
 County Commissioners 2

- In naming an appointee or designee, please keep in mind the Board of Commissioner's goal of having all work groups reflect Orange County's diversity.

If you would please let me know your appointed person and/or his/her designee (and contact information) no later than Friday, September 27, 2013.

You may email this information to dbaker@co.orange.nc.us.

Donna Baker
 Clerk to the Board
 P.O. Box 8181
 200 South Cameron St.
 Hillsborough, N.C. 27278
 Phone: (919) 245-2130
 Fax: (919) 644-0246
 Cell: (919) 428-3212
dbaker@orangecountync.gov

Attachment 4

[Departmental Use Only]
 TITLE Jail Alternatives
 FY FY2013-14

NORTH CAROLINA

SERVICES AGREEMENT UNDER \$90,000.00

ORANGE COUNTY

This Services Agreement (hereinafter "Agreement"), made and entered into this 10th day of December, 2013, ("Effective Date") by and between Orange County, North Carolina a body politic and corporate of the State of North Carolina (hereinafter, the "County") and Solutions for Local Government, Inc., (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 Agreement is for services to be rendered by Provider to County with respect to (*insert type of project*): Assessment of Jail Alternatives Programs as described in detail according to the attached proposal dated November 22, 2013, entitled "Scope of Services & Work Plan Outlines for (2) Assessment of Jail Alternative Programs"
- 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.
- vii) In determining the basic services to be provided, should any documents be referenced in this Agreement, the terms of this Agreement shall have priority in any conflict between the terms of referenced documents and the terms of this Agreement. Should a request for proposals and a proposal be referenced the terms of the request for proposals shall have priority over the terms of any proposal.

3. Basic Services

- a. Basic Services. The Services to be rendered pursuant to this Agreement are as follows (fully describe services to be provided): Assessment of Jail Alternatives Programs as described in detail according to the attached proposal dated November 22, 2013, entitled "Scope of Services & Work Plan Outlines for (2) Assessment of Jail Alternative Programs"

4. Duration of Services

- a. Term. The term of this Agreement shall be from December 10, 2013 to September 30, 2014.
- b. Scheduling of Services.
 - i) The Provider shall schedule and perform its activities in a timely manner.
 - ii) Should the County determine that the Provider is behind schedule, it may require the Provider to expedite and accelerate its efforts, including providing additional resources and working overtime, as necessary, to perform its 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 December 10, 2013.

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 except for any authorized Reimbursable Expenses which are defined herein. The maximum amount payable for Basic Services shall not exceed Twenty Four Thousand Six Hundred Sixty Five Dollars (\$24,665). Payment for Basic Services shall become due and payable within thirty (30) days of Provider properly invoicing County. Payment shall be subject to provisions of Section 5(b).
- b. Disputes. 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. Should Provider fail to perform its duties under the terms of this Agreement, County may, without fault or penalty, withhold any payment associated with the work to be performed until such time as said work is completed.
- c. 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 (Cheryl Young) 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. Provider shall obtain, at its sole expense, Commercial General Liability Insurance, Automobile Insurance, Workers' Compensation Insurance, and any additional insurance as may be required by Owner's Risk Manager as such insurance

requirements are described in the Orange County Risk Transfer Policy and Orange County Minimum Insurance Coverage Requirements (each document is incorporated herein by reference and may be viewed at <http://orangecountync.gov/purchasing/contracts.asp>). If Owner's Risk Manager determines additional insurance coverage is required such additional insurance shall consist of professional liability insurance with a minimum of \$1,000,000 per occurrence (if no additional insurance required mark N/A as being not applicable). Provider shall not commence work until such insurance is in effect and certification thereof has been received by the Owner's Risk Manager.

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. Compliance with Laws. Provider shall at all times remain in compliance with all applicable local, state, and federal laws, rules, and regulations including but not limited to all anti-discrimination laws. Pursuant to the terms of North Carolina General Statute 153A-449(b) no county may enter into a contract with a contractor unless the contractor and the contractor's subcontractors comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Where applicable, failure to maintain compliance with the requirements of Article 2 of Chapter 64 of the General Statutes constitutes Provider's breach of this Agreement. By executing this Agreement Provider affirms Provider is in compliance with Article 2 of Chapter 64 of the North Carolina General Statutes.
- d. 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.
- e. Entire Agreement. This Agreement 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.
- f. 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.
- g. 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.

- h. 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.

- i. 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: Cheryl Young
P.O. Box 8181
Hillsborough, NC 27278

Provider's Name
Solns for Local Government
2301 Valencia Terrace
Charlotte, NC 28226

[SIGNATURE PAGE TO FOLLOW]

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: _____
County Manager

By: _____

Printed Name and Title

This instrument has been approved as to technical content.

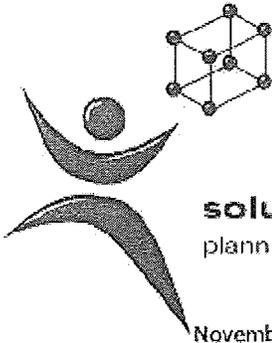
Jeff Thompson, Department Director

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Office of the Chief Financial Officer

This instrument has been approved as to form and legal sufficiency.

Office of the County Attorney



solutions 4 local government
 planning • operations • training • facilitation

November 22, 2013

Mr. Jeff Thompson, Director
 Orange County Asset Management Services
 PO Box 8181
 Hillsborough, NC 27278

Re: Scope of Services & Work Plan Outlines for;
 1. Jail Inmate Projections & New Facility Programming
 2. Assessment of Jail Alternative Programs

Dear Jeff:

Please accept this as our formal submittal of the referenced projects' proposed Scope of Services. As discussed, although presented as separate proposals, the plan is to conduct these studies concurrent with one another to take advantage of the economies of scale available in both man-hours and cost of doing so. More significant perhaps, is that these two studies and the work that is proposed literally "fit" together and will offer the participants involved in each the opportunity to share important information as it developed; for example:

The Jail Inmate Projections & New Facility Programming project will focus on the development of the many specific and details necessary to determine the operational and space needs for a new Jail.

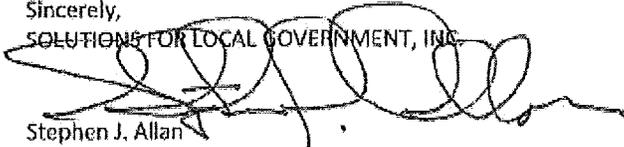
The Assessment of Jail Alternative Programs will utilize information developed in the inmate projections segment of the previous project as a means of focusing its research and program development efforts; as well then, to feed back to the programming effort underway its recommendations regarding the potential impact that its study findings may very well have on the eventual inmate population(s) that are to occupy the new Jail.

For presentation purposes, the organization of the major tasks and activities in each of the project work plans is provided in the approximate sequence that they will occur. In reality, some activities may actually occur simultaneous with others or continue throughout the study period. It is intended also that the tasks and activities described provide the performance criteria for and are attached to any contract entered into with the County.

Finally, each of the documents attached includes details as to the work to be performed, and identifies deliverables, projected schedules, and *not to exceed*, lump sum fees for each study. Of course additional rate information is provided should the County wish at any time to require additional services relative either study.

Please do not hesitate to contact me should you have any questions regarding the information attached. I am very much looking forward to working with you and with Orange County on these important projects.

Sincerely,
 SOLUTIONS 4 LOCAL GOVERNMENT, INC.


 Stephen J. Allan
 President

Enclosures

SCOPE OF SERVICES

Overview

This scope of services outline includes the major tasks as originally submitted plus those requested of the consultant by the Jail Alternatives Work Group during its meeting Tuesday, November 19th. The additional tasks are addressed in the outline as sub-sections; "Phase II-Process Assessment" and "Phase III-Programs Research".

PHASE I-EXISTING PROGRAMS ASSESSMENT

The tasks that follow are those identified as necessary to conduct a study and subsequent assessment of current alternatives to incarceration programs operating in Orange County. The principal purpose being to assess, among other things, the impact each has had and may have in the future, on the inmate population of the Orange County Jail.

The *existing* programs identified by the County include:

1. Pretrial Release
2. Pretrial Diversion
3. Drug Court
4. Family Court
5. Outreach Court
6. Community Resource Court (Mental Health Court)
7. Adult Probation [NCDOC Division of Community Corrections]

Task 1. Meet with program administrators and designated staff members to:

- 1.1 Understand program history, organization, purpose & objectives.
- 1.2 Identify the processes of program referral, criteria for acceptance, and participation requirements.
- 1.3 Collect available statistics, program data, annual reports, etc. to ascertain levels of participation and outcomes.

Task 2. Meet with designated County Courts, Criminal Justice, and related Human Services system officials to discuss the referenced programs and to identify and/or determine: [See list of suggested interviewees below]

- 2.1 Individual (and/or agency) level of involvement with the program(s); as participant, advisor/advocate, referral resource, etc.
- 2.2 Are the judges using the programs, which ones, and why?
- 2.3 Opinions as to program benefits and/or experienced outcomes.
- 2.4 Recommendations for enhancement, expansion, or improvement.
- 2.5 Quantitative data regarding program(s) impact on the County's jail population.

Task 3. With regards to the programs surveyed; and based on the meetings conducted and information gathered:

- 3.1 Provide a narrative description and overview of activities occurring within each program.
- 3.2 Identify and quantify the staffing for each program.
- 3.3 Identify the level of offender participation in each program (pending availability of data) for at least the past three (3) years.
- 3.4 Identify recidivism rates of individuals completing the programs within the past 3-5 years (pending availability of data).

Orange County, North Carolina
Assessment of Jail Alternative Programs

- 3.5 Provide a summary of the remarks offered by the Courts, Justice, and Human Services System officials interviewed.
- 3.6 Identify program costs and current source(s) of funding for at least the past three (3) years.
- 3.7 Identify revenue received by the program via grants, participant payments, etc. (pending availability of data) for at least the past three (3) years.
- 3.8 Identify current and recent year individual program costs per participant.

Task 4. Assess & quantify the impact that referenced program participation has had on the County's daily/annual jail inmate population(s) and is anticipated to have on future jail populations:

- 4.1 Collect and evaluate data regarding the County's daily and annual jail populations for at least the past five (5) years utilizing data provided by the Sheriff's Office;
 - Monthly jail population reports
 - Existing security classification criteria
 - Existing bond schedule(s) and practices
 - Age & gender demographics if/as available
 - Annual budget allocated to Jail operations
- 4.2 Research and plot the County's general resident population for the past three (3) years utilizing data obtained from the NC Office of Budget & Management.
 - Including the age & gender demographics which coincide with the Jail's age & gender categories identified above.
- 4.3 Overlay findings of Tasks 1, 2, and 3 with that of Task 4 to determine the net effect and/or impact of the referenced programs on the County's jail population(s) over the *past* three (3) years.
- 4.4 Collect, organize, assess and compare the costs identified; overall/general as well as specific/participant, etc.
- 4.5 Prepare and graphically illustrate the projected resident populations of the County over the next 20 years utilizing data obtained from the NC Office of Budget & Management.
- 4.6 Utilizing the data developed and charted in sub-task 4.1 as the "baseline", calculate and illustrate graphically the projected inmate populations anticipated to occur in the County Jail over the next 20 years.
 - Continue to utilize the age & gender demographics previously referenced.
- 4.7 Provide summary of study findings and observations and, where appropriate, the basis for any recommendations made.

PHASE II-PROCESS ASSESSMENT

Pursuant to Jail Alternatives Work Group member comments, it was suggested that various internal system processes, deferment options, or specific process improvements may be worth considering. And, that although some of these may not be alternatives to incarceration per se, they *may* with modification or formalization, result in efficiencies and/or benefits to the system itself.

Task 5. During Phase I meetings with program administrators and system officials solicit specific observations and recommendations regarding;

- Known and/or suggested processes to be considered,
- "Minor" or "informal" programs
- Deferment options utilized but not formalized
- Other programs not listed in Phase I; i.e. Carpe Diem, Dispute Settlement, etc.

Task 6. For each of the processes, programs, or options identified in Task 5, seek out the associated facilitator, administrator or "content/resource expert" to identify:

- The process or option purpose & basis for utilization.
- Available performance data regarding individuals served, efficiencies provided, etc.
- Applicability to the interests & objectives of the Jail Alternatives Work Group.
- Opportunities that may be provided but are not currently.
- Recommendations regarding continued utilization (or not), consolidation, expansion.

Task 7.D document and provide appropriate narrative summarizing the findings and recommendations regarding the options identified.

Note: Based on preliminary conversations with several Work Group members there may be as many as 8-10 substantive processes/options that could or will fall into this category. Time has been considered accordingly.

PHASE III-PROGRAMS RESEARCH

During the November 19th Jail Alternatives Work Group meeting, several members suggested looking at and/or considering the development of various programs they were familiar with that were operational in other North Carolina Counties; those mentioned included Buncombe, Cumberland and Durham counties. Subsequently, it was suggested that several of those program's representatives be invited to make presentations to the Work Group at future scheduled meetings. Also, the question was posed; "Is there anything going on at the national level that we could or should consider?"

Task 8. Identify and make contact with up to six (6) North Carolina County jurisdictions having jail alternative/deferred prosecution, transition or similar programs that may be of interest to Orange County; i.e. the Jail Alternatives Work Group, and applicable to the scope of this study.

- Solicit recommendations from Work Group members and system officials interviewed.
- Query previous North Carolina clients with whom the consultant has conducted similar studies for suggestions/recommendations.

Note: The referenced six (6) NC jurisdictions will be in addition to any program presentations made to the Jail Alternatives Work Group at regularly scheduled meetings.

Task 9. Conduct a general, national search to identify prominent programs and/or processes that offer alternatives to incarceration, deferment options, etc. that may be of interest to the Work Group.

- Minimally, the resources of the following national organizations will be reviewed to identify specific programs and/or jurisdictions having programs of note;
 - National Institute of Corrections
 - American Jail Association
 - American Correctional Association

Task 10. Document and provide appropriate narrative summarizing the significant program applications or recommendations for further study of the findings identified in Task 9.

JAIL ALTERNATIVES WORK GROUP & REPORTING REQUIREMENTS

It is understood that the Jail Alternatives Work Group will provide oversight of and general direction to the consultant with regards to the scope and development of this study. In turn, the consultant will attend the Work Group's scheduled meetings and serve as a participant, presenter, and as a general resource to the group with regards to jail alternative programs and specifically with regards to the issues and recommendations identified in the study itself.

Task 11. Prepare preliminary draft reports following substantial completion of each major phase of work outlined.

- For Phase I, the contents (generally) will include those described in Task 3.
- For Phase II, the contents will attempt to include those described in Task 3, however, for the less formal programs or processes identified and assessed, the contents may be general in nature.
- For Phase III, the contents of the narrative summary(s) provided will depend upon the results of the research undertaken.

Task 12. Provide a presentation of each of the preliminary reports to the Jail Alternatives Work Group.

- Receive and respond to questions and comments offered.
- Conduct additional research or study if/as required to address outstanding issues or questions identified.
- Include additional information/findings in revised (final) document.

Interviews:

It is anticipated that the Court, Criminal Justice, and Human Services officials to be interviewed per Task #2, in addition to each of the respective program administrators, will include:

- | | |
|---|--|
| ▪ Senior Resident Superior Court Judge | ▪ Clerk of Court |
| ▪ Chief District Court Judge | ▪ Sheriff |
| ▪ Two (2) additional listed District Court Judges | ▪ Jail Administrator |
| ▪ District Attorney | ▪ Department of Social Services (DSS) |
| ▪ Public Defender | ▪ Mental Health |
| ▪ District Court Project Coordinator | ▪ Additional; TBD (up to 3 additional) |

Meetings

The consultant is prepared to attend and participate in up to six (6) scheduled meetings of the Jail Alternatives Work Group. The basis for the number of meetings assumes an interval of approximately one meeting every two weeks, extending a total of twelve (12) weeks, within which time the tasks outlined in this work plan thus far can be accomplished.

Final Report

While Task 11 identifies the preliminary draft reports to be presented following the substantial completion of each of the designated major Phases of work, the final report will compile the preliminary reports into a single, organized document. This document will also include any additional information generated as a result of questions raised by Work Group members during those preliminary presentations.

- Prepare a draft of the full study report for distribution to and review by the members of the Jail Alternatives Work Group.
- Prepare a brief slide presentation of the essential findings and recommendations to coincide with the Groups meeting that is scheduled to discuss the draft report.
- Receive comments from Work Group members and discuss options for resolution of any outstanding issues.
- Complete final documentation and edits and revisions as necessary.
- Prepare designated number of printed copies of final report for delivery to the County.

Orange County, North Carolina
Assessment of Jail Alternative Programs

Deliverables-General

We will be prepared to begin work upon notice to proceed and will be immediately accessible and to the County throughout the project. The majority of the work described will be done in Orange County where we in turn, intend to be accessible to all participating County, Criminal Justice, and Human Services system personnel, as well as citizens, and the referenced program administrators.

While the specific "results" of the study to be undertaken cannot be quantified at this time, Solutions for Local Government is committed to the effective and timely completion of the tasks required and in providing the County with a thorough assessment to fit the programs that exist, a serious and thorough assessment of related processes identified and a comprehensive research effort with regards to prominent programs that may be of interest to the County and in operation in North Carolina and the United States.

Deliverables-Specific

1. Time on site *as required* to participate in necessary meetings and conduct and/or participate in each of the major tasks and described; estimate 12-14 days.
2. Organization of materials for Jail Alternatives Work Group meetings to present findings following completion of each of the three (3) major work Phases identified, and to present and discuss the final study report draft.
3. Formal presentation of findings and recommendations to the Board of County Commissioners, at such time as determined by the County.
4. Collate, print, bind, and deliver to the County twelve (12) copies of the final report document.
5. A copy of the final report document, together with the Board of County Commissioners presentation materials will also be provided the County in electronic format.

Fees

The costs that make up the proposed fee are based on:

- Man-hours; both on-site and "in-office", and
- Project related expenses for travel, per diem, communications, materials preparation, and document production.

At this time it is estimated that the tasks and activities necessary to complete this project will require between 175-185 man-hours.

Therefore, based on the stated project requirements and the major tasks and project deliverables identified in the Scope of Services Work Plan Outline provided, our fee, *including* all related project expenses for travel, per diem, document production and printing, are estimated at, and *will not exceed*; \$24,665.00.

The Scope of Services presented limits the number of Jail Alternatives Work Group meetings the consultant will attend to six (6) plus one (1) Board of County Commissioners' meeting to present the final report. Should the County or the Work Group wish for the consultant to attend additional meetings, they will be billed at the rate of \$ 835.00/meeting. For additional tasks related to but beyond the Scope of Services presented here will be billed at \$115.00/hour.

**Orange County, North Carolina
Assessment of Jail Alternative Programs**

Our practice is to bill monthly (typically on or about the 1st) based on the percentage of the work completed during the previous month. Once the fee is agreed upon, we *do not* add service or administrative fees, or any form of miscellaneous overhead charges to our billing at any time during the project.

In addition, we will withhold billing the final 10 percent of our fee until you have received the agreed upon copies of the report document and are satisfied with the work that has been done.

Schedule

Based upon the Scope of Services outline presented here, a schedule of 12 weeks is suggested to accomplish the major tasks identified; depending of course on the availability of those principals identified to be interviewed.

The formal presentation to the Board of County Commissioners would occur at such time as requested by the Manager.

Additional Firm Information

Solutions for Local Government, Inc. is a legal, *Sub-Chapter 'S'* Corporation, authorized and registered with the North Carolina Secretary of State; SOSID: 0624915.

Federal IRS Employer Identification Number: 81-0546253

Our business location is;

2301 Valencia Terrace
Charlotte, NC 28226

Telephone: 704.366.9719
Toll free: 1.866.300.3545

[Departmental Use Only]
TITLE Jail Programming
FY FY2013-14

NORTH CAROLINA

SERVICES AGREEMENT UNDER \$90,000.00

ORANGE COUNTY

This Services Agreement (hereinafter "Agreement"), made and entered into this 10th day of December, 2013, ("Effective Date") by and between Orange County, North Carolina a body politic and corporate of the State of North Carolina (hereinafter, the "County") and Solutions for Local Government, Inc., (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 Agreement is for services to be rendered by Provider to County with respect to *(insert type of project)*: Assessment of Jail Alternatives Programs as described in detail according to the attached proposal dated November 22, 2013, entitled "Scope of Services & Work Plan Outlines for (1) Jail Inmate Projections & New Facility Programming"
- 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.
- vii) In determining the basic services to be provided, should any documents be referenced in this Agreement, the terms of this Agreement shall have priority in any conflict between the terms of referenced documents and the terms of this Agreement. Should a request for proposals and a proposal be referenced the terms of the request for proposals shall have priority over the terms of any proposal.

3. Basic Services

- a. Basic Services. The Services to be rendered pursuant to this Agreement are as follows (fully describe services to be provided): Assessment of Jail Alternatives Programs as described in detail according to the attached proposal dated November 22, 2013, entitled "Scope of Services & Work Plan Outlines for (1) Jail Inmate Projections & New Facility Programming"

4. Duration of Services

- a. Term. The term of this Agreement shall be from December 10, 2013 to September 30, 2014.
- b. Scheduling of Services.
 - i) The Provider shall schedule and perform its activities in a timely manner.
 - ii) Should the County determine that the Provider is behind schedule, it may require the Provider to expedite and accelerate its efforts, including providing additional resources and working overtime, as necessary, to perform its 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 December 10, 2013.

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 except for any authorized Reimbursable Expenses which are defined herein. The maximum amount payable for Basic Services shall not exceed Twenty Six Thousand Four Hundred Dollars (\$26,400). Payment for Basic Services shall become due and payable within thirty (30) days of Provider properly invoicing County. Payment shall be subject to provisions of Section 5(b).
- b. Disputes. 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. Should Provider fail to perform its duties under the terms of this Agreement, County may, without fault or penalty, withhold any payment associated with the work to be performed until such time as said work is completed.
- c. 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 (Jeff Thompson) 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. Provider shall obtain, at its sole expense, Commercial General Liability Insurance, Automobile Insurance, Workers' Compensation Insurance, and any additional insurance as may be required by Owner's Risk Manager as such insurance

requirements are described in the Orange County Risk Transfer Policy and Orange County Minimum Insurance Coverage Requirements (each document is incorporated herein by reference and may be viewed at <http://orangecountync.gov/purchasing/contracts.asp>). If Owner's Risk Manager determines additional insurance coverage is required such additional insurance shall consist of professional liability insurance with a minimum of \$1,000,000 per occurrence (if no additional insurance required mark N/A as being not applicable). Provider shall not commence work until such insurance is in effect and certification thereof has been received by the Owner's Risk Manager.

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. Compliance with Laws. Provider shall at all times remain in compliance with all applicable local, state, and federal laws, rules, and regulations including but not limited to all anti-discrimination laws. Pursuant to the terms of North Carolina General Statute 153A-449(b) no county may enter into a contract with a contractor unless the contractor and the contractor's subcontractors comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Where applicable, failure to maintain compliance with the requirements of Article 2 of Chapter 64 of the General Statutes constitutes Provider's breach of this Agreement. By executing this Agreement Provider affirms Provider is in compliance with Article 2 of Chapter 64 of the North Carolina General Statutes.
- d. 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.
- e. Entire Agreement. This Agreement 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.
- f. 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.
- g. 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.

- h. 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.

- i. 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:Jeff Thompson
P.O. Box 8181
Hillsborough, NC 27278

Provider’s Name
Solns for Local Government
2301 Valencia Terrace
Charlotte, NC 28226

[SIGNATURE PAGE TO FOLLOW]

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: _____
County Manager

By: _____

Printed Name and Title

This instrument has been approved as to technical content.

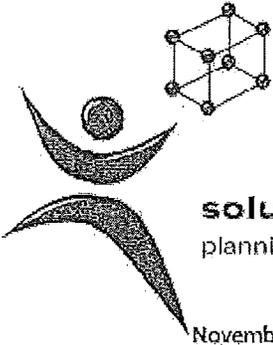
Jeff Thompson, Department Director

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Office of the Chief Financial Officer

This instrument has been approved as to form and legal sufficiency.

Office of the County Attorney



solutions 4 local government
 planning • operations • training • facilitation

November 22, 2013

Mr. Jeff Thompson, Director
 Orange County Asset Management Services
 PO Box 8181
 Hillsborough, NC 27278

Re: Scope of Services & Work Plan Outlines for;
 1. Jail Inmate Projections & New Facility Programming
 2. Assessment of Jail Alternative Programs

Dear Jeff:

Please accept this as our formal submittal of the referenced projects' proposed Scope of Services. As discussed, although presented as separate proposals, the plan is to conduct these studies concurrent with one another to take advantage of the economies of scale available in both man-hours and cost of doing so. More significant perhaps, is that these two studies and the work that is proposed literally "fit" together and will offer the participants involved in each the opportunity to share important information as it developed; for example:

The Jail Inmate Projections & New Facility Programming project will focus on the development of the many specific and details necessary to determine the operational and space needs for a new Jail.

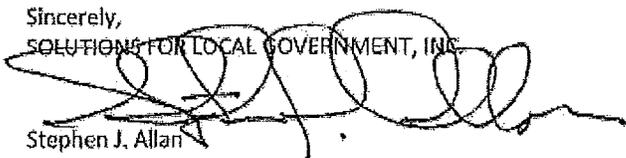
The Assessment of Jail Alternative Programs will utilize information developed in the inmate projections segment of the previous project as a means of focusing its research and program development efforts; as well then, to feed back to the programming effort underway in its recommendations regarding the potential impact that its study findings may very well have on the eventual inmate population(s) that are to occupy the new Jail.

For presentation purposes, the organization of the major tasks and activities in each of the project work plans is provided in the approximate sequence that they will occur. In reality, some activities may actually occur simultaneous with others or continue throughout the study period. It is intended also that the tasks and activities described provide the performance criteria for and are attached to any contract entered into with the County.

Finally, each of the documents attached includes details as to the work to be performed, and identifies deliverables, projected schedules, and *not to exceed*, lump sum fees for each study. Of course additional rate information is provided should the County wish at any time to require additional services relative either study.

Please do not hesitate to contact me should you have any questions regarding the information attached. I am very much looking forward to working with you and with Orange County on these important projects.

Sincerely,
 SOLUTIONS FOR LOCAL GOVERNMENT, INC.


 Stephen J. Allan
 President

Enclosures

**A Scope of Services & Work Plan Proposal to Provide
ORANGE County, North Carolina
with
County Jail Inmate Projections & Facility Programming**

INTRODUCTION & PROJECT UNDERSTANDING

The State of North Carolina has recently granted a tract of property to Orange County, via a long term lease, for use as the site for a new County Jail. The need for a new Jail has been discussed by county officials for the past several years as jail populations have frequently exceed the legal bed capacity of the existing facility.

Prior to enlisting the services of an architect to begin the formal design of a new jail facility, the County would like to;

- Develop inmate population projections, spanning the next 20 years, which are based upon the most recent data available, to provide a basis upon which the County can determine the number of beds the new jail facility should accommodate;

The consultant understands that the inmate projections and associated inmate bed requirements identified will incorporate the findings and recommendations of the County's Jail Alternatives Work Group with which the consultant is also engaged.

- Develop a detailed facility program document that will define the requirements for new jail space *and* how that new space will integrate with the existing jail on the site area now available.
- With appropriate input from the County regarding its specific requirements, develop a formal Request for Proposals (RFP) for issuance to qualified firms for the design and construction administration of a new County Jail.

SCOPE OF WORK

The Scope of Services Work Plan Outline that follows this narrative highlights the major tasks and activities that will be undertaken to address the County's interests and objectives for the County Jail that is to be designed and built and prepare the necessary documentation and supporting information to proceed with the design of new facilities.

The work plan outline identifies eight (8) major tasks, which will occur and be developed for the most part in the sequence that they are described. Major Tasks 1-5 are described in detail in the narrative that follows.

PHASE 1. INMATE POPULATION

In this phase, the most current jail intake (booking), release and average daily population data will be collected for (at least) the years 2008-2012 and 2013 YTD. Together with the data regarding the County's general population, inmate population projections will be updated and recalculated for the years 2014-2034.

Based upon their initial "baseline" calculations of inmate averaged daily populations for the projection years, an inmate "management factor", applicable specifically to Orange County's jail population, together with average length of stay (ALOS) calculations; will be determined to identify the corresponding inmate bed requirements for each of the same years.

Additional projection scenarios will be developed that extend beyond the "baseline" and incorporate conditions and/or circumstances that although not present at this time may occur in the future that will impact the jail inmate projections. In other words, in addition to the "baseline" projection will be a "moderate" or middle level growth scenario and an "aggressive" scenario that assumes more profound increases in both County and jail populations.

The basis for these additional growth scenarios will be supported with data and presented to and reviewed by the Project Manager/Team/Work Group (PM/T/WG) for their eventual selection and approval.

Following the identification of the preferred growth (projection) scenario, an inmate population profile will be developed that breaks down the total inmate bed requirements identified into "type" or security classification. The "types" will include, but not be limited to not only male and female beds but also, sentenced and pretrial, youthful and adult, minimum and maximum/high risk, and special management which may include those with diagnosed medical or psychiatric conditions.

PHASE 2. FACILITY PROGRAM

In this context, *Facility Program* is typically defined as "a statement of the requirements for a building project". The information developed and documented in the Facility Program moves the project/process from a general definition of the bed needs identified in Phase 1, to a more detailed presentation of how those specific needs will be met. The Facility Program describes *all* spaces that are to be included in the facility, and the activities that are intended to take place in those spaces. It also defines in narrative format, graphically, and where appropriate in detailed matrix or spreadsheet format, the size and relationship between the many specific spaces to be included within the facility. More importantly, with appropriate input from the owner and user throughout the process, it will become the owner's communication of instructions to the architect, once selected, that will enable him/her to begin design development.

Facility Mission & Purpose

To effectively kick-off the facility programming effort it will be important to develop a consensus statement that describes the new jail facility's operational philosophy, security objectives, service requirements and management objectives which will "drive" the development of the program that follows. As well, general design expectations should be discussed, not the least of which should include the State of North Carolina Design Standards and Operational Requirements for Local Detention Facilities, the enhancement of operational effectiveness, and the efficient utilization of staff.

An organized and facilitated work session will be conducted with representatives of the County, the Sheriff's Department and others (as suggested by the County and the Sheriff) wherein issues and priorities will be documented and discussed in a manner that results in the consensus statement suggested.

Operational Requirements

The facility operational requirements that are developed will address details of what *shall* and *will* happen in the new facility, *not* necessarily a description of what currently happens in the existing building. The understanding of what will happen in the new facility, that develops during the Operational Phase, becomes the basis for determining how the building should be sized and designed to *support* the user's needs during the activities wherein the facility requirements are *then* defined; i.e. "form (design) follows function".

The Operational Requirements discussed will include the following for each functional area of the facility: (see also Section 2 of the Work Plan Outline)

- Purpose
- Activities
- Hours of Operation
- Users
- Communications
- Policies & Standards

Facility Requirements

The *Facility Phase* develops information about how the building should *perform* in response to the requirements defined during the Operational Phase. By "performance", it is intended that the program document state what the building should *do*, rather than what it should "be like". Stating *performance* requirements leaves the planners, and ultimately the designer, more room to find creative solutions than they would have if they were told precisely what the building should be like.

The kinds of information developed during the Facility Phase can be divided into that which applies to the building as a whole as well as that which applies to each space; such as an individual office, activity area, or meeting room. Both types are important and will include the following:

- Adjacency & Circulation Requirements
- Security Criteria
- Architecture
- Engineering Criteria
- Space Requirements
- Adjacency Diagrams

PHASE 3. SITE PLAN CONCEPT

The initial site planning process and the corresponding materials that are developed will include a contextual analysis of the site that addresses existing and apparent physical conditions, as well as various conceptual diagrams that locate important elements relative to the site and its intended use; i.e., streets, existing buildings, topography, etc., together with the locating and massing of the proposed building(s) on the site.

This information, together with that provided in the Phase 2 will permit the development of site concept options that enable the PM/T/WG together with designated County and Sheriff's Department representatives to evaluate and discuss the various options available to them. Ultimately, a preferred option will be identified.

SCOPE OF SERVICES & WORK PLAN

ORANGE COUNTY, North Carolina
Jail Inmate Projections & Facility Program

A final Site Plan Concept will then be developed from the preferred option chosen. This site plan concept will include a brief narrative description and accompanying site diagram(s) that illustrate:

- The general boundaries and characteristics of the building site
- Location of the proposed building(s) on the site
- Access & egress to and from the site
- Secure, public, and controlled points of access to/from the building(s)
- Circulation to/from and on the site of public visitors, law enforcement personnel, and jail staff, and service providers
- Designated staff and visitor/public parking areas

PHASE 4. PROBABLE COSTS

Once the Facility Program and Site Plan Concept have been completed a final pre-design estimate of probable construction and project related costs will be developed. The categories of costs addressed will include:

- Design Development Costs
- Construction Costs
- Project Related Costs

Design Development; the fees identified will include associated architectural and engineering design fees for the major work tasks commonly called for in complex projects such as a county jail. The work for which fees will be calculated will include site investigations and site design, the estimated cost of the various phases of design development, the bidding process, and construction administration.

Construction; at this level of project development, a pre-design estimate of probable costs will be included for site development and new building construction. Estimated costs will be based on the cost per gross square foot of building / or space to be developed times the total gross square feet identified. The construction cost per square foot identified, and for that matter the percentage of cost rates identified for planning and design, will be based on both the consultant's data base of similar North Carolina projects as well as (for comparison) various national publications regarding cost indexing for these types of facilities.

Project Related; these expenses will be provided as general estimates of various but commonly occurring project related costs not otherwise included in the design or construction cost categories. The figures included are intended to give the County a general idea of what to expect and budget for with regards to reimbursable project expenses, materials testing, pre-construction site surveys, soils testing, required contingencies, and furnishings and equipment not otherwise provided by the contractor.

PHASE 5. DEVELOPMENT SCHEDULES

Once work in the above referenced phases has been completed, suggested schedule(s) for development and the associated costs of development by phase, month, calendar quarter, etc. will be important to enable the County to prepare appropriate CIP and annual fiscal year budgets accordingly.

Subsequently, an Implementation & Funding Schedule will be developed to provide the County with ample information with which to schedule payments, monitor progress and plan for the incremental increase and transition into available jail space as it becomes available.

The **Implementation & Funding Schedule** will include the projected start dates for each major task/activity; i.e. design, bidding, and construction; and the estimated duration (typically in months) of all major tasks and estimated completion dates. This information will be overlaid onto an estimated funding (payment) schedule that will assign the costs previously estimated to specific calendar months, identifying total funding required, funding initiation, funding duration, and the cumulative funding requirements by calendar quarter and year

ADDITIONAL ASSUMPTIONS

It is intended that the summary findings and recommendations that are developed at the conclusion of each major study phase be presented to the PM/T/WG for their review prior to proceeding with the next phase of work. This will enable a review of the findings and recommendations developed by the consultant as well as suggest any changes or modifications to the process and/or (re)direct related efforts of the consultant.

Materials

At this time it is anticipated that the County will provide the following materials to the consultant for use, application and analysis in developing the work products described.

- Copies of Local (Jail) Confinement Reports, as submitted monthly to the Jail & Detention Branch of the NC Department of Human Resources; for calendar years 2008-2012 and 2013 YTD.
- Daily Inmate Booking/Offense/Status reports; dates TBD
- Documented accounting of staff, by position title, currently allocated and assigned to the jail; full-time, part-time, contracted, etc.
- To scale GIS generated site maps of the existing jail site; to include at least adjacent streets, existing structures and drives, underground utilities (if available), topographic elevations delineated at intervals commonly provided.

Formal Presentations

The consultant understands that at any time during the process, the PM/T/WG may request that a formal presentation of interim findings and accompanying recommendations be provided in the form of an update, project status report, or if/as a significant issue arises not previously anticipated.

Scope of Services Work Plan Outline

Work Phase	Major Tasks & Activities
1. Inmate Population	<p>Assess and document the current and projected future needs of the Orange County Jail with regards to inmate capacity; i.e. average daily population (ADP) and bed requirements</p> <p>1.1 Collect relevant data to include at least:</p> <ul style="list-style-type: none"> ▪ Recent year space needs and jail population reports; ▪ Monthly Orange County Jail Local Confinement Reports, 2008-2013 YTD

- Current Jail Booking & Offense/Arrest Status Reports
- 1.2 Meet with Jail/Sheriff's Office personnel to determine what recent or pending changes have occurred that have or may impact inmate populations, jail operations, and/or inmate security classification requirements
- Legal concerns
 - Inspection report findings
 - Security concerns
 - Operating procedures
- 1.3 Collect data necessary to develop projections of County jail inmate populations through 2033 ;to include the following:
- County populations; 1993-2013, 2013-2033 (projected)
 - Total County arrests; 2008-2012
 - Inmate population data; 2008-2013 YTD
- 1.4 Format data for analysis
- Historical County population data
 - Historical arrest data
 - Historical jail average daily population (ADP) data
- 1.5 Calculate "primary factor" ratios
- Arrests to Population
 - Jail ADP to Arrests
- 1.6 Apply primary factor ratios to projected County populations
- Identify projected County populations; 2013-2033
 - Identify projected annual arrests; 2013-2033
 - Identify projected annual Jail ADP; 2013-2033
- 1.7 Develop inmate "profile" characteristics of current jail population
- Offender subgroups
 - Gender
 - Offense category
 - Legal status
 - Average length of stay (ALOS)
- 1.8 Apply established inmate profile characteristics to projected inmate populations
- Population sub-groups
 - Gender
 - Age
 - Security Classification
- 1.9 Calculate inmate bed requirements
- Convert jail ADP projections to bed requirements
 - Annual admissions & release data

- Peak populations; numbers & trends
- Calculate “Inmate Management Factor”
- Identify future year bed requirements
- Total by year
- By type/security classification

1.10 Develop alternative projection scenarios

- Identify at least two (2) additional projection scenarios; i.e.
 - Baseline (original)
 - “Moderate” projection
 - “Aggressive” projection
- Provide basis for each scenario presented
- Provide graphics and/or tables to illustrate

1.11 Organize & document section findings

- Narrative summary of Phase 1
- Include referenced graphics and illustrations

1.12 Meet with Project Manager/Team/Work Group to present Phase 1 findings

- Discussion
- Graphic illustrations
- Handouts

1.13 Solicit consensus recommendation from Project Team re:

- Preferred projection scenario for development in Phase 2

2. Facility Program

Develop a detailed operational and architectural program i.e., *Facility Program Document* for a new jail facility for Orange County, to accommodate the preferred inmate population projections scenario identified in Phase 1

2.1 Coordinate and facilitate a meeting with the Project Manager/Team/Work Group (PM/T/WG) and invited participants to discuss, and document the overall purpose; i.e. “Mission” expected of the Orange County Jail

2.2 The documentation produced, for approval by the PM/T/WG will include;

- Jail facility Mission Statement
- Functional requirements
- Performance objectives
- Design objectives

2.3 The key functional areas to be included and programmed for development will include at least those required by NC Jail Standards as well as those identified as necessary by the

PM/T/WG and, initially will include at least the following:

- Public Lobby
- Administration
- Intake (Booking) & Release
- Initial Housing
- General Population Housing
- Special Management Housing
- Visiting
- Exercise
- Education/Treatment Programs
- Religious Services
- Health Services
- Food Services
- Commissary
- Laundry
- Warehouse
- Maintenance
- Transportation
- Magistrate

2.4 Organize required meetings with County and Sheriff's Office personnel

- Identify and contact perspective participants
- County
- Sheriff's Office
- Establish & confirm meeting schedule(s)

2.5 Meet with appropriate outside user agency representatives if/as necessary to determine working requirements and specific space needs of:

- Law Enforcement
- District Attorney
- Magistrate
- Private Counsel
- Probation & Parole
- Other

2.6 Develop & document the ***Operational Requirements*** for each functional area to be included within the facility:

- Purpose
- Activities
- Hours of operation
- Communications requirements
- Applicable standards

2.7 Review operational requirements for content and completeness with PM/T/WG

- Discuss
- Determine additional requirements if as required

- Incorporate changes into *Operations* narrative

2.8 Develop & document the *Facility Requirements* for each functional area to be included within the facility:

- Adjacency & circulation requirements
- Security requirements
- Architectural Criteria
- Engineering Criteria
- Space Lists
- Adjacency Diagrams

2.9 Prepare a *Facility Program Space Requirements Summary*

- Area/Space Designation
- SF/Space
- Number of Spaces
- Total NSF
- Efficiency Factor(s)
- Total GSF

2.10 Prepare diagrams of overall facility concept options

- Configuration (adjacency diagrams) of major areas
- Overall building concept(s)
- General operations, security considerations, and circulation
- Advantages & disadvantages

2.11 Review *Facility Requirements* for content and completeness with PT/T/WG

- Discuss
- Determine additional requirements if as required
- Incorporate changes into *Facility* narrative

2.11 Receive PM/T/WG approval to proceed with Phase 3

3. Site Plan Concept

Develop a site master plan *concept* that illustrates how a major new County jail facility addition, of the size and description arrived at in Phase 2, will work on the site designated by the County.

3.1 Receive from the County for review and analysis a GIS generated site map to identify;

- General boundaries and characteristics of the building site and area available for construction
- Location of the existing jail building(s) on the site and potential area available for expansion
- Access & egress to and from the current site
- Current secure, public, and controlled points of access to/from the building(s)
- Current circulation to/from and on the site of public

visitors, law enforcement personnel, and jail staff, and service providers

- Designated (existing) staff and visitor/public parking areas

3.2 Prepare narrative summary of new facility concept recommended.

3.3 Identify and quantify **combined** facility site requirements

- Jail building(s); existing, new
- Staff parking
- Visitor parking
- Facility & grounds
- Law Enforcement access
- Vehicle sallyport
- Service & delivery

3.4 Develop general site concept diagram(s) that conforms to the Facility Program Document requirements and to the project objectives previously developed as preferred by the Project Team

- Key building components
- Site access and circulation
- Building access
- Parking
- Property setbacks
- Expansion (future) options

3.5 Meet with PM/T/WG to review Site Master Plan Concept

- Provide slide presentation and/or graphic illustrations
- Receive comments
- Address concerns/questions
- Solicit consensus recommendation(s) regarding the concept presented and corresponding recommendations

3.6 Modify the Site Master Plan Concept diagram(s) to reflect the Project Team's recommendations

4. Probable Costs

Develop and document a pre-design estimate of probable design, construction, and project related costs

4.1 Identify projected design fees to be included for:

- Site design
- Architectural & engineering (building) design to include
- Management of the bidding process and
- Construction administration

4.2 Identify projected construction costs to be included for:

- Site Construction
- New building construction

- Demolition; as required in existing jail building
- Existing building renovation

4.3 Identify projected owner project related costs to be included for:

- Reimbursable project expenses
- Soil & materials testing
- Pre-construction surveys
- Allowance(s) for furnishings & equipment
- Necessary contingencies

4.4 Review projected costs with PM/T/WG

- Receive feedback
- Identify options and/or costs for review and consideration
- Recalculate option costs if/as required

5. Development Schedules

Prepare appropriate funding and development schedules for use by the County in scheduling payments, monitoring progress, and planning for the incremental increase in available jail bed space as it becomes available

5.1 Project Implementation Schedule, to illustrate for each major design and construction phase;

- Start dates
- Duration typically in months
- Estimated completion dates
- Sequencing of significant construction project phases

5.3 Funding Schedule, that will identify;

- Assignment of funding requirements by date
- Distribution of funding over time (typically months)
- Cumulative funding requirements by quarter

6. Report Documentation

Assemble, print, and deliver to Orange County, the final Facility Program Document, including all relevant calculations, findings, and recommendations documented during the development of the information and activities undertaken in Phases 1-6 described in this Work Plan Outline

6.1 Review Final Draft document with PM/T/WG members

- Receive comments
- Discuss any remaining issues of concern
- Provide additional information if/as requested
- Receive consensus approval to commence production of final Facility Program Document

6.2 Print, bind & deliver eight (8) copies of the final document

	<p>6.3 Provide to the County a copy of the final document and copies of any major presentations delivered in electronic format; i.e. CD or comparable</p>
<p>7. Formal Presentation</p>	<p>At such time as requested by the PM/T/WG, provide a formal presentation of the updated inmate projections and summary recommendations of the Facility Program, to the Board of County Commissioners</p>
<p>8. Request for Proposals</p>	<p>Prepare a formal Request for Proposals (RFP) document requesting design services for a new Orange County Jail Facility.</p>
	<p>8.1 Meet with designated County representatives; i.e. Asset Management, Sheriff, other; regarding desired RFP process;</p> <ul style="list-style-type: none"> ▪ Timeline ▪ Pre-Proposal conference ▪ Essential qualifications/submittal requirements ▪ Etc.
	<p>8.2 Preliminarily, the outline for the Request for Proposals (RFP) will include the following major categories, to be accompanied by appropriate descriptive narrative.</p> <p>Project Introduction</p> <ul style="list-style-type: none"> ▪ Consultant Qualifications ▪ Scope of Services Requested ▪ Submittal Requirements ▪ Proposal Due Date ▪ County Contact Information ▪ Other
	<p>8.3 Submit draft RFP to County for review and comment</p> <ul style="list-style-type: none"> ▪ Discuss changes requested ▪ Edit/modify RFP draft as required ▪ Submit RFP in final form to the County for publication

Project Deliverables

1. On-site visits, as required, to collect, assess, and develop the information necessary to perform all tasks and activities described in the above Scope of Service Work Plan Outline; estimate minimum of 14-16 days.
2. Coordination and facilitation of all project and program development meetings as referenced in the Scope of Services Work Plan Outline.
3. Preparation of interim draft reports consisting of the significant findings developed during each major phase of work, and presentation of same to the designated PM/T/WG
4. Development, production, and delivery of eight (8) printed and bound copies of the Facility Program document and all contained tasks identified in the Scope of Services Work Plan Outline.
5. A copy of the final document, together with copies of any major presentations will be provided in electronic format; i.e. CD or comparable.

Fees

The costs associated with the development of this study are based on:

Man-hours; both on-site and *in-office*; and

Project related expenses for travel, per diem, communications, materials preparation, and document production

At this time, based on the stated project requirements and major tasks identified; our fee to produce this study, *including all* related project expenses is, **and will not exceed**, \$26,400.00

It is our practice to bill monthly (typically on or about the 1st) based upon the percentage of work completed during the previous month. Once the fee is agreed upon, we do not add service or administrative fees, or any form of miscellaneous or overhead charges to our billing at any time during the project.

In addition, we will withhold the final 10 percent of our fee until you have received the agreed upon copies of the report document and are satisfied with the work that has been done.

Additional Services

Should the County wish to utilize the consultant for additional services not stipulated in the referenced Work Plan Outline it may do so at the rate of \$115/hour plus reasonable expenses relevant the services requested.

Schedule

At this time it is estimated that the activities and tasks identified in the Scope of Services Work Plan Outline, through Task 6, can be completed in approximately twelve (12) weeks from receipt of notice to proceed from the County.

Additional Firm Information:

Solutions for Local Government, Inc. is a legal, Sub-Chapter 'S' Corporation, authorized and registered with the North Carolina Secretary of State; SOSID: 0624915

Federal IRS Employer Identification Number: 81-0546253

Our business location is:
2301 Valencia Terrace
Charlotte, NC 28226

Telephone: 704-366-9719
Toll Free: 866-300-3545

S4LG/sja

Attachment 6

Estimated Construction and Development Sources and Uses

Orange County Jail

updated
 project code 11/21/2013
 61370035 - 10051
 MUNIS Update 11/6/2013
 SF 100,000
 \$/SF \$300.00

Summary Revenues		
FY13-14 CIP	\$250,000	not currently funded
FY15-18 CIP	\$29,750,000	not currently funded
Total Funds Recognized	\$30,000,000	



Assumptions	Cost	SubTotal	Notes/Assumptions
Construction: \$250 per square foot, 400 gross square feet per inmate, maximum capacity of 250 inmates		25,000,000	
Professional Services: Design Cost is 6.5% of Construction Cost, Programming cost is .05% of Construction Cost		2,090,000	
Miscellaneous Furniture, Fixtures, Equipment, Contingency (10% of Construction Cost), Public Relations		2,910,000	

Total Encumbered Project Cost		30,000,000
Budget Variance surplus/(shortfall)	delta (\$)	0
Percentage Variance	delta (%)	0.00%

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No.** 7-b

SUBJECT: Rural Curbside Recycling Options

DEPARTMENT: Solid Waste/Recycling

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

1. October 8, 2013 Abstract – Review Process for Creating a Solid Waste Collection and Disposal District
2. Rural Curbside Recycling Options Advantages & Disadvantages
3. Map - Orange County Rural Curbside Recycling

INFORMATION CONTACT:

Gayle Wilson, 968-2885
John Roberts, 245-2318
Michael Talbert, 245-2308

PURPOSE: To review funding options for Rural Curbside Recycling in Orange County and provide direction to staff.

BACKGROUND: A recent court decision, *Lanvale v Cabarrus County*, essentially says that where there is no direct statutory authority to levy a fee, a local government cannot levy a fee. Since the *Lanvale* opinion was issued, Orange County's staff has been engaged in discussions regarding how, going forward, the County can best address the issues created by this action by the Supreme Court. The Supreme Court decision indicates that the Basic Fee is likely consistent with existing law, but the Urban, Rural and Multi-family recycling fees may not be consistent with existing case law. The Board of County Commissioners ceased assessing the Urban, Rural and Multi-family recycling fees beginning with the Fiscal 2013/14 Annual Budget. These services for Fiscal 2013/14 were funded with solid waste enterprise fund reserves in order to allow the Board of Commissioners time to resolve the funding problem.

The Rural Curbside program currently is limited to approximately 13,700 households eligible in the unincorporated area of the County. The rural curbside recycling fee was \$38 in fiscal 2012/2013. (See the Rural Curbside Recycling Map at Attachment 3 with rural curbside service area in yellow and existing customers in blue.)

On April 9, 2013 the Board reviewed eight (8) options for Orange County to fund the County's Solid Waste and Recycling Services and eliminated a county-wide Franchise agreement from consideration. After a public hearing held on April 23, 2013 to take public comments on the top three (3) options, the Board unanimously directed staff to maintain the current recycling program and;

- Directed the Manager to meet with the Managers of Carrboro, Chapel Hill and Hillsborough to determine their willingness to participate, to ascertain their needs and concerns, and report back to the Board of Commissioners by the end of 2012-13 fiscal year so that the County may proceed with implementation;
- Directed the Chair to meet with the three Mayors for a similar, parallel discussion;
- Adopt an interim funding plan for 2013-14;
- Committed to further investigate both a Solid Waste Tax Service District and a Solid Waste Authority

At a Work Session on October 8, 2013, the Board reviewed the process for creating a Solid Waste and Disposal Service District (see Attachment 1).

Options:

There are three options to fund Rural Curbside Recycling and all three options can be for either the approximately 13,700 households currently receiving rural curbside recycling services or expanded to the entire unincorporated area of Orange County. The advantages and disadvantages of each option are outlined in Attachment 2.

1. Create a Solid Waste and Disposal Service District (Rural Curbside Recycling Only)
2. Establish a Rural Curbside Recycling Subscription Service (Operated by the County Solid Waste)
3. Fund Existing Rural Curbside Recycling Services from General Fund Revenues

FINANCIAL IMPACT: The Rural Curbside 3-R fee was \$38 in fiscal 2012/2013. The County has moved to single stream recycling and needs to purchase up to 13,700 roll carts (estimated at \$53.50 each), two new recycling trucks (estimated at \$289,000 each), to fully implement the Rural Curbside Recycling program. Staff estimates that it will cost \$630,000 to fund the program in fiscal 2014/2015, and with improved efficiency, the program could expand and serve new customers in future years. The rural curbside recycling fees for Fiscal 2015/16 will be determined by the number of customers that sign up for the subscription service, the personnel and equipment necessary to provide the service and the size of the service area.

The lead time necessary for new equipment and roll carts make it impossible to establish a Rural Curbside Recycling Subscription Service by July 1, 2014. Also, Solid Waste staff is engaged to insure that the Urban Curbside Recycling Services are implemented no later than July 1, 2014. New roll carts and trucks could be ordered and in place by no later than January 1, 2015 and staff will work on expanding the customer base in anticipation of establishing a Rural Curbside Recycling Subscription Service in Fiscal 2014/15. A defined service area, customer base, and fee structure will be part of an implementation plan.

RECOMMENDATION(S): The Manager recommends that the Board move forward to establish a Rural Curbside Recycling Subscription Service in Fiscal 2014/15 for approximately 13,700 households currently receiving rural curbside recycling services; and direct staff to proceed with the Recommended Implementation Plan which includes one half of the first year's funding coming from the General Fund Fund Balance (\$315,000) and one half year's funding from billing customers that option to keep the rural curbside recycling subscription service.

Recommended Implementation Plan:

1. December 10, 2013 – Board Approves the concept of a Rural Curbside Recycling Subscription Service
 - A. Estimated Cost to provide the service to 13,700 households currently receiving rural curbside recycling services is \$630,000.
 - B. Customers opting out of the Rural Curbside Recycling Subscription Service are estimated to be 20%, which would leave a remaining customer base of 11,000. An annual subscription rate of \$58.00 is estimated to fund the households projected to receive rural curbside recycling services.
2. January 23, 2014 – Board approve the purchase of 2 new recycling trucks, up to 11,000 roll carts, and a budget amendment to fund one half of the first year's operations. New trucks and roll carts will be placed in service as soon as the trucks are available to be placed in service but no later than January 1, 2015.
3. No later than March 1, 2014, letters would be sent to the 13,700 households currently receiving rural curbside recycling services, describing the new subscription service and the first year's cost of the new service. Existing customers will be given the option of canceling the service by written notice to Solid Waste within 45 days.
4. July 2014 – The first annual billing for rural curbside recycling subscription service, \$29 for 6 months of service from January 1, 2015 through June 30, 2015.
5. January 1, 2015 – After new trucks and roll carts are in service, Solid Waste will begin pursuing new customers in rural Orange County.
6. Rural curbside recycling subscription service will be evaluated as part of the Fiscal 2015/2016 Budget.

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**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT**Meeting Date:** October 8, 2013

**Action Agenda
Item No. 2**

SUBJECT: Review the Process of Creating a Solid Waste Collection and Disposal System Service District

DEPARTMENT: Solid Waste/Recycling**PUBLIC HEARING: (Y/N)****ATTACHMENT(S):**

- A) Draft Notice of Public Hearing
- B) Draft Resolution Establishing a Solid Waste Collection and Disposal System Service District

INFORMATION CONTACT:

Gayle Wilson, 968-2885
John Roberts, 245-2318
Michael Talbert, 245-2308

PURPOSE: To review the process of creating a Solid Waste Collection and Disposal System Service District and the possible inclusion of the Towns.

BACKGROUND: Orange County is recognized as being number one in the state for waste reduction, reaching 59% of its 61% aggressive reduction. The County is disposing only 0.56 tons/person compared to the base year of 1991-92, when the disposal rate measured 1.36 tons. In the region, Wake County has achieved a 25% reduction rate, Durham County rate is at 21%, Chatham County is 37%, and Alamance County with 26%. Orange County's 61% waste reduction goal was adopted in 1997 by the County and by the Towns of Carrboro, Chapel Hill and Hillsborough as part of the County's original Comprehensive Solid Waste Plan. The County is committed to robust public education services and waste reduction programs regardless of the funding options preferred by the Board.

The County's Reduce, Reuse & Recycle (3-R) Fees previously consisted of four annual recycling fees adopted by Orange County in 2004 to fund recycling programs and services that are billed in conjunction with the annual property tax. The fees consisted of a Basic Fee (\$37/year) that was charged to all improved properties county-wide and funds various recycling operations such as the county Toxicity Reduction Improvement Program (Household Hazardous Waste, batteries, waste oil, electronics, etc.), recycling drop-off sites, recycling at solid waste convenience centers, education and outreach, enforcement, planning, etc. An Urban Curbside Fee (\$52/year) was assessed to improved residential properties within incorporated municipalities and funded weekly curbside recycling service. A Rural Curbside Fee (\$38/year) was charged to residential property in areas of unincorporated Orange County eligible to receive bi-weekly curbside recycling service. Finally, a Multi-family Fee (\$19/year) was charged multi-family units throughout Orange County for multi-family recycling services.

Not related to recycling, the County also assesses a county-wide Solid Waste Convenience Center Fee that is billed in conjunction with the annual property tax. The Unincorporated Areas

Fee is (\$20/year/Household); the Incorporated Areas Fee is (\$10/year/Household), and the Multi-family Fee is (\$2/year/multi-family unit). This basic Solid Waste Convenience Center Fee covers a portion of the operating costs of the County's five (5) Convenience Centers.

A recent court decision, *Lanvale v Cabarrus County*, essentially stated that where there was no direct statutory authority to levy a fee, a local government cannot levy a fee. Since the *Lanvale* opinion was issued, Orange County's staff has been engaged in discussions regarding how, going forward, the County can best address the issues created by this action by the Supreme Court. The Supreme Court decision indicates that the Basic Fee is likely consistent with existing law, but the Urban, Rural and Multi-family recycling fees may not be consistent with existing case law. The County Manager recommended that the Board of County Commissioners cease assessing the Urban, Rural and Multi-family recycling fees beginning with Fiscal Year 2013/14 Annual Budget. The County Manager further recommended funding these services for Fiscal Year 2013/14 only with solid waste enterprise fund reserves in order to allow the Board of Commissioners time to resolve the funding problem.

The Rural Curbside program currently is limited to 13,730 households eligible in the unincorporated area of the County. These services are provided by County Solid Waste staff. Just 6,000 households lack access to rural curbside service at this time. Waste collections in unincorporated Orange County are provided by several private haulers, without a County Franchise Agreement, on a voluntary basis to those using the services.

The Urban Curbside recycling serves Chapel Hill, Carrboro and Hillsborough municipal residents. The services are paid for by Orange County Solid Waste under contract with Waste Industries, Inc. and the towns are responsible for household solid waste within their town limits.

The Multi-family recycling serves multi-family establishments in both incorporated and unincorporated Orange County. The multi-family recycling services are provided by Orange County Solid Waste staff.

On April 9, 2013 the Board reviewed eight (8) options for Orange County to fund the County's Solid Waste and Recycling Services and eliminated a county-wide Franchise agreement from consideration. The Board held a public hearing on April 23, 2013 to receive public comments on the top three (3) options identified by the Board on April 9, 2013. Attachment 2 provides a detailed assessment of the three (3) options considering the Board's goals and commitment to recycling. Those options are:

- 1) Create a County-Wide Solid Waste Management Authority,
- 2) Create a Solid Waste Tax Service District; and
- 3) Eliminate Rural Curbside Recycling.

The Board unanimously wished to maintain the current recycling program and

- Directed the Manager to meet with the Managers of Carrboro, Chapel Hill and Hillsborough to determine their willingness to participate, to ascertain their needs and concerns, and report back to the Board of Commissioners by the end of 2012-13 fiscal year so that the county may proceed with implementation;
- Directed the Chair to meet with the three Mayors for a similar, parallel discussion;
- Adopted an interim funding plan for 2013-14 at the end of this fiscal year;
- Committed to further investigate both a Solid Waste Tax Service District and a Solid Waste Authority.

A county-wide Solid Waste Tax Service District approach is a more comprehensive and flexible option that would include the Towns and the current Rural Curbside Service Area. A Tax Service District can provide services via County staffing, contracted, optional or mandatory programs or otherwise formulated approaches to both solid waste and recycling services as long as services are delivered and funded on some basis county-wide in the unincorporated areas of the County and can allow one or more towns to opt into the District. The effective date of a new Solid Waste Tax Service District would be July 1, 2014.

There is a process to create a Solid Waste Tax Service District that is identical to the process used for the creation of Fire Service Districts completed in the spring of 2013.

Schedule and Publish a Notice of Public Hearing:

Prior to the Public Hearing, the County must prepare a Report on the district. A copy of the report must be kept in the Clerk's office. The report must contain the following:

1. A map of the proposed district, showing its proposed boundaries;
2. A statement showing that the proposed district meets the standards set out in subsection (a); and
3. A plan for providing one or more of the services listed in G.S. 153A-301 to the district.

The Report should also include:

1. The resident or seasonal population and population density of the proposed district.
2. The appraised value of property subject to taxation in the proposed district.
3. The present tax rates of the county and any cities or special districts in which the district or any portion thereof is located.
4. The ability of the proposed district to sustain the additional taxes necessary to provide the services planned for the district.
5. If it is proposed to furnish water, sewer, or solid waste collection services in the district, the probable net revenues of the projects to be financed and the extent to which the services will be self-supporting.
6. Any other matters that the commissioners believe to have a bearing on whether the district should be established

Notice of Public Hearing must be mailed (first class prepaid is fine), at least 4 weeks prior to the date of the public hearing, to the "owners as shown by the county tax records as of the preceding January 1 (and at the address shown thereon) of all property located within the proposed district." The preceding January 1 is the January 1 prior to the public hearing. The commissioners designate who handles the mailing. If the towns choose to be included in the district, the BOCC can designate the towns to conduct the mailing to all owners of district properties located within town limits.

The Notice of Public Hearing must be published at least one week prior to the public hearing. A map of the service district must be attached to the notice and the resolution.

If the Towns authorize the County to collect and charge a fee for recycling within their town limits, as Chapel Hill recently did for areas within its limits located in Durham County, there would be no need to include the towns in the service district. A fee structure similar to what the county has always had could be implemented. Included in the Fiscal 2013-2014 Annual

Budget, Chapel Hill gave the County authorization to collect recycling and impose fees in its Durham County jurisdiction. If this authorization was used by the towns it would be an easier way to reach the same goal.

The Town of Chapel Hill is exploring alternative options for solid waste disposal, as well as ways of increasing efficiency with solid waste collection. The Town contracted SCS Engineers to provide a Comprehensive Review of Solid Waste Collection and Disposal Options (study). The study examines the Town's current solid waste collections and disposal programs to identify opportunities to enhance these services, improve efficiencies, and evaluate innovative technologies in the solid waste industry. The Chapel Hill Town Council will begin discussion of Solid Waste options in October 2013 and is not ready make a commitment to join a Solid Waste Tax Service District.

Both the Town of Carrboro and the Town of Hillsborough have indicated an interest in being part of a Solid Waste Tax Service District.

In Fiscal Year 2013-14 the Basic 3R Fee of \$37/year was charged to all improved properties county-wide and funds various recycling operations such as the County Toxicity Reduction Improvement Program (Household Hazardous Waste, batteries, waste oil, electronics, etc.), recycling drop-off sites, recycling at solid waste convenience centers, education and outreach, enforcement, planning, etc. The Urban Curbside Fee of \$52/year, the Rural Curbside Fee of \$38/year and the Multi-family Fee of \$19/year were not billed in Fiscal Year 2013-14. Solid Waste Reserves were utilized to fund the County's Recycling Program in Fiscal Year 2013-14 and is not an option for Fiscal Year 2014-15.

FINANCIAL IMPACT: There is no financial impact to the County in discussing funding options for the County's Recycling Programs.

RECOMMENDATION(S): The Interim Manager recommends that the Board discuss a Solid Waste Tax Service District and provide guidance to staff.

**NOTICE OF PUBLIC HEARING
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

Pursuant to the requirements of the General Statutes of North Carolina, Chapter 153A-302(c) notice is hereby given that the Board of County Commissioners will hold a Public Hearing in the meeting room located at _____, on Tuesday _____ at 7:00 p.m. for the purpose taking specific action on the following item:

Creation of a solid waste collection and disposal system service district.

1. A report prepared on the proposed district as required by N.C.G.S. 153A-302(b) may be inspected in the Office of the Clerk to the Board of County Commissioners located in the John Link Government Services Building located at 200 South Cameron Street, Hillsborough, North Carolina between 8:00 a.m. and 5:00 p.m., Monday through Friday.
2. A map of the proposed solid waste collection and disposal system service district is attached as Exhibit One.

Questions regarding the proposed solid waste collection and disposal system service district may be directed to the office of _____ located on the second floor of the _____, Hillsborough, North Carolina, 27278. Office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday. You may also call (919) 245-XXXX extension_____.

PUBLISH:
NEWS OF ORANGE CHAPEL HILL HERALD

**ORANGE COUNTY BOARD OF COMMISSIONERS
RESOLUTION ESTABLISHING A SOLID WASTE COLLECTION AND DISPOSAL
SYSTEM SERVICE DISTRICT**

WHEREAS, the Orange County Board of County Commissioners (“Board”) has determined there is a need to establish a solid waste collection and disposal system service district in order to provide for the health, safety, and general welfare of the residents of the area shown on Attachment 1 hereto that being the solid waste collection and disposal system service district (“District”); and

WHEREAS, in accordance with Article 16 of Chapter 153A of the North Carolina General Statutes the Board conducted a public hearing on the establishment of the District; and

WHEREAS, during the public hearing and in determining whether to establish the District the Board considered the resident or seasonal population and population density of the proposed District, the appraised value of property subject to taxation in the proposed District, the present tax rates of the county and any cities or special districts in which the District or any portion thereof is located, the ability of the proposed District to sustain the additional taxes necessary to provide the services planned for the District, the probably net revenues of the projects to be financed and the extent to which the services will be self-supporting, and the overall need for solid waste collection, disposal, and recycling in the District.

NOW, THEREFORE, BE IT RESOLVED, the Board finds that there is a demonstrable need for providing solid waste collection, disposal, and recycling in the District as authorized by N.C.G.S. 153A-301(a)(5), it is impossible or impracticable to provide those services on a countywide basis, it is economically feasible to provide the proposed services in the District without unreasonable or burdensome annual tax levies, and there is a demonstrable demand for the proposed services by persons residing in the District.

BE IT FURTHER RESOLVED that for all the foregoing reasons the Orange County Board of Commissioners hereby establishes a solid waste collection and disposal system service district in the areas of Orange County shown on Attachment 1.

Passed the ____ day of _____, 201__ and having an effective date of July 1, 2014.

Barry Jacobs, Chair
Orange County Board of Commissioners

Attest:

Clerk to the Board of Commissioners

Rural Curbside Recycling Options Advantages & Disadvantages

1. Create a Solid Waste and Disposal Service District (Rural Curbside Recycling Only):

A. A defined Solid Waste and Disposal Service District containing only parcels previously billed the Rural 3-R Fee - Real Property Values; Total Real Property Valuation = \$3,270,682,457

Advantages:

- Impacts only those parcels previously paying for the service
- Initially does not include new parcels but maintains current customer base and can allow expansion of approximately 2,000 new service points within the new district.
- Tax exempt parcels in the tax District will not pay a property tax but could receive the services
- A stable and predictable source of funding
- Property Tax qualifies as an income tax deduction
- Renters & Tenants would automatically receive service rather than a separate billing
- Services existing stable program and customer base, operationally changes will be minimal
- The Tax service District could be expanded in the future

Disadvantages:

- Will require the creation of a Solid Waste and Disposal Service District, including notification of property owners, public hearing(s), and setting a tax rate.
- Future Expansion of the District would involve the same process used to establish the District
- Not an equitable way to fund rural curbside recycling, the District tax will apply to all real & personal property whether or not the property receives rural curbside recycling services or not
- Tax exempt parcels in the tax District will not pay a property tax but could receive the services
- Taxes farmland and vacant property
- Not everyone in the district will want or use the service
- Could compete with private haulers providing rural curbside recycling services

B. County Wide Solid Waste and Disposal Service District for the entire unincorporated area of the County – total Real Property Valuation \$5,564,081,997

Advantages:

- Will result in more residents participating
- Potential for the greatest quantity of recycled materials being recycled and significantly increase waste reduction/recycling
- Cost of Rural Curbside Recycling would be proportional for all unincorporated property owners
- Renters & Tenants would automatically receive service
- A stable and predictable funding source

Disadvantages:

- Will require the creation of a Solid Waste and Disposal Service District, including notification of property owners, public hearing(s), and setting a tax rate.
- Not everyone in the district will not want or use the service
- Would necessitate phasing in Rural Curbside Recycling service multiyear period
- Could bring service to least dense rural areas of the County and raise incremental cost per unit of service
- Taxes farmland and vacant property

2. Establish a Rural Curbside Recycling Subscription Service (Operated by the County Solid Waste):

A. Convert existing rural curbside service area (area previously billed as Rural 3-R Fee) to a subscription service

Advantages:

- Would not require creation of a Solid Waste Tax Service District
- No County-Wide Property Tax, only users of the service would pay
- Tax exempt properties could be served as any other subscriber
- Could include non-residential
- Equitable, each user pays the same for the same level of service

Disadvantages:

- Likely less participation and reduced quantities of recovered materials
- Difficult to establish rates and predict revenues
- Reduced participation may require a general fund contribution
- Reduced participation could alter existing routes and could increase cost per household
- Create or expand existing landfill billing system and initiate/maintain a detailed recordkeeping database for rural curbside program
- Additional administrative costs with regard to periodic billing, customer service changes and cart pickup and deliveries
- Renters & Tenants would be required to subscribe

B. Offer rural curbside service to the entire unincorporated areas of the County

Advantages:

- Would not require creation of a Solid Waste Tax Service District
- No County-Wide Property Tax, only users of the service would pay
- Tax exempt properties could be served as any other subscriber
- Could include non-residential
- Equitable, each user pays the same for the same level of service
- Rural Curbside Recycling could be offered to everyone in the County
-

Disadvantages:

- Likely less participation and reduced quantities of recovered materials
- Difficult to establish rates and predict revenues
- Reduced participation may require a general fund contribution
- Reduced participation could alter existing routes and could increase cost per household
- Create or expand existing landfill billing system and initiate/maintain a detailed recordkeeping database for rural curbside program
- Additional administrative costs with regard to periodic billing, customer service changes and cart pickup and deliveries
- Renters & Tenants would be required to subscribe
- Would necessitate phasing in service over a multi-year period
- Most difficult options to execute and service
- Would create a larger carbon food print - less efficient routing of collection vehicles with significant increase in fuel usage to provide service to what could be highly dispersed service area

3. Fund Rural Curbside Recycling Services from General Fund Revenues:

A. Convert existing rural curbside service area (area previously billed as Rural 3-R Fee) to the new rural curbside service area

Advantages:

- Likely to increase participation and increase quantities of recovered materials
- Would not require creation of a Solid Waste Tax Service District

Disadvantages:

- County-Wide Property Tax all real & personal property owners would pay for Rural Curbside Recycling
- Tax exempt properties would be served and not pay for the service
- Inequitable all real & personal property owners would pay for Rural Curbside Recycling including Town residents already paying a Urban Curbside Recycling Fee

B. Offer rural curbside service to the entire unincorporated areas of the County

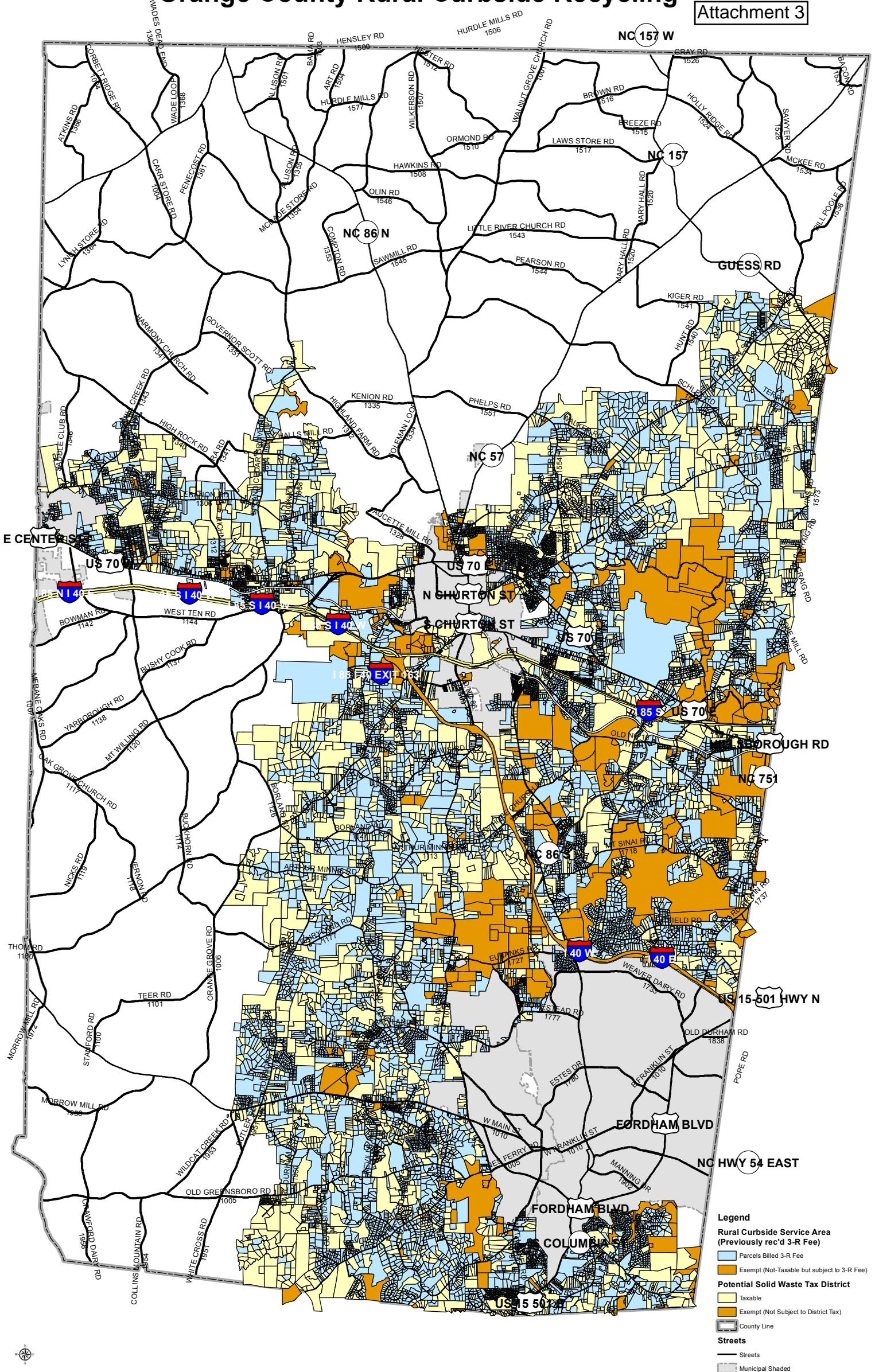
Advantages:

- Likely to increase participation and increase quantities of recovered materials
- Would not require creation of a Solid Waste Tax Service District
- Rural Curbside Recycling could be offered to everyone in the County

Disadvantages:

- County-Wide Property Tax all real & personal property owners would pay for Rural Curbside Recycling
- Tax exempt properties would be served and not pay for the service
- Would necessitate phasing in service over a multi-year period
- Would alter existing routes and could increase cost per household
- Inequitable all real & personal property owners would pay for Rural Curbside Recycling, including Town residents already paying a Urban Curbside Recycling Fee

Orange County Rural Curbside Recycling



- Legend**
- Rural Curbside Service Area (Previously rec'd 3-R Fee)
 - Parcels Billed 3-R Fee
 - Exempt (Not-Taxable but subject to 3-R Fee)
 - Potential Solid Waste Tax District
 - Taxable
 - Exempt (Not Subject to District Tax)
 - County Line
 - Streets
 - Streets
 - Municipal Shaded

1 inch = 12,052 feet
Date: 12/4/2013

This map contains parcels prepared for the inventory of real property within Orange County, and is compiled from recorded deed, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The county and its mapping companies assume no legal responsibility for the information on this map.

Orange County Tax Administration/Land Records/GIS

Layer	Parcel Count	Total Valuation(Excludes Exempt)
Rural Curbside Service Area	12,547(Includes Exempt)	\$3,515,438,581
Potential Solid Waste Tax District	18,003(Excludes Exempt)	\$4,179,276,322

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No.** 7-c

SUBJECT: Recommended Uses of General Fund Unassigned Fund Balance as of June 30, 2013

DEPARTMENT: Finance and Administrative Services

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

1. BOCC Fund Balance Policy
2. Schedule of General Fund Balance Available for Appropriation
3. Chart and Schedule of Changes in Fund Balance since FY2008

INFORMATION CONTACT:

Michael Talbert, 919-245-2300
Clarence G. Grier, 919-245-2453

PURPOSE: To provide the Board of County Commissioners (BOCC) with a recommendation for the use of the General Fund Unassigned Fund Balance in excess of the BOCC's fund balance policy.

BACKGROUND: On April 5, 2011, the BOCC adopted a fund balance policy that states:

The County will strive to maintain an unassigned fund balance in the General Fund of 17% percent of budgeted general fund operating expenditures each fiscal year. The amount of unassigned fund balance maintained during each fiscal year should not fall below 8% percent of budgeted general fund operating expenditures, as recommended by the North Carolina Local Government Commission.

As of June 30, 2013, the General Fund Unassigned Fund Balance totaled \$41.8 million (Attachment 2). Of this amount, \$5.2 million was appropriated prior to the end of the fiscal year to balance the FY 2013 – 2014 General Fund Operating Budget. After the appropriations of the General Fund's fund balance available for appropriation, the General Fund unassigned fund balance as of June 30, 2013 was \$36.6 million, which represents 20.17% of the General Fund expenditures as of June 30, 2013. This represents approximately a 125% increase in the General Fund unassigned fund balance since June 30, 2009. Additionally this represents unassigned fund balance in excess of the fund balance policy of \$5.7 million.

For the current fiscal year, staff recommends the appropriation \$3 million of the excess fund balance to continue the funding of the Other Post Employment Benefit (OPEB) Fund established during the previous fiscal year to fully fund the total required contribution for the current fiscal year. It has been recommended by the Local Government Commission and the Bond Rating

Agencies that the County addresses the funding of its OPEB liability. The current OPEB unfunded liability totals approximately \$62.6 million. The prior year's liability was \$63.7 million.

The total remaining General Fund unassigned fund balance after the current year appropriations and the appropriation for the OPEB contribution in excess of the fund balance policy percentage of 17% totals \$2.1 million (Attachment 2).

Additionally staff recommends that the BOCC consider the following suggested uses of the \$2.1 million available unassigned balance (Attachment 2).

FINANCIAL IMPACT: The financial impact is the use of \$5.7 million of General Fund Balance in excess of the established fund balance policy of 17%.

RECOMMENDATION(S): The Manager recommends that the Board approve the suggested uses of General Fund available fund balance and provide direction and feedback to staff on the other potential uses of unassigned (available) fund balance.

April 5, 2011

**ORANGE COUNTY BOARD OF COMMISSIONERS
FUND BALANCE MANAGEMENT POLICY**

The Fund Balance Management Policy is intended to address the needs of Orange County (County), in the event of unanticipated and unavoidable occurrences which could adversely affect the financial condition of the County and thereby jeopardize the continuation of necessary public services. This policy will ensure the County maintains adequate fund balance and reserves in the County's **Governmental Funds** to provide the capacity to:

1. Provide sufficient cash flow for daily financial needs,
2. Secure and maintain investment grade bond ratings,
3. Offset significant economic downturns or revenue shortfalls, and
4. Provide funds for unforeseen expenditures related to emergencies.

Fund Balance for the County's **Governmental Funds** will be comprised of the following categories:

1. Nonspendable - amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.
2. Restricted – amounts externally imposed by creditors (debt covenants), grantors, contributors, laws, or regulations of other governments.
3. Committed – amounts used for a specific purpose pursuant to constraints imposed by formal action of the government's highest level of decision-making authority.
 - a. Amounts set aside based on self-imposed limitations established and set in place prior to year-end, but can be calculated after year end.
 - b. Limitation imposed at highest level and requires same action to remove or modify
 - c. Ordinances that lapse at year-end
4. Assigned - amounts that are constrained by the government's intent to be used for specific purposes, but are neither restricted nor committed.
5. Unassigned – amounts that are not reported in any other classification.

The General Fund will be the only fund that will have an unassigned fund balance. The Special Revenue Funds and Capital Project funds will consist of only nonspendable, restricted, committed and assigned categories of fund balance.

Unassigned Fund Balance – General Fund

Orange County has adopted a fiscal policy that provides for capital projects to be financed with debt and pay-as-you-go funding. In order to obtain the best possible financing, the County has adopted policies designed to maintain bond ratings at or better than AAA (Fitch), Aa2 (Moody's Investor Services) and AA+ (Standard & Poor's). Part of the County's fiscal health is maintaining a fund balance position that rating agencies feel is adequate to meet the County's needs and challenges.

April 5, 2011

Orange County has therefore adopted a policy that requires management to maintain an **unassigned balance** as follows:

1. ***The County will strive to maintain an unassigned fund balance in the General Fund of 17% percent of budgeted general fund operating expenditures each fiscal year. The amount of unassigned fund balance maintained during each fiscal year should not fall below 8% percent of budgeted general fund operating expenditures, as recommended by the North Carolina Local Government Commission.***
2. To the extent that the General Fund **unassigned** fund balance exceeds 17% percent, the balances may be utilized to fund capital expenditures or pay down outstanding County debt.
3. **The County's budget and revenue spending policy provides for programs with multiple revenue sources. The Financial Services Director will use resources in the following hierarchy: bond proceeds, Federal funds, State funds, local non-county funds, county funds. For purposes of fund balance classification, expenditures are to be spent from restricted fund balance first, followed in-order by committed fund balance, assigned fund balance, and lastly, unassigned fund balance. The Financial Services Director has the authority to deviate from this policy if it is in the best interest of the County with Board of County Commissioner's approval.**
4. **Management is expected to manage the budget so that revenue shortfalls and expenditure increases do not impact the County's total unassigned fund balance. If a catastrophic economic event occurs that requires a 10% or more deviation from total budgeted revenues or expenditures, then unassigned fund balance can be reduced by action from the Board of County Commissioners; the Board also will adopt a plan of action to return spendable fund balance to the required level.**

Enterprise Funds - (Solid Waste, Efland Sewer, and the Orange County Sportsplex) – The County will strive to maintain unrestricted net assets greater than 8% of total operating revenues at fiscal year-end, net of any donated assets recognized, to provide reserves for operations and future capital improvements.

Restrictions, reservations, and designations of Net Assets for Enterprise Funds

For external reporting purposes, net assets will be reported as restricted or unrestricted in accordance with GAAP. For internal purposes, net assets will be reserved or designated as follows:

1. Encumbered balances to continue existing projects are designated.
2. Designations for funding of planned projects in a future period to reduce the financial demands placed upon a subsequent budget.

Internal Service Funds – Dental Insurance Fund - total net assets shall maintain a positive balance to illustrate the internal nature of recovery fees for services performed in self-insuring employees of the County. Additionally, the net assets of the fund will demonstrate adequate funding for incurred, but not reported claims.

April 5, 2011

Rescission

This policy supersedes any policy in place prior to this date.

April 5, 2011

General Fund Balance Available for Appropriation As of December 10, 2013

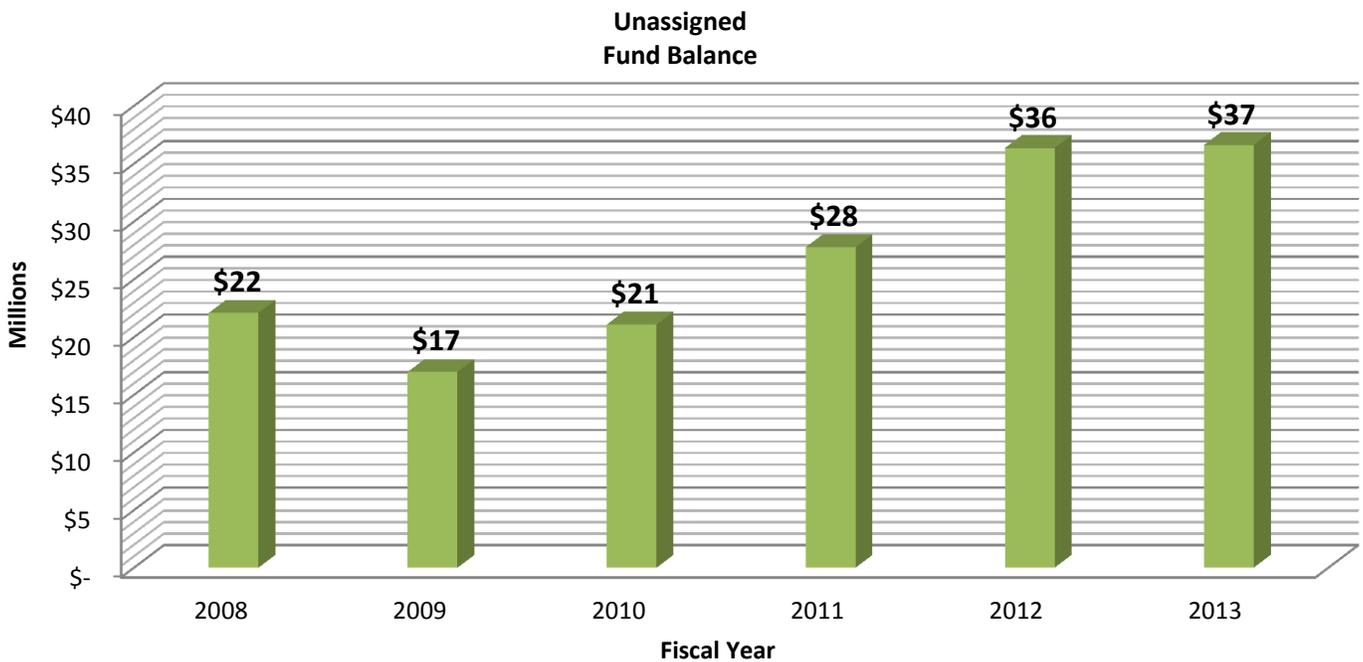
		Totals
Fund Balance Available for Appropriation (A), June 30, 2013	\$	41,798,172
Fund Balance, Assigned		
FY2012-2013 Budget	\$	<u>5,190,118</u>
Total Assigned Fund Balance (B)		<u>5,190,118</u>
Fund Balance Unassigned (A less B), June 30, 2013	\$	<u>36,608,054</u>
General Fund Expenditures for the year ended June 30, 2013	\$	<u>181,528,386</u>
General Fund Unassigned Fund Balance as of June 30, 2013		
As a Percentage of General Fund Expenditures		20.17%
BOCC Fund Balance Policy - 17 %		17.00%
General Fund Unassigned Fund Balance as of June 30, 2013		
In excess of the Board's policy	\$	5,748,228
Less: Sportsplex Land Purchase		(382,000)
Less: OPEB Funding		(3,000,000)
Less: CY Appropriation of Fund Balance		<u>(225,539)</u>
Additional Unassigned Fund Balance Available for Appropriation		
As of November 30, 2013	\$	2,140,689
Suggested Current Year uses of the Additional Fund Balance Available to avoid financing cost:		
County Rural Recycling (1/2 Year Funding for FY 2014-15)		<u>(315,000)</u>
Additional Amounts Available for Appropriation for Current Fiscal Year or FY 2014 -15	\$	<u>1,825,689</u>
* 17% Fund Balance totals.....	\$	<u>30,859,826</u>

Change in General Fund Available Fund Balance Since FY2008

1	2	3	2÷3
Fiscal Year	Unassigned Fund Balance	General Fund Expenditures	Unassigned Fund Balance %
2008	\$ 22,094,158	\$ 171,030,903	12.92%
2009	\$ 16,989,028	\$ 184,068,172	9.23%
2010	\$ 21,097,621	\$ 178,967,629	11.79%
2011	\$ 27,782,007	\$ 176,421,147	15.75%
2012	\$ 36,351,777	\$ 175,010,446	20.77%
2013	\$ 36,608,054	\$ 181,528,386	20.17%
Change Since FY2008			125.05%

Note: Available Fund Balance for FY2008 and FY was reduced by the following budget carryforwards:

FY2008	\$ 1,709,166
FY2009	\$ 1,988,442



**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No. 7-d**

SUBJECT: Whitted Permanent Meeting Room Technology Elements Update

DEPARTMENTS: Asset Management Services,
Information Technologies

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

1. Dais Terminal Set
2. Alternate Floor Meeting Configuration

INFORMATION CONTACT:

Jeff Thompson, (919) 245-2658
Jim Northrup, (919) 245-2276

PURPOSE: To:

- 1) Continue review of the visual aid technology elements related to the dais and floor meeting video content viewing identified by the Board;
- 2) receive demonstrations of the proposed podium mounted visual display and a dais mounted display; and
- 3) authorize the Manager to proceed with the podium mounted display and the study of visual display technologies that integrate into devices provided to the Board.

BACKGROUND: The Board received a technology component and concepts presentation at its November 19, 2013 regular meeting. Comments focused on two areas: Dais video content viewing, and “floor” joint meeting video content viewing angles.

Dais video content viewing, connection support – Video display and viewing from the dais was discussed, specifically the ability of Board members and other individuals sitting at the dais to clearly see clearly displays of content supporting speakers addressing the dais. Staff will demonstrate the proposed 60” video monitor integral to the podium for the Whitted Meeting Facility during this item’s presentation.

An alternate concept involving personal monitors mounted on the dais surface will also be demonstrated. Staff favors the podium mounted solution since the dais is designed to support a varying number of individuals, and that viewing technology will advance with time. Staff will continue to evaluate and test additional technologies that may be able to provide visual content to the dais and be viable with technology advancements utilizing existing and future devices (tablets, laptops, viewers, etc.) provided to the Board.

The dais will support individual user equipment (laptop or tablet) with individual power, network connection (wired and wireless), and device output connections so that users can “upload” content to the control room for viewing throughout the room and on the Granicus and Television

broadcast systems. Attachment 1, "Dais Terminal Set", is a sample illustration of these types of connections installed within the dais and accessible at the work surface. Individual monitor connections as mentioned earlier may also be available in the dais panel.

Non dais meeting setup viewing – Concern over bulkhead mounted video monitor viewing is addressed by re-orienting the meeting table setup to utilize the wall mounted monitors near the "front" of the room. Attachment 2, "Alternate Floor Meeting Configurations", illustrates how individuals seated at the table are closer to the large monitors as well as to the podium monitor. The illustrations also depict flexible audience seating arrangements since this seating is detached and portable. Additionally, the center pilaster on both sides of the room will also contain video monitor connections for portable monitors if needed.

FINANCIAL IMPACT: The cost for the 60" podium monitor is approximately \$4,000, with some of the cost driven by the integration of the unit within the podium millwork. The individual monitors with mount and wiring installed are estimated at \$1,000 each. As staff investigates and tests additional visual aid technologies supporting the dais, the estimated costs of the systems will be provided to the Board.

RECOMMENDATION(S): The Manager recommends the Board:

- 1) continue review of the visual aid technology elements related to the dais and floor meeting video content viewing identified by the Board;
- 2) receive demonstrations of the proposed podium mounted visual display and a dais mounted display; and
- 3) authorize the Manager to proceed with the podium mounted display and the study of visual display technologies that integrate into devices provided to the Board.



Orange County BoCC Meeting Room

Whitted Building Renovation

Attachment 1, Dais Terminal Set

11/22/13

Attachment 2

4

PP

Elec.

Conference Room

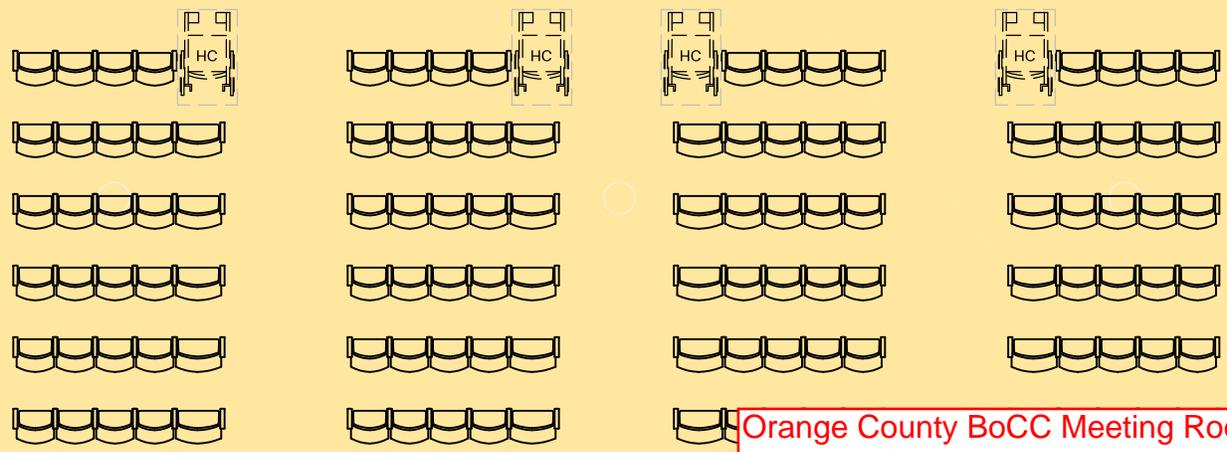
Permanent Dais

80" Monitor

80" Monitor

Meeting Room

60" Monitor



Orange County BoCC Meeting Room
Alternate Joint Session Layout
11/22/13

Sound
Lock

F

S

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

**Action Agenda
Item No. 8-a**

SUBJECT: Emergency Shelter Future Needs Report

DEPARTMENT: Housing, Human Rights and
Community Development

PUBLIC HEARING: (Y/N)

N

ATTACHMENT(S):

Homeless Housing Needs Assessment

INFORMATION CONTACT:

Commissioner Bernadette Pelissier
Jamie Rohe, 919-245-2490

PURPOSE: To receive a report from the Orange County Partnership to End Homelessness regarding the future provision of emergency homeless shelter services in the County.

BACKGROUND: During the January 2013 Board of County Commissioners Annual Retreat, Commissioner Penny Rich raised a question regarding the continued need for emergency shelter given the Inter-Faith Council for Social Service's plan to construct a new transitional housing project for men that will replace the current Community Housing emergency shelter facility. At that time, this item was referred to the Orange County Partnership to End Homelessness for further deliberation and response.

The Partnership has now completed its deliberation and the attached report has been prepared to respond to the question regarding the future of emergency shelters in Orange County. Commissioner Bernadette Pelissier and Homeless Programs Coordinator Jamie Rohe will present the report.

FINANCIAL IMPACT: None.

RECOMMENDATION(S): The Manager recommends the Board receive the report as information.

Orange County Partnership to End Homelessness
Homeless Housing Needs Assessment

This report responds to the Orange County Board of County Commissioner's request to assess the Emergency Shelter needs of our community.

Definitions of homeless housing types:

- **Emergency Shelter:** short-term shelter, often up to thirty (30) or sixty (60) days.
- **Transitional Housing:** long-term shelter providing increased case management and services, often up to two (2) years.
- **Permanent Supportive Housing:** rental housing for people who are physically and/or mentally disabled and homeless and not capable of living independently; supportive services are provided and tailored to individual needs.
- **Rapid Re-Housing (RRH):** homeless people are thoroughly assessed and housed in subsidized and non-subsidized apartments and receive services to help them become self-reliant; program enrollment can be three (3) months to two (2) years. *NOTE: Department of Housing and Urban Development (HUD) data demonstrates that RRH programs are highly successful and cost effective for ending homelessness and has determined it to be a best practice.*

The Inter-Faith Council for Social Service (IFC) has begun site work on its new Community House that will primarily provide Transitional Housing for up to 52 men; the facility will also provide Emergency Shelter for up to 17 men when there are adverse health, safety, or weather conditions. The IFC is willing to suspend Emergency Shelter services if/when another Emergency Shelter facility is operating in Chapel Hill or Carrboro.

Unmet Need Calculation

In order to determine the unmet need for all housing types and homeless services IFC's planned Community House must be considered within the context of our overall homeless system. HUD requires communities that receive federal homeless housing funding to conduct an annual Unmet Need Calculation: Emergency Shelter and Transitional Housing staff and homeless street outreach workers are asked to estimate the percentage of their clients that need Emergency Shelter, Transitional Housing, or Permanent Supportive Housing **to ultimately resolve their homeless situation**. *Note that HUD considers RRH to be a best practice for housing many people who would have been served with transitional housing; HUD has not yet incorporated RRH into its Unmet Need Calculation which was last updated in 2011 (there hasn't been notice when it intends to do so).*

For the 2013 Unmet Need Calculation, staff estimated that about 10% of the Emergency Shelter residents in Orange County (6.7 out of 67 residents at the January Point-in-Time Count) needed Emergency Shelter to ultimately resolve their homeless situation while 90% needed either Transitional Housing, Rapid Re-Housing or Permanent Supportive Housing. No unsheltered homeless people or Transitional Housing residents were estimated by the homeless street outreach worker/staff to need Emergency Shelter to end their homelessness. Here are the findings:

Emergency Shelter (ES)

- no beds are needed for families (none currently exist - all IFC ES beds are for individuals)
- there is a surplus of 57 beds for individuals (who need TH, RRH or PSH)

Transitional Housing (TH)/Rapid Re-Housing (RRH)

- there is a surplus of 20 beds for families (who need PSH)
- 38 additional beds are needed for individuals (who are currently on the streets or in ES)

Permanent Supportive Housing (PSH)

- 10 additional beds are needed for families (who are currently in ES or TH)
- 47 additional beds are needed for individuals (who are currently on the streets, in ES or in TH)

The OCPEH will annually conduct its Unmet Need Calculation and use these findings to regularly update the goals and strategies of its Plan to Prevent and End Homelessness.

HEARTH Act

The U.S. Department of Housing and Urban Development (HUD) incentivizes communities to adopt the federal Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act goals for measuring the success of their homeless programs:

1. Reduce the length of time people are homeless – goal is under 30 days.
2. Reduce returns to homelessness.
3. Reduce new homelessness.

Note: in general, HUD incentivizes communities to increase their Permanent Supportive Housing and Rapid Re-Housing capacities, right-size Emergency Shelter capacity and reduce Transitional Housing capacity - this is based on research showing the relative effectiveness and cost of these types of programs.

Recommendations

Based on Orange County's Unmet Need Calculation, HEARTH Act goals and evidence-based practices the OCPEH recommends:

1. Our community should increase funding for Rapid Re-Housing (administered by the Department of Social Services) and Permanent Supportive Housing (administered by Cardinal Innovations and the Center for Excellence in Community Mental Health) programs, both of which are evidence-based practices for helping people ultimately resolve their homelessness.
2. At present there is no need to invest in Emergency Shelter capacity.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

Action Agenda

Item No. 11-a

SUBJECT: Agricultural Preservation Board – Appointment

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Recommendation
Application(s) for Person(s) Recommended
Interest List
Application(s) of Person(s) on the Interest
List

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making an appointment to the Agricultural Preservation Board.

BACKGROUND: The following appointment is for Board consideration:

- Appointment to a first full term for Mr. Noah Ranells. If appointed Mr. Ranells will be serving a first full term expiring 06/30/2016 as an at-large representative.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
13	Mr. Noah Ranells	At-Large	06/30/2016

FINANCIAL IMPACT: None.

RECOMMENDATION(S): The Board will consider making an appointment to the Agricultural Preservation Board.

Board and Commission Members

And Vacant Positions

Agricultural Preservation Board

Meeting Times: 7:30 p.m. third Wednesday of each month

Terms: 2

Contact Person: David Stancil

Meeting Place: Planning and Agricultural Building

Positions: 14

Length: 3 years

Contact Phone: 919-245-2522

Description: Members are appointed by the Board of Commissioners. The purpose of this board is to encourage the voluntary preservation and protection of farmland from non-farm development, recognizing the importance of agriculture to the economic and cultural life of the County. (NOTE: No expiration date for voluntary agricultural districts)

<p>1 Ms. Elizabeth Walters VOLUNTARY AGRICULTURAL DISTRICT 7119 Highrock Road Efland NC 27243</p>	<p>Day Phone: 919-563-3842 Evening Phone: 919-563-3842 FAX: E-mail:</p>	<p>Sex: Female Race: Caucasian Township: Cedar Grove Resid/Spec Req: Vol.Ag.District Special Repr: High Rock/Efland Vol. Ag. Dist.</p>	<p>First Appointed: 05/04/1992 Current Appointment: 05/04/1992 Expiration: Number of Terms:</p>
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<p>2 Ms Louise Tate VOLUNTARY AGRICULTURAL DISTRICT 8623 Harmony Church Road Efland NC 27243</p>	<p>Day Phone: 919-563-5408 Evening Phone: 919-563-5408 FAX: E-mail: weize@mebtel.net</p>	<p>Sex: Female Race: Caucasian Township: Cedar Grove Resid/Spec Req: Vol.Ag.District Special Repr: Cedar Grove Vol. Ag. Dist.</p>	<p>First Appointed: 03/16/1999 Current Appointment: 03/16/1999 Expiration: Number of Terms:</p>
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<p>3 Ms. Kim Woods Co-Chair 2915 Pearson Rd. Hurdle Mills NC 27541</p>	<p>Day Phone: 336-599-1195 Evening Phone: 919-732-9973 FAX: E-mail: kim_woods@ncsu.edu</p>	<p>Sex: Female Race: Caucasian Township: Cedar Grove Resid/Spec Req: Vol.Ag.District Special Repr: Caldwell Vol. Ag. Dist.</p>	<p>First Appointed: 06/07/2011 Current Appointment: 06/07/2011 Expiration: Number of Terms:</p>
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<p>4 VACANT</p>	<p>Day Phone: Evening Phone: FAX: E-mail:</p>	<p>Sex: Race: Township: Resid/Spec Req: Vol.Ag.District Special Repr: New Hope/Hills. Vol. Ag. Dist.</p>	<p>First Appointed: Current Appointment: Expiration: Number of Terms:</p>
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<p>5 VACANT</p>	<p>Day Phone: Evening Phone: FAX: E-mail:</p>	<p>Sex: Race: Township: Resid/Spec Req: Vol.Ag.District Special Repr: Schley/Eno Vol. Ag. Dist.</p>	<p>First Appointed: Current Appointment: Expiration: Number of Terms:</p>
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Board and Commission Members

And Vacant Positions

Agricultural Preservation Board

Meeting Times: 7:30 p.m. third Wednesday of each month

Terms: 2

Contact Person: David Stancil

Meeting Place: Planning and Agricultural Building

Positions: 14

Length: 3 years

Contact Phone: 919-245-2522

Description: Members are appointed by the Board of Commissioners. The purpose of this board is to encourage the voluntary preservation and protection of farmland from non-farm development, recognizing the importance of agriculture to the economic and cultural life of the County. (NOTE: No expiration date for voluntary agricultural districts)

6	Mrs. Renee McPherson 3600 Mebane Oaks Road Mebane NC 27302	Day Phone: 336-214-5965 Evening Phone: 336-214-5965 FAX: E-mail: renee@mcphersonfarms.com	Sex: Female Race: Caucasian Township: Bingham Resid/Spec Req: Enhanced VolAgDist Special Repr: Cane Creek/Buckhorn Vol. Ag. Dist.	First Appointed: 05/15/2012 Current Appointment: 05/15/2012 Expiration: Number of Terms:
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7	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Vol.Ag.Dist. Special Repr: White Cross Vol. Ag. Dist.	First Appointed: Current Appointment: Expiration: Number of Terms:
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8	Mr. Roland Walters 7119 High Rock Rd Efland NC 27243	Day Phone: 5172041075 Evening Phone: same FAX: E-mail: roland.walters@gmail.com	Sex: Male Race: Caucasian Township: Cedar Grove Resid/Spec Req: At-Large Special Repr:	First Appointed: 05/15/2007 Current Appointment: 06/07/2011 Expiration: 06/30/2013 Number of Terms: 3
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9	Mr. Allan Green 5604 Dairyland Road Hillsborough NC 27278	Day Phone: 919-933-5105 Evening Phone: 919-933-5105 FAX: E-mail: allan@woodcrestfarmnc.com	Sex: Male Race: Caucasian Township: Bingham Resid/Spec Req: At-Large Special Repr:	First Appointed: 10/28/2008 Current Appointment: 06/07/2011 Expiration: 06/30/2014 Number of Terms: 2
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10	Mr. Howard McAdams Jr Co-Chair 1616 Efland Cedar Grove Rd. Efland NC 27243	Day Phone: 919-732-7701 Evening Phone: 919-732-5552 FAX: E-mail:	Sex: Male Race: Caucasian Township: Cheeks Resid/Spec Req: At-Large Special Repr:	First Appointed: 03/06/2008 Current Appointment: 05/15/2012 Expiration: 06/30/2015 Number of Terms: 2
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Board and Commission Members

And Vacant Positions

Agricultural Preservation Board

Meeting Times: 7:30 p.m. third Wednesday of each month

Terms: 2

Contact Person: David Stancil

Meeting Place: Planning and Agricultural Building

Positions: 14

Length: 3 years

Contact Phone: 919-245-2522

Description: Members are appointed by the Board of Commissioners. The purpose of this board is to encourage the voluntary preservation and protection of farmland from non-farm development, recognizing the importance of agriculture to the economic and cultural life of the County. (NOTE: No expiration date for voluntary agricultural districts)

11	Mr. Joe Thompson 5919 Allie Mae Rd Cedar Grove NC 27231	Day Phone: 919-563-3220 Evening Phone: FAX: E-mail: ThompsonPrawnFarm@hotmail.co	Sex: Male Race: African American Township: Cedar Grove Resid/Spec Req: At-Large Special Repr:	First Appointed: 03/24/2009 Current Appointment: 05/05/2012 Expiration: 06/30/2015 Number of Terms: 2
12	Ms. Lynnette Batt 4805 Pleasant Green Road Durham NC 27705	Day Phone: 410-212-9835 Evening Phone: FAX: E-mail: lynnettebatt@gmail.com	Sex: Female Race: Caucasian Township: Eno Resid/Spec Req: At-Large Special Repr:	First Appointed: 06/07/2011 Current Appointment: 06/07/2011 Expiration: 06/30/2014 Number of Terms: 1
13	Mr. B. Patrick McGarry 1250 Ephesus Church Rd. Apt F-6 Chapel Hill NC 27517	Day Phone: 919-928-8383 Evening Phone: 919-928-8383 FAX: E-mail: mcgarryp2@aol.com	Sex: Male Race: Other Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 03/21/2006 Current Appointment: 06/02/2009 Expiration: 06/30/2012 Number of Terms: 2
14	Ms. Ashley Parker 2211 Laws Store Road Hurdle Mills NC 27541	Day Phone: 919-245-1008 Evening Phone: FAX: E-mail: ashleymorganparker@gmail.com	Sex: Female Race: Caucasian Township: Cedar Grove Resid/Spec Req: At-Large Special Repr:	First Appointed: 01/24/2013 Current Appointment: 01/24/2013 Expiration: 06/30/2015 Number of Terms: 1

ORANGE COUNTY



Department of Environment,
Agriculture, Parks & Recreation

November 18, 2013

Donna Baker
Clerk to the Board of County Commissioners
200 South Cameron Street
Hillsborough, NC 27278

Dear Ms. Baker:

The Orange County Agricultural Preservation Board (APB) seeks to update its membership roster. The term of one of the board's at-large members, Patrick McGarry, has expired and is now available to be filled.

The APB wishes to recommend the appointment of Noah Ranells to serve in Mr. McGarry's at-large position. Mr. Ranells has an exceptional and diverse background in agriculture, both professionally and personally as the owner of a working farm in Orange County.

The APB recognizes that it also has a second expired at-large position. The board intends to recommend the member now in that seat for one of the vacant VAD district positions in the near future, pending the decision of that member regarding continued service on this board.

Members of the APB are actively working to identify qualified new applicants who own farms that have been enrolled recently in the VAD program *and* are located within the three VAD districts where there are now district member vacancies. The board will forward recommendations for those district slots as soon as possible.

Thank you for your assistance.

Sincerely,

Peter Sandbeck, Cultural Resources Coordinator

cc: Kim Woods, Co-Chair, Agricultural Preservation Board
Howard McAdams, Co-Chair, Agricultural Preservation Board
David Stancil, Director, Orange County DEAPR

Volunteer Application Orange County Advisory Boards and Commissions

Name: Dr. Noah Ranells
Name Called:
Home Address: 4122 Buckhorn Road
 Efland NC 27243
Phone (Day): 336-285-4658
Phone (Evening): 919-304-6287
Phone (Cell):
Email: ficklecreek@gmail.com
Place of Employment: NC Agricultural & Technical State University
Job Title: Agribusiness Management & Marketing Extension
Year of OC Residence: 1998
Township of Residence: Bingham
Zone of Residence: Bingham Twmsp
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Agricultural Preservation Board

As a farmer in Bingham and Cedar Grove townships along with my work experience in local agricultural economic development. I can bring useful perspectives to the Agricultural Preservation Board.

Community Activities/Organizational Memberships:

Carolina Farm Stewardship Association (member); Agronomy Society of America / Crop Science Society of America / Soil Science Society of America (member); Piedmont Grown (certified)

Past Service on Orange County Advisory Boards:

Agricultural Preservation Board
 Planning Board

Work Experience: 5/11/2004, Environmental Planner, Carrboro; 1997 - 2004 Extension Specialist/ Organic Unit Coordinator, NCSU-Crop Science, Nutrient Mgmt. Water Quality; 1995 - 1997 Environmental Specialist II, NC DENR, Div. Soil & Water Conservation.

Volunteer Experience: Active in community activities since beginning as a 4-H member at 9 yrs old. 4 years Ag. Preservation Board; 3 years Planning Board. Ag. Pres. Board. Vice Chair of APB 2001-2002.

Education: BS Animal Sci.; MS Crop Sci.; PhD Soil Science

Other Comments:

STAFF NOTES: First apptd. to OCPB 10/2/02 to At-Large, unexpired term. Reappointed to At-Large 3/24/2003. Moved by BOCC action 5/18/04 to Bingham upon resig. of M.Tadd from that position, same day. Renewed application on 5/11/04 for Ag. Pres. Board. Nominated to serve on CPLUC, 5/8/02. Renewed app. for Orange County Planning Board on 3/11/02. 10/8/01 Interest letter update-no reply-made app inactive. Orig.app. 12/8/99 for Ag.Distr.Adv.Bd; Comm for the Envir.; O/C Planning Bd. UPDATED APPLICATION 10/08/2013: Applied for Agricultural Preservation Board. ADDRESS VERIFICATION: 4122 Buckhorn Road is Bingham Township, Orange County Jurisdiction, and Agricultural Residential Zoning.

This application was current on: 5/11/2004

Date Printed: 11/19/2013

Applicant Interest Listing

by Board Name and by Applicant Name

Agricultural Preservation Board

Contact Person: David Stancil
Contact Phone: 919-245-2522

Dr. James Fickle	Day Phone: 919 933 4719	Sex: Male
101 Steeplechase Road	Evening Phone: 708 205-0255	Race: Caucasian
Chapel Hill NC 27514	Cell Phone:	Township: Chapel Hill
	E-mail: jimsfickle@aol.com	Date Applied: 04/22/2012
Skills: Agricultural Research	Also Serves On:	

Mr Clay Hudson	Day Phone: 919-593-0892	Sex: Male
104 Williams St	Evening Phone:	Race: Caucasian
PO Box 1051	Cell Phone:	Township: Chapel Hill
Carrboro NC 27510	E-mail: hudsonclay@hotmail.com	Date Applied: 04/23/2012
Skills: Agricultural Educator	Also Serves On:	
Skills: Landscaping Business	Also Serves On:	

Mr. William R. Kaiser	Day Phone: 919-933-9794	Sex: Male
2112 Markham Dr.	Evening Phone: 919-933-9794	Race: Caucasian
Chapel Hill NC 27514	Cell Phone:	Township: Chapel Hill
	E-mail: w_mckaiser@hotmail.com	Date Applied: 07/28/2013
Skills: Geologist	Also Serves On:	
Skills: Hydrogeologic/Geochemical Environmental	Also Serves On:	
Skills: Peace Corps	Also Serves On:	

Miss Danielle Mosley	Day Phone: 919-309-5685	Sex: Female
476 Melanie Court	Evening Phone:	Race: Caucasian
Chapel Hill NC 27514	Cell Phone:	Township: Chapel Hill
	E-mail: Dlynnm26@gmail.com	Date Applied: 06/26/2012
Skills: Club Nova	Also Serves On:	

Dr. Noah Ranells	Day Phone: 336-285-4658	Sex: Male
4122 Buckhorn Road	Evening Phone: 919-304-6287	Race: Caucasian
Efland NC 27243	Cell Phone:	Township: Bingham
	E-mail: ficklecreek@gmail.com	Date Applied: 05/11/2004
Skills: Agricultural Research	Also Serves On: Efland-Mebane SAP Implementation Focus Group (BO	
Skills: Extension Specialist-NCSU		
Skills: Water Quality		

Volunteer Application Orange County Advisory Boards and Commissions

Name: Dr. James Fickle
Name Called:
Home Address: 101 Steeplechase Road
 Chapel Hill NC 27514
Phone (Day): 919 933 4719
Phone (Evening): 708 205-0255
Phone (Cell):
Email: jimsfickle@aol.com
Place of Employment: Retired
Job Title:
Year of OC Residence: 1997
Township of Residence: Chapel Hill
Zone of Residence: -
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange Water & Sewer Authority Board of Directors

Agricultural Preservation Board

Durham Technical Community College Board of Directors

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: 35 years in agricultural research with Mallinckrodt, Sandoz, BASF and Nufarm Americas. Positions evolved from practical field research in plant introduction through management in agricultural chemical product development.

Volunteer Experience: Boy Scouts of America (20 years)

Education: BS / MS / PhD degrees from Texas Tech University and University of Illinois. Agricultural studies including agronomy, plant physiology & pathology, weed science.

Other Comments:

I would like to serve on the OWASA board as water availability, use and quality are paramount to the county's future. I suggest my technical background in agriculture will allow me to quickly become knowledgeable on local issues and challenges. STAFF COMMENTS: Originally applied 9/24/2010 for OWASA Board of Directors, Agricultural Preservation Board and Durham Technical Community College Board of Directors. UPDATED APPLICATION FOR OWASA 04/16/2011. UPDATED APPLICATION FOR

OWASA 04/22/2012. ADDRESS VERIFICATION: Steeplechase Road is in Chapel Hill Township and Chapel Hill Jurisdiction.

This application was current on: 4/22/2012

Date Printed: 11/19/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr Clay Hudson
Name Called:
Home Address: 104 Williams St
 PO Box 1051
 Carrboro NC 27510
Phone (Day): 919-593-0892
Phone (Evening):
Phone (Cell):
Email: hudsonclay@hotmail.com
Place of Employment:
Job Title:
Year of OC Residence: 1998
Township of Residence: Chapel Hill
Zone of Residence: -
Sex: Male
Ethnic Background: Caucasian
Boards/Commissions applied for:
 Agricultural Preservation Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Landscape supervisor for various entities; Duke University, City of Durham, Davey Tree Expert Co....Agricultural Educator for local Community (Middle/High Schools)...

Education: B.S., Biology; Guilford College, 1996
 M.S., Agricultural Education, NC A&T State University, 2002

Other Comments:

Love the area, wish to be more active and helpful in any way possible...enjoy teaching and learning... **STAFF COMMENTS:** Originally applied for Agricultural Preservation Board, Commission for the Environment and Recreation and Parks Council 3/20/2009. REMOVED FROM CFE AND PARKS AND REC FOR NONATTENDANCE. 04/23/2012 REMOVED FROM APPLICANT INTEREST LIST DUE TO NO RESPONSE TO E-MAILS. REINSTATED 4/23/2012 AFTER RECEIPT OF E-MAIL RESPONSE INDICATING INTEREST. ADDRESS VERIFICATION: 104 Williams St, Carrboro is Chapel Hill township, CA jurisdiction.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. William R. Kaiser
Name Called:
Home Address: 2112 Markham Dr.
 Chapel Hill NC 27514
Phone (Day): 919-933-9794
Phone (Evening): 919-933-9794
Phone (Cell):
Email: w_mckaiser@hotmail.com
Place of Employment: Retired geologist
Job Title: Retired geologist
Year of OC Residence: 2004
Township of Residence: Chapel Hill
Zone of Residence: Chapel Hill Township within C.H. city limits
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Agricultural Preservation Board

Preservation of agricultural land will have positive environmental impact. I am conversant with the county's environmental issues. I'd bring geological perspective and relevant volunteer experience to board discussions. I can investigate and solve technical problems and have proven written and oral communication skills. I would use them in review of VAD and EVAD applications.

Orange County Parks and Recreation Council

My knowledge of the natural world gained professionally as a geologist, as a CFE member, and as a volunteer would guide my evaluation of park land.

Community Activities/Organizational Memberships:

NC Botanical Garden volunteer: invasive plant control, prairie and forest management, trail maintenance at Mason Farm. Climate garden at Totten Center.

Duke Forest: trail development and maintenance, geology tour leader.

Past Service on Orange County Advisory Boards:

Commission for the Environment, Nov.2005-May 2013, 2 yr as Chair.

New Hope Park at Blackwood Farm Master Plan Committee Member, 2006

Work Experience: Extensive research (Univ. of Texas at Austin Bur. Economic Geology) and industry experience (Exxon) in energy resources, especially coal and natural gas. Hydrogeologic and geochemical skills for environmental studies e.g., coal gasification,

high-level radioactive waste, mined lands, oil-field waste, geophysical - log analysis, ground -water flow patterns, aquifer architecture and gravity. Proven written and oral communication skills.

Volunteer Experience: Volunteered on a regular basis with the Heart of Texas Peace Corps Association serving two varieties of public agencies and non-profit groups, e.g. Safe Place, Wild Basin, AIDS Services, Food Bank, Hornsby Bend, Mayfield Park, Tree Folks, Lower Colo. R. Authority, etc. Peace Corps Volunteer (1963-65); Ghana, W. Africa, assigned to Ghana Geological Survey.

Education: The Johns Hopkins University, Ph.D. Geology. University of Wisconsin - Madison, M.S. Geology; University of Wisconsin - Madison, B.A. Geology.

Other Comments:

STAFF NOTES: Originally applied 4/6/04 for Solid Waste Advisory Board; Commission for the Environment; and Economic Development Commission. APPLIED 07/28/2013 for Agricultural Preservation Board and Orange County Parks and Recreation Council.

Address Verification: 2112 Markham Drive, Chapel Hill, NC 27514 is Chapel Hill Township, Chapel Hill Jurisdiction, and Chapel Hill Town Limits.

This application was current on: 7/28/2013

Date Printed: 11/19/2013

**Volunteer Application
Orange County Advisory Boards and Commissions**

Name: Miss Danielle Mosley
Name Called:
Home Address: 476 Melanie Court
Chapel Hill NC 27514
Phone (Day): 919-309-5685
Phone (Evening):
Phone (Cell):
Email: Dlynnm26@gmail.com
Place of Employment:
Job Title:
Year of OC Residence: 2011
Township of Residence: Chapel Hill
Zone of Residence: C.H. City Limits
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Adult Care Home Community Advisory Committee

Board of Health

Agricultural Preservation Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Club Nova

Volunteer Experience: Club Nova

Education: Attending school for ged

Other Comments:

STAFF COMMENTS: Applied for Adult Care Home Community Advisory Committee, Board of Health, and Agricultural preservation Board on 06/26/2012. ADDRESS VERIFICATION: Melanie Court is Chapel Hill Township, Chapel Hill Town Limits.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

Action Agenda

Item No. 11-b

SUBJECT: Animal Services Advisory Board – Appointment

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S): Under Separate Cover

Membership Roster

ASAB Information Documents:

Email regarding Lori Shapiro

Application for Lori Shapiro

Email regarding Andrew Wood

Application for Andrew Wood

Email regarding Beth Grooms

Application for Beth Grooms

Email regarding Virginia Fitt

Application for Virginia Fitt

Interest List

Application(s) for Person(s) on the Interest

List

INFORMATION CONTACT:

Clerk's Office, 245-2130

PURPOSE: To consider making appointments to the Animal Services Advisory Board.

BACKGROUND: The following information is for Board consideration:

- The following ASAB positions remain vacant. Discussions are being conducted regarding qualifications of the available applicants. Please see attached email documentation.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
7	Vacant	At-Large	06/30/2016
10	Vacant	Animal Advocate	06/30/2014
12	Vacant	Certified Animal Handler/Trainer/Tech	06/30/2016

FINANCIAL IMPACT: None.

RECOMMENDATION(S): The Board will consider the information provided for potential appointments to the Animal Services Advisory Board.

Board and Commission Members

And Vacant Positions

Animal Services Advisory Board

Meeting Times: 6:30 pm-8:30 pm Third Wed. each month

Terms: 2

Contact Person: Paula Ragan

Meeting Place: Community Room of the Animal Services Facility

Positions: 12

Length: 3 years

Contact Phone: 919-942-7387 x219

Description: The Animal Services Advisory Board is charged to provide input and advice to the staff of the Animal Services Department. This function may include reviewing the allocation of resources, assisting in planning programs, and advising the Animal Services Director on policies and operation of the Animal Services Department. This Board was begun 06/30/2005.

1	Dr. Susan Elmore Chair 308 Glenwood Drive Chapel Hill NC 27514	Day Phone: 919-541-3474 Evening Phone: 919-967-4172 FAX: E-mail: elmore@niehs.nih.gov	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Special Repr: Veterinarian from Health Board	First Appointed: 09/21/2010 Current Appointment: 06/07/2011 Expiration: 06/30/2014 Number of Terms: 1
2	Dr. DeWana Anderson 118 Creekview Circle Carrboro NC 27510	Day Phone: 919-967-9261 Evening Phone: 919-967-9261 FAX: E-mail: dewana.anderson@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Special Repr: Veterinarian	First Appointed: 06/18/2013 Current Appointment: 06/18/2013 Expiration: 06/30/2016 Number of Terms: 1
3	Ms. Michelle Walker Vice-Chair 106 Carol Street Carrboro NC 27510	Day Phone: 919-448-8029 Evening Phone: FAX: E-mail: michelle.merck.walker@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Special Repr: Town of Carrboro	First Appointed: 06/19/2012 Current Appointment: 06/19/2012 Expiration: 06/30/2015 Number of Terms: 1
4	Ms. Aviva Scully 1103 Willow Drive Chapel Hill NC 27517	Day Phone: 644-3200 Evening Phone: 225-1254 FAX: 644-3226 E-mail: lategoddess@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Special Repr: Town of Chapel Hill	First Appointed: 10/05/2010 Current Appointment: 05/15/2012 Expiration: 06/30/2015 Number of Terms: 1
5	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: artangus@embarqmail.com	Sex: Male Race: Caucasian Township: Hillsborough Resid/Spec Req: Special Repr: Town of Hillsborough	First Appointed: 11/19/2013 Current Appointment: 11/19/2013 Expiration: 06/30/2015 Number of Terms: 1

Board and Commission Members

And Vacant Positions

Animal Services Advisory Board

Meeting Times: 6:30 pm-8:30 pm Third Wed. each month

Terms: 2

Contact Person: Paula Ragan

Meeting Place: Community Room of the Animal Services Facility

Positions: 12

Length: 3 years

Contact Phone: 919-942-7387 x219

Description: The Animal Services Advisory Board is charged to provide input and advice to the staff of the Animal Services Department. This function may include reviewing the allocation of resources, assisting in planning programs, and advising the Animal Services Director on policies and operation of the Animal Services Department. This Board was begun 06/30/2005.

6	Mr Warren Porter Jr 9204 Laurel Springs Dr Chapel Hill NC 27516	Day Phone: 919-612-8992 Evening Phone: 919-612-8992 FAX: E-mail: woz300z@yahoo.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: Special Repr: Non-Municipality	First Appointed: 04/23/2013 Current Appointment: 04/23/2013 Expiration: 06/30/2015 Number of Terms: 1
7	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Special Repr:	First Appointed: 11/19/2013 Current Appointment: 11/19/2013 Expiration: 06/30/2016 Number of Terms: 1
8	Mr Michael Stewart 3303 Highland Farm Rd Hillsborough NC 27278	Day Phone: 919-644-0499 Evening Phone: 919-644-0499 FAX: E-mail: mikestewartnc@gmail.com	Sex: Male Race: Caucasian Township: Cheeks Resid/Spec Req: Special Repr:	First Appointed: 06/07/2011 Current Appointment: 06/07/2011 Expiration: 06/30/2014 Number of Terms: 1
9	Ms. Judy Miller 403 Jericho Rd. Hillsborough NC 27278	Day Phone: 919-732-9969 Evening Phone: 919-241-3001 FAX: E-mail: jmiller221@hotmail.com	Sex: Female Race: Caucasian Township: Cedar Grove Resid/Spec Req: Special Repr: Animal Advocacy	First Appointed: 12/13/2011 Current Appointment: 06/30/2013 Expiration: 06/30/2016 Number of Terms: 1
10	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Special Repr: Animal Advocacy	First Appointed: Current Appointment: Expiration: 06/30/2014 Number of Terms:

Board and Commission Members

And Vacant Positions

Animal Services Advisory Board

Meeting Times: 6:30 pm-8:30 pm Third Wed. each month

Terms: 2

Contact Person: Paula Ragan

Meeting Place: Community Room of the Animal Services Facility

Positions: 12

Length: 3 years

Contact Phone: 919-942-7387 x219

Description: The Animal Services Advisory Board is charged to provide input and advice to the staff of the Animal Services Department. This function may include reviewing the allocation of resources, assisting in planning programs, and advising the Animal Services Director on policies and operation of the Animal Services Department. This Board was begun 06/30/2005.

Ms. Suzanne Roy

11

114 W.. Orange Street
Hillsborough NC 27278

Day Phone: 919-697-9389

Evening Phone: 919-732-8978

FAX: 928-268-9998

E-mail: suzanne.e.roy@earthlink.net

Sex: Female

Race: Caucasian

Township: Hillsborough

Resid/Spec Req:

Special Repr: Animal Advocacy

First Appointed: 10/23/2007

Current Appointment: 06/07/2011

Expiration: 06/30/2014

Number of Terms: 2

VACANT

12

Day Phone:

Evening Phone:

FAX:

E-mail:

Sex:

Race:

Township:

Resid/Spec Req:

Special Repr: Certified Animal Handler/Trainer/Technician

First Appointed:

Current Appointment:

Expiration: 06/30/2016

Number of Terms:

Thom Freeman

From: Bob Marotto
Sent: Tuesday, December 03, 2013 7:50 AM
To: Donna Baker; Thom Freeman
Cc: Susan Elmore (elmore@niehs.nih.gov); michelle.merck.walker@gmail.com
Subject: Animal Services: Animal Handler, Triainer, Technician Vacancy

Importance: High

Donna and Thom:

We do not believe that Ms. Shapiro qualifies for this position. This is my own opinion, and the ASAB Chair, Susan Elmore, DVM, concurs on the basis of her review of Ms. Shapiro's application and the supplemental information she provided to us at your request.

The basis of this recommendation is that Ms. Shapiro has no qualifications as a trainer and/or handler and that her education and training as a technician is quite limited. In particular, she does not have substantial clinical experience; she has not earned a degree in the field from an institution of higher education; and she is not a Registered Veterinary Technician (which in North Carolina occurs via the NC Veterinary Medical Board on the basis of degree completion). The ACT courses she has taken are online resources that are used by vet clinics for staff development but they are not restricted to vet clinic staff. As the public may take and pass an ACT course, doing so does not indicate proficiency or experience as an animal technician. These online courses do not replace the knowledge and training that someone can get from an AVMA recognized Veterinary Technology Program (www.avma.org) nor what one can get from actually working in the field.

Both Dr. Elmore and I believe that it is important to make this recommendation despite the disappointment we expect it to cause Ms. Shapiro. This is the only ASAB position, besides the two for veterinarians, that has qualifications. Given the rapid changes that are continuing in the field of animal service and welfare, and not least the ongoing process of professionalization throughout the field, we believe it is very important that these qualifications be met by the BOCC's appointment.

Bob

Bob Marotto
 Director
 Orange County Animal Services
 (919) 968-2287

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web: www.orangecountync.gov/animalservices

facebook: www.facebook.com/OCASpets

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Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Lori Shapiro
Name Called:
Home Address: 4131 Red Tail Run
 Efland NC 27243
Phone (Day): 919-563-0359
Phone (Evening): Same
Phone (Cell):
Email: jackandlori@mebtel.net
Place of Employment: Looking
Job Title:
Year of OC Residence: 1995
Township of Residence: Bingham
Zone of Residence: . . .
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:
 Animal Services Advisory Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Currently employed by and have worked for over 12 years for Orange County Health Department as a Maternal Child Health Social Worker located at a family medicine clinic affiliated with UNC-Health Care; have worked overall for more than 26 years as a Masters degree Social Worker, primarily in medical care settings. Very much at ease in health care setting, strong fluency in medical terminology. Strong people skills, well developed ability to connect people with resources, and said to have a calming influence in difficult situations. (This statement combines my work, volunteer and educational experience) For the last several years I have been enrolled in the Animal Care Management Program at Alamance Community College. During that time for two different semesters I completed non-paid Veterinary Technician Internships at two different private veterinary hospitals in Carrboro. I hold several certificates with Animal Care Technology (ACT), including Kennel Assistant, Veterinary Foundations, and Veterinary Technician I and II. I am currently looking for a job as a Veterinary Technician. Previously I worked for almost 30 years as a Master's level Social Worker.

Volunteer Experience: Held volunteer position on Orange County Adult Home Care Advisory Committee for five years (1995-2000); concurrently held volunteer position for same five years on the Advisory Committee of Retired Senior Volunteer Program through the Orange County Department on Aging. Have been extremely active volunteer in

numerous capacities for local bicycling club and previously for very large bicycling club in the Washington DC Metropolitan area. Have been Volunteer Coordinator for multiple projects and activities. Held position as chair and vice-chair for several years on neighborhood association; recognized for natural leadership skills and creative ideas. Praised for strong organizational skills and keen attention to detail. For approximately five years I was on the Orange County Domiciliary Care Advisory Committee and the Advisory Committee to the RSVP Program of the Orange County Department on Aging.

Education: Recently completed seven courses, including a 16 week internship in Animal Care and Management at Alamance Community College; internship involved hands-on care at a multi-service AAHA-accredited animal care facility (services included veterinary hospital, grooming, and kennel); course work covered basic animal health care, zoonoses and Red Cross Certification. Have Masters Degree in Social Work and on-going continuous training to maintain license as certified clinical social worker.

Other Comments:

Dedicated and passionate advocate of animal rescue and adoption services; adopted my own dog from CARE (Chatham Animal Rescue and Education). Participated in a Advanced Puppy Obedience Course at the Animal Protection Society on Nick's Road in Mebane. Posses natural capacity towards motivating others, conducting successful public relations and promotional activities. STAFF COMMENTS: Originally applied for Animal Services Advisory Board 6/5/2008. ADDRESS VERIFICATION: 4131 Red Trail Run is in Bingham Township, OCPL jurisdiction. Am very interested in and committed to the issues that come under the purview of this advisory board, and currently have the time and energy to make a contribution. STAFF COMMENTS: Applied for ASB 5/28/2010. ADDRESS VERIFICATION: 4131 Red Trail Run is in Bingham Township, OCPL jurisdiction.

This application was current on: 11/18/2013

Date Printed: 11/27/2013

Thom Freeman

From: Bob Marotto
Sent: Friday, November 22, 2013 2:31 PM
To: Susan Elmore (elmore@niehs.nih.gov); michelle.merck.walker@gmail.com
Cc: Thom Freeman
Subject: ASAB: Animal Advocate Vacancy.
Attachments: Andrew Wood ASAB Application.docx

Importance: High

Susan and Michele:

Please see the request below from BOCC Chair Jacobs and further below my summary of the animal advocate position. Attached is the application for Andrew Woods who is being considered for the animal advocate position.

My opinion is that Mr. Woods does not qualify for this position. The reason is that he does not have (or relay) experience demonstrating a commitment to animal welfare or advocacy. Please let me know if you agree or disagree with my assessment at your earliest convenience.

I am thinking it would be a good idea to identify the candidates in the pool who do meet the requirements for this position and communicate them to the Clerk as well. Do you think I should refrain from doing so for some reason?

Bob

Bob Marotto
Director
Orange County Animal Services
(919) 968-2287

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Thom Freeman

From: Elmore, Susan (NIH/NIEHS) [E] <elmore@niehs.nih.gov>
Sent: Friday, November 22, 2013 3:29 PM
To: Bob Marotto; michelle.merck.walker@gmail.com
Cc: Thom Freeman
Subject: Re: ASAB: Animal Advocate Vacancy.

Importance: High

Dear Bob,

I have read Andrew Wood's application and, although I can appreciate his commitment to serve, he does not appear to have any relevant experience in the field of animal welfare or advocacy. It is my understanding that anyone to be considered for the position of animal advocate should have some prior experience that demonstrates a commitment to animal welfare and/or advocacy. None of Mr. Wood's prior community activities or organizational memberships fall under this category.

My recommendation is that we try and identify a candidate who does have these qualifications.

Susan

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Andrew Wood
Name Called:
Home Address: 203 Raleigh St
 Chapel Hill NC 27514
Phone (Day): 919-791-6005
Phone (Evening): 919-791-6005
Phone (Cell):
Email: andrewwa@live.unc.edu
Place of Employment: University of North Carolina at Chapel Hill
Job Title: Full Time Student
Year of OC Residence: 2012
Township of Residence: Chapel Hill
Zone of Residence: ETJ - Chapel Hill
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Animal Services Advisory Board

Having sat on advisory boards in the University setting, I am familiar with the professional policy making process and funding allocation. I have also served as a chairman for a committee granting me experience in decision making and preparing me for working in a professional political atmosphere. I am passionate about animals - being a dog owner myself - and I would love to serve on a committee that addresses the needs of both animals and the community. My fresh perspective as a student and UNC-CH in combination with my enthusiasm for animal awareness would allow me to make a positive impact on the Animal Services Advisory Board.

Chapel Hill Library Board of Trustees

My chairmanship within UNC-CH student government and my positions on advisory boards throughout the University's administration have provided me with the skills necessary to discuss policy and funding within a professional political setting. As an involved student, I am prepared to extend the scope of my civic duties and contribute positively to the community around me. I began my university career as an English major, and my love for literature and libraries in general inspires me to seek involvement on Chapel Hill's Library Board of Trustees. My experiences with community event and campaign planning have prepared me to serve on such a committee and to provide a fresh student perspective that may help to create greater connections between the University and the Town/County. While I may not be majoring in Library Science, I am familiar with the general civic purpose of a library and would greatly enjoy serving the town of Chapel Hill and Orange County in a positive manner.

Chapel Hill/Orange County Visitors Bureau

I have served on several committees that function to plan events and policies that best serve the UNC-CH student body. My experiences in strategizing and planning within UNC's student government as well as my previous involvement with the State's Board of Governors and General Administration have prepared me to work in a professional political atmosphere. As a student pursuing a degree in Journalism and Mass Communications with a specialization in Graphic Design, I would be able to contribute both a fresh student's perspective in regards to tourism and marketing campaigns and could contribute my talents in any way possible. I am passionate about the town of Chapel Hill - not just the University - and my involvement and connections with the community would contribute positively to the makeup of the visitor's bureau.

Chapel Hill Parks and Recreation Commission

As a lover of the outdoors and fun weekend activities, I understand the true value of parks to a community. Not only does my passion for parks extend to the physical locations, but I value the worth that they bring by offering a space to bring neighbors from the same community together in communal recreation and activities. My experiences serving on UNC-CH's student government and sitting on advisory boards for the UNC System's policy-making functions, I am prepared to serve in a professional political atmosphere for deciding on policy issues and funding allocations. By applying for this position, I hope to provide a connection between the University and town's park and recreation services as well as provide a fresh student perspective on any advisory committees.

Community Activities/Organizational Memberships:

I'm heavily involved in UNC-CH's student government. I have served the UNC system and community by advising members of Tom Ross' administration on various policy issues. I also serve as a chair for the Multicultural Affairs and Diversity Outreach committee of student government. In addition, I sit on a committee that advises UNC-CH's provost on LGBTQ issues and allocates funding to University departments and organizations. I attend classes at UNC-CH as a full-time student and am a dues-paying member of the Young Democrats. I serve as an executive assistant to the Senior Adviser within Student Government and sit on the University's Diversity Awards Committee.

Past Service on Orange County Advisory Boards:**Other Comments:**

STAFF COMMENTS: Originally (10/01-02/2013) applied for Chapel Hill Library Board of Trustees, Chapel Hill/Orange County visitors Bureau, and Chapel Hill Parks and Recreation Commission, and Animal Services Advisory Board. ADDRESS VERIFICATION: 203 Raleigh St., is Chapel Hill Jurisdiction, Chapel Hill ETJ, and Chapel Hill Town Limits.

Thom Freeman

From: Bob Marotto
Sent: Tuesday, December 03, 2013 9:24 AM
To: Thom Freeman; Donna Baker
Cc: Susan Elmore (elmore@niehs.nih.gov); michelle.merck.walker@gmail.com
Subject: ASAB Vacancies & New Applicant

Donna and Thom,

In another vein, I would suggest that the BOCC may be able to add Beth Groom, DDS (a new applicant) to the list of applicants for the animal advocate position after staff finds out more about her experience and confers with ASAB officers. Depending upon her involvement with the Coalition to Unchain Dogs, she may well satisfy the criteria for this position, i.e., that she has "experience [that] demonstrates a commitment to animal welfare and/or advocacy." Parenthetically, I would note that Orange County Animal Services and the Coalition to Unchain Dogs collaborate in remedying unlawful tethering and that the Coalition's efforts dovetail with our Community Spay/Neuter Program (since all dogs for whom fences are built must be sterilized).

Please note that Dr. Groom may also meet the criteria for the position of animal handler/trainer/technician given her activities as a trainer. Finding out more about her background will enable staff and ASAB officers to offer an informed recommendation about whether she meets the qualifications for this position as well.

Bob Marotto
Director
Orange County Animal Services
(919) 968-2287

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Volunteer Application Orange County Advisory Boards and Commissions

Name: Dr. Beth Grooms
Name Called:
Home Address: 720 CD Farms Road
Hillsborough NC 27278
Phone (Day): 9192254883
Phone (Evening):
Phone (Cell):
Email: river1@mindspring.com
Place of Employment: Beth Grooms, DDS, PA
Job Title: Dentist
Year of OC Residence: 2005
Township of Residence: Chapel Hill
Zone of Residence: County's Rural Buffer
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Animal Services Advisory Board

As a volunteer with the Coalition to Unchain Dogs, I frequently assist with building fences in the underserved areas of Orange County. I have seen, first hand, the problems that exist in these areas in regard to the acceptance of spay/neuter programs as well as the tethering ordinances. However, I have also seen the positive impact of a well designed community outreach program. In addition, I am a Certified Professional Dog Trainer - Knowledge Assessed as well as a Professional member of the Association of Professional Dog Trainers.

Community Activities/Organizational Memberships:

Volunteer with the Orange County Chapter of the Coalition to Unchain Dogs
Intake coordinator of the Great Dane Rescue Alliance

Past Service on Orange County Advisory Boards:

Other Comments:

This application was current on: 12/1/2013 8:36:42 PM

Date Printed: 12/2/2013

Thom Freeman

From: Bob Marotto
Sent: Thursday, December 05, 2013 8:12 AM
To: Thom Freeman
Cc: Donna Baker
Subject: RE: New Applicant....

Thom,

If you are listing current applicants who meet the qualifications for the animal advocate position, I believe that you would want to include Ms. Fit in that listing. Her experience with the Animal Legal Defense Fund and pro bono work certainly appears to qualify as experience showing a commitment to animal welfare.

Thanks for the follow-up.

Bob Marotto
Director
Orange County Animal Services
(919) 968-2287

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From: Thom Freeman
Sent: Thursday, December 05, 2013 8:03 AM
To: Bob Marotto
Cc: Donna Baker
Subject: FW: New Applicant....
Importance: High

Hi Bob,

Just checking back with you regarding this applicant. I am getting ready to send the final documents to Melissa Allison and will be happy to include or she will just appear on the Applicant Interest List.

Thanks,
Thom

From: Thom Freeman
Sent: Wednesday, December 04, 2013 12:04 PM
To: Bob Marotto (bmarotto@orangecountync.gov)
Cc: Donna Baker
Subject: New Applicant....

Hi Bob,

Attached you will find a copy of the application for a new candidate. She looks worthy of consideration. If you want me to put up for discussion for December 10th, please let me know, I can squeeze her in. If you can word something similar to the Beth Grooms email, I will include it in the packet for the BOCC. I will need it today however.

Thanks,
Thom

Thom Freeman
Assistant to the Clerk
Orange County Board of Commissioners
200 Cameron Street
PO Box 8181
Hillsborough, NC 27278
919-245-2125
tfreeman@orangecountync.gov

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Virginia Fitt
Name Called:
Home Address: 5804 Renee Dr.
 Durham NC 27705
Phone (Day): 9493425184
Phone (Evening): 9493425184
Phone (Cell):
Email: virginia.fitt@gmail.com
Place of Employment: GlaxoSmithKline
Job Title: Counsel
Year of OC Residence: 2013
Township of Residence: Eno
Zone of Residence: Eno Twmsp
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Animal Services Advisory Board

Regulatory attorney (licensed in California) with experience drafting legislation and public policy experience, particularly in the area of animal policy. I previously lived in Orange County, NC, from 2002-2006, lived in Durham County from 2007-2010, and relocated back to Orange County (Eno Township) as a homeowner in 2013.

My prior relevant experience includes:

- Animal Legal Defense Fund pro bono attorney (2011-2013)
- Developed Animal Law pro bono team with the law firm of Gibson, Dunn & Crutcher LLP, focusing on legislative analysis and policy projects. Awarded ALDF 2011 and 2012 Firm Advancement in Animal Law Pro Bono Achievement Award.
- Helped manage over \$100,000 as a member of the Town of Chapel Hill Public Arts Commission (2005).
- Served as Board Member and Public Relations Co-Chair of Durham County Women's Commission (2006-2007).
- Policy Consultant for Four Feet Forward, an animal policy organization (2012)
- Completed Animal Law course through Duke University School of Law (2010)
- Pro bono counsel for multiple 501(c)3s for policy review, compliance, and guidance, including animal rescue organizations (2010-2013)

Community Activities/Organizational Memberships:

- Member, Board of Directors, Ashraya Initiative for Children, an international NGO focusing on poverty, education, and community intervention in Pune, India (Transitional Board: 2012-2013, Current: 2013-present)

â€¢ Volunteer AnimalKind (spay and neuter services)

â€¢ Served as Campaign Manager for George Franks for Judge (Cumberland County, NC) in 2006, 2010, and 2014 (expected).

â€¢ Principal of ModernSouth, a pro bono consulting firm supporting non-profits and candidates for public office.

Past Service on Orange County Advisory Boards:

Other Comments:

This application was current on: 12/3/2013 8:10:09 PM

Date Printed: 12/4/2013

Applicant Interest Listing

by Board Name and by Applicant Name

Animal Services Advisory Board

Contact Person: Paula Ragan
Contact Phone: 919-942-7387 x219

Ms. Suzy Armstrong 110 Village Lane Chapel Hill NC 27514 Skills: Realtor	Day Phone: 919-933-8723 Evening Phone: 919-602-4916 Cell Phone: E-mail: suzystrong@earthlink.net Also Serves On:	Sex: Female Race: Caucasian Township: Chapel Hill Date Applied: 05/01/2013
Ms Caroline Green 108 Oak Street Carrboro NC 27510 Skills: Animal Shelter Volunteer Skills: Grants Coordination	Day Phone: 919-414-1453 Evening Phone: 919-414-1453 Cell Phone: E-mail: carolinekgreen@gmail.com Also Serves On: Also Serves On:	Sex: Female Race: Caucasian Township: Chapel Hill Date Applied: 11/10/2013
Dr. Beth Grooms 720 CD Farms Road Hillsborough NC 27278 Skills:	Day Phone: 919-225-4883 Evening Phone: Cell Phone: E-mail: river1@mindspring.com Also Serves On:	Sex: Female Race: Caucasian Township: Chapel Hill Date Applied: 12/01/2013
Mrs Janice Laube 6826 Carol Lane Hillsborough NC 27278 Skills: Farmer	Day Phone: 919-219-4140 Evening Phone: Cell Phone: E-mail: jrlaube@embarqmail.com Also Serves On:	Sex: Female Race: Caucasian Township: Little River Date Applied: 02/14/2011
Mr Marshall Morris 1510 Darlas Walk Mebane NC 27302 Skills: Cheeks Township	Day Phone: 919-563-0814 Evening Phone: Cell Phone: E-mail: poems@mebtel.net Also Serves On:	Sex: Male Race: Caucasian Township: Cheeks Date Applied: 04/30/2012
Ms. Lori Shapiro 4131 Red Tail Run Efland NC 27243 Skills: Animal Care Skills: Social Worker	Day Phone: 919-563-0359 Evening Phone: Same Cell Phone: E-mail: jackandlori@mebtel.net Also Serves On: Also Serves On:	Sex: Female Race: Caucasian Township: Bingham Date Applied: 11/18/2013

Applicant Interest Listing

by Board Name and by Applicant Name

Animal Services Advisory Board

Contact Person: Paula Ragan
Contact Phone: 919-942-7387 x219

Mrs Pamela Wilson

1019 Lipscomb Grove Church Rd
Hillsborough NC 27278

Skills: Fund-Raising

Day Phone: 919-732-2771

Evening Phone: 919-672-6899

Cell Phone:

E-mail: pwilson42@embarqmail.com

Also Serves On:

Sex: Female

Race: Other

Township: Eno

Date Applied: 04/05/2010

Mr. Andrew Wood

203 Raleigh St
Chapel Hill NC 27514

Skills: Animal Welfare Advocate

Day Phone: 919-791-6005

Evening Phone: 919-791-6005

Cell Phone:

E-mail: andrewwa@live.unc.edu

Also Serves On:

Sex: Male

Race: Caucasian

Township: Chapel Hill

Date Applied: 10/01/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Suzy Armstrong
Name Called:
Home Address: 110 Village Lane
 Chapel Hill NC 27514
Phone (Day): 919-933-8723
Phone (Evening): 919-602-4916
Phone (Cell):
Email: suzystrong@earthlink.net
Place of Employment: Franklin Street Realty
Job Title: Broker
Year of OC Residence: 1994
Township of Residence: Chapel Hill
Zone of Residence: Does not apply
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:
 Animal Services Advisory Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Realtor/Broker in Orange County since 2001 with Franklin Street Realty and Prudential Carolinas Realty.

Environmental Consultant with Science Applications International Corporation from 1989 - 2002.

Public Information Manager with Battelle Memorial Institute from 1973 - 1989.

Volunteer Experience: Guardian ad Litem with Orange/Chatham County since 2003 serving the needs of children in Orange County custody.

Dog trainer, foster parent, fund raiser and Board member of the Animal Protection Society of Orange County, dba Paws4Ever since 1998.

Multiple volunteer roles in previous communities.

Education: Bachelor of Arts, Communication, The Ohio State University, 1979.

Other Comments:

STAFF COMMENTS: Applied 4/28/2010 for Animal Services Board. ADDRESS VERIFICATION: 110 Village Lane is in Chapel Hill Township and Chapel Hill Jurisdiction. UPDATED APPLICATION 05/01/2013.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms Caroline Green
Name Called:
Home Address: 108 Oak Street
 Carrboro NC 27510
Phone (Day): 919-414-1453
Phone (Evening): 919-414-1453
Phone (Cell):
Email: carolinekgreen@gmail.com
Place of Employment: InnerOptic Technology, Inc
Job Title: Regulatory and Grants Manager
Year of OC Residence: 1996
Township of Residence: Chapel Hill
Zone of Residence: Carrboro City Limits
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Animal Services Advisory Board

I served on the ASAB from roughly 2006-2008, at which point I moved out of the jurisdiction I was representing. Since then, I've served on the boards of Paws4Ever and AnimalKind, and am currently volunteering as an Orange County outreach agent for the latter. I'm particularly interested in making low-cost spay/neuter service available to families who need it, and more generally I'm eager to help the animals of Orange County however I can.

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Animal Services Advisory Board 2006-2008

Work Experience: 2004 - Present: Integration Engineer & Grants Manager, InnerOptic Technology, Inc;

2002 - 2003: Research Assistant & Graduate Student, Integrated Manufacturing Systems Engineering Institute, NC State University;

1998 - 2002: Site Coordinator/Grant Manager, NSF Science & Technology Center for Computer Graphics, UNC-Chapel Hill Dept of Computer Science.

Volunteer Experience: 2005 - Present: Volunteer, Orange County Animal Shelter.

Education: MS Integrated Manufacturing Systems Engineering, NC State University, August 2002 - December 2003;

BS Mathematics, UNC-Chapel Hill, August 1996 - May 2000.

Other Comments:

STAFF COMMENTS: Reapplied 11/10/2013 for Animal Services Advisory Board.
Reapplied 8/1/2006 for Animal Services and Animal Shelter Design Committee.
ADDRESS VERIFICATION: 108 Oak Street is Chapel Hill Township, Carrboro
Jurisdiction, and Carrboro City Limits.

This application was current on: 11/10/2013

Date Printed: 11/27/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mrs Janice Laube
Name Called:
Home Address: 6826 Carol Lane
Hillsborough NC 27278
Phone (Day): 919-219-4140
Phone (Evening):
Phone (Cell):
Email: jrlaube@embarqmail.com
Place of Employment: Home
Job Title: Owner - Horse Farm
Year of OC Residence: 2001
Township of Residence: Little River
Zone of Residence: -
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Animal Services Advisory Board

Advisory Board on Aging

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I own and work a horse farm including growing and cultivating hay for sale. Including my horses I also have 5 dogs. I would like to volunteer on a board to hopefully be a productive team member and to make a difference in this community that I love.

Education: B.A. Theatre Arts SUNY Binghamton, NY

Other Comments:

STAFF COMMENTS: Originally applied for Animal Services Advisory Board and Advisory Board on Aging 02/14/2011. ADDRESS VERIFICATION: 6826 Carol Lane, Hillsborough, NC is in Orange County Jurisdiction, Little River Township.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Marshall Morris
Name Called:
Home Address: 1510 Darlas Walk
 Mebane NC 27302
Phone (Day): 919-563-0814
Phone (Evening):
Phone (Cell):
Email: poems@mebtel.net
Place of Employment: US Navy (Retired)
Job Title: Former Senior Administrative Officer to the Surge
Year of OC Residence: 2003
Township of Residence: Cheeks
Zone of Residence: Orange County
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Community Activities/Organizational Memberships:

Former Vice Chair of the Sportsplex advisory Board, Former Charter Member and 1st Vice Commandant of the Marine Corps League of Orange County. As a former Triangle Sportsplex Maintenance Employee..I advised the Bd of Comm. (unofficially) of the status of the building and suggested an escrow account be set up by the sellor (Ethan Vance of Boston) for major repairs prior to the purchase of the structure by the County. Suggested to Commissioners and the new County Manager..that an Employee Uniform style of Tee shirt and name tag policy be implemented at the new County Animal Eubanks Road Facility. I Also suggested implementation of a blanket provision be commenced for the smaller canines in the Shelter s caged areas due to the cooler and damp cement floors..

Past Service on Orange County Advisory Boards:

Sportsplex Advisory Board

Other Comments:

STAFF COMMENTS: Originally applied for Sportsplex Community Advisory Committee 7/20/2006. Originally applied fo Orange County Planning Board and Board of Health 2/1/2008, UPDATED INTEREST FOR PLANNING BOARD 04/14/2011. UPDATED INTEREST FOR PLANNING BOARD 04/30/2012. UPDATED INTEREST FOR ANIMAL SERVICES ADVISORY BOARD 09/10/2012. ADDRESS VERIFICATION: 1510 Darlas Walk, Mebane, NC is Cheeks Township, Orange County Jurisdiction and Rural Residential.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mrs Pamela Wilson
Name Called:
Home Address: 1019 Lipscomb Grove Church Rd
 Hillsborough NC 27278
Phone (Day): 919-732-2771
Phone (Evening): 919-672-6899
Phone (Cell):
Email: pwilson42@embarqmail.com
Place of Employment: Farm
Job Title: Farmer
Year of OC Residence: 1980
Township of Residence: Eno
Zone of Residence: Does not apply
Sex: Female
Ethnic Background: Other

Boards/Commissions applied for:

Animal Services Advisory Board

Hillsborough Planning Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Serve as Program Committee Chair Northern Orange Black Voters Alliance. Former President of North Carolina Central University Alumni Chapter of Orange County; Volunteer at Little River Senior Center of Durham, NC; Member of NCAE and Phi Theta Lambda National Honor Society active member; Undergraduate from NCCU in Business Administration and Mgmt. with minor in Hospitality and Tourism Mgmt. Currently seeking Graduate Degree in Special Education for Children with Mild to Moderate Disabilities at NCCU.

Volunteer Experience: Volunteer at several leadership conferences and served as committee member. Volunteer fundraiser for non-profit organizations, i.e. NAACP, NOBVA, NCCUAC, Lipscomb Grove Baptist Church Mission; Durham Rescue Mission, Central Childrens Home in Oxford, NC, and other local charities.

Education: B.A. - Business Administration
 B.A. - Hospitality and Tourism Mgmt.
 Seeking Graduate degree in Special Ed.

Other Comments:

STAFF COMMENTS: Applied for Animal Services Baord, Hillsborough Board of Adjustment, & Hillsborough Planning Board on 04/05/2010. ADDRESS VERIFICATION: 1019 Lipscomb Grove Church is in Eno Township, Orange County Jurisdiction.

This application was current on: 4/5/2010 11:48:58 PM

Date Printed: 11/27/2013

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

Action Agenda

Item No. 11-c

SUBJECT: Chapel Hill / Orange County Visitors Bureau – Appointment

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Recommendation / Attendance
Application(s) of Person (s) Recommended
Interest List
Application(s) of Person(s) on the Interest
List

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making an appointment to the Chapel Hill / Orange County Visitors Bureau.

BACKGROUND: The following appointment is for Board consideration:

- Appointment to a second full term for Mrs. Karen DeHart. If appointed Mrs. DeHart will be serving a second full term expiring 12/31/2016 as the NC High School Athletic Association representative.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
6	Mrs. Karen DeHart	NC High School Athletic Association	12/31/2016

FINANCIAL IMPACT: None.

RECOMMENDATION(S): The Board will consider making an appointment to the Chapel Hill / Orange County Visitors Bureau.

Board and Commission Members

And Vacant Positions

Chapel Hill/Orange County Visitors Bureau

Meeting Times: 8:00 a.m. third Wed., monthly, no meeting in July/December

Terms: 2

Contact Person: Tina Fuller

Meeting Place: location varies

Positions: 17

Length: 3 years

Contact Phone: 919-968-2060

Description: All members are appointed by the Board of Commissioners. The Visitors Bureau is charged with developing and coordinating visitor services in Orange County. It also implements marketing programs that will enhance the economic activity and quality of life in the community.

1	Gene Pease 208 Glandon Drive Chapel Hill NC 27514	Day Phone: 969-7460 Evening Phone: FAX: E-mail: gpease7@aol.com	Sex: Race: Township: Resid/Spec Req: At-Large Special Repr: Chapel Hill Town Council	First Appointed: 04/23/2013 Current Appointment: 04/23/2013 Expiration: 12/31/2015 Number of Terms: 1
2	Mr. Greg Overbeck 205 Zapata Lane Chapel Hill NC 27517	Day Phone: 919-929-1262 Evening Phone: 919-967-5422 FAX: 919-929-0780 E-mail: greg@chapelhillrestaurantgroup.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: Chapel Hill-Carrboro Chamber of Commerce	First Appointed: 11/06/2008 Current Appointment: 03/22/2012 Expiration: 12/31/2014 Number of Terms: 2
3	Mr. Jim Parker 1908 Terry Road Hillsborough NC 27278	Day Phone: 919-732-3883 Evening Phone: FAX: 919-732-6676 E-mail: james.parker@summit-engineer.com	Sex: Male Race: Township: Little River Resid/Spec Req: At-Large Special Repr: Orange County/Hillsborough Chamber of Com	First Appointed: 01/27/2009 Current Appointment: 03/22/2012 Expiration: 12/31/2014 Number of Terms: 2
4	Ms. Laura Hayes Morgan 311 Russburn Way Chapel Hill NC 27516	Day Phone: 919-624-4946 Evening Phone: 919-967-1971 FAX: E-mail: laurahmorgan@gmail.com	Sex: Race: Township: Resid/Spec Req: At-Large Special Repr: UNC- Chapel Hill	First Appointed: 11/04/2010 Current Appointment: 04/23/2013 Expiration: 12/31/2015 Number of Terms: 2
5	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: At-Large Special Repr: Economic Development Commission-Orange	First Appointed: Current Appointment: Expiration: 12/31/2014 Number of Terms:

Board and Commission Members

And Vacant Positions

Chapel Hill/Orange County Visitors Bureau

Meeting Times: 8:00 a.m. third Wed., monthly, no meeting in July/December

Terms: 2

Contact Person: Tina Fuller

Meeting Place: location varies

Positions: 17

Length: 3 years

Contact Phone: 919-968-2060

Description: All members are appointed by the Board of Commissioners. The Visitors Bureau is charged with developing and coordinating visitor services in Orange County. It also implements marketing programs that will enhance the economic activity and quality of life in the community.

6	Mrs. Karen DeHart 102 Old Larkspur Way Chapel Hill NC 27516	Day Phone: 919-240-7369 Evening Phone: 919-929-6661 FAX: 919-240-7397 E-mail: karen@nchsaa.org	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: NC High School Athletic Association	First Appointed: 02/15/2011 Current Appointment: 02/15/2011 Expiration: 12/31/2013 Number of Terms: 1
7	Mr. Michael Gering 158 W. King Street Hillsborough NC 27278	Day Phone: Evening Phone: 919-644-8321 FAX: E-mail: mike.gering@hillsboroughnc.org	Sex: Male Race: Caucasian Township: Resid/Spec Req: Hillsborough Twmsp Special Repr: Town of Hillsborough Board of Commissioner	First Appointed: 11/04/2010 Current Appointment: 11/04/2010 Expiration: 12/31/2013 Number of Terms: 1
8	Mr. Anthony Carey Vice-Chair 1152 Newberry Dr. Mebane NC 27302	Day Phone: 919-929-4000 Evening Phone: 919-218-5918 FAX: 919-968-8527 E-mail: acarey@sienahotel.com	Sex: Male Race: Caucasian Township: Alamance County Resid/Spec Req: At-Large Special Repr: O/C Lodging Assoc.	First Appointed: 11/05/2009 Current Appointment: 04/23/2013 Expiration: 12/31/2015 Number of Terms: 2
9	Ms. Lydia Lavelle 8107 Kit Lane Chapel Hill NC 27516	Day Phone: 919-530-7484 Evening Phone: 919-942-5640 FAX: E-mail: llavelle@townofcarrboro.org	Sex: Race: Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: Carrboro Board of Aldermen.	First Appointed: 11/04/2010 Current Appointment: 11/04/2010 Expiration: 12/31/2013 Number of Terms: 1
10	Mr. David Gephart Chair 1401 Poplar Lane Hillsborough NC 27278	Day Phone: 919-656-7104 Evening Phone: 919-732-9886 FAX: 919-732-9953 E-mail: dave@gephartmarketing.com	Sex: Male Race: Caucasian Township: Eno Resid/Spec Req: At-Large Special Repr: Alliance/Hist.Hillsborough	First Appointed: 12/11/2007 Current Appointment: 03/22/2012 Expiration: 12/31/2014 Number of Terms: 2

Board and Commission Members

And Vacant Positions

Chapel Hill/Orange County Visitors Bureau

Meeting Times: 8:00 a.m. third Wed., monthly, no meeting in July/December Terms: 2 Contact Person: Tina Fuller
 Meeting Place: location varies Positions: 17 Length: 3 years Contact Phone: 919-968-2060
 Description: All members are appointed by the Board of Commissioners. The Visitors Bureau is charged with developing and coordinating visitor services in Orange County. It also implements marketing programs that will enhance the economic activity and quality of life in the community.

11	Mr Mark Sherburne 524 Highgrove Drive Chapel Hill NC 27516	Day Phone: 919-698-5996 Evening Phone: 919 960 8192 FAX: E-mail: mandmsherburne@nc.rr.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: O/C Lodging Assoc.	First Appointed: 09/06/2012 Current Appointment: 04/23/2013 Expiration: 12/31/2015 Number of Terms: 1
12	Ms. Penny Rich 109 Oldham Place Chapel Hill NC 27516	Day Phone: 919-428-5952 Evening Phone: FAX: E-mail: prich@orangecountync.gov	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: O.C. BOCC	First Appointed: 02/05/2013 Current Appointment: 02/05/2013 Expiration: 12/31/2014 Number of Terms:
13	Mr. Gordon Jameson 2608 Dairyland Rd Hillsborough NC 27278	Day Phone: 919-932-3438 Evening Phone: FAX: E-mail: jame5916@bellsouth.net	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: O.C. Arts Commission	First Appointed: 04/23/2013 Current Appointment: 04/23/2013 Expiration: 12/31/2014 Number of Terms: 1
14	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Ex-officio Special Repr: Economic Development Staff - Town of Chap	First Appointed: Current Appointment: Expiration: 06/30/2014 Number of Terms:
15	Ms Annette Stone 105 Fidelity Street Unit 49A Carrboro NC 27510	Day Phone: 919 918 7319 Evening Phone: FAX: E-mail: astone@townofcarrboro.org	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Ex-officio Special Repr: Economic Development Staff - Town of Carrb	First Appointed: 04/23/2013 Current Appointment: 04/23/2013 Expiration: 06/30/2014 Number of Terms: 1

Board and Commission Members

And Vacant Positions

Chapel Hill/Orange County Visitors Bureau

Meeting Times: 8:00 a.m. third Wed., monthly, no meeting in July/December

Terms: 2

Contact Person: Tina Fuller

Meeting Place: location varies

Positions: 17

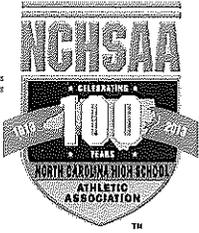
Length: 3 years

Contact Phone: 919-968-2060

Description: All members are appointed by the Board of Commissioners. The Visitors Bureau is charged with developing and coordinating visitor services in Orange County. It also implements marketing programs that will enhance the economic activity and quality of life in the community.

16	Ms. Meg McGurk 308 West Rosemary Street, Suite 202 Chapel Hill NC 27516	Day Phone: 919-967-9440 Evening Phone: FAX: E-mail: meg@downtownchapelhill.com	Sex: Undesignat Race: Undesignated Township: Chapel Hill Resid/Spec Req: Ex-officio Special Repr: Chapel Hill Downtown Partnership Staff	First Appointed: 04/23/2013 Current Appointment: 04/23/2013 Expiration: 06/30/2014 Number of Terms: 1
17	Mr. Lee Pavao The Gables, 620 Airport Road, Unit 503 Chapel Hill NC 27514	Day Phone: 919-942-4682 Evening Phone: FAX: 919-942-6511 E-mail: lee@thecanaryperch.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 04/23/2013 Current Appointment: 04/23/2013 Expiration: 12/31/2015 Number of Terms: 1

Honoring the Past, Embracing the Present, and Shaping the Future



DAVIS A. WHITFIELD, Commissioner

MARILYN Q. TUCKER
Deputy Commissioner
RAYMOND M. STRUNK, JR.
Associate Commissioner
CAROLYN C. SHANNONHOUSE
Assistant Commissioner
MARK R. DREIBELBIS
Assistant Commissioner
KAREN M. DeHART
Associate Commissioner

November 14, 2013

Orange County Board of Commissioners
PO Box 8181
Hillsborough, NC 27278

Dear Board of Commissioners,

On behalf of the North Carolina High School Athletic Association, I would like to recommend renewal of Karen DeHart for a second three-year term appointment to the Chapel Hill-Orange County Visitors Bureau Board of Directors.

Mrs. DeHart has worked closely with the CHOCVB staff for years on behalf of our organization relative to numerous high school sports championships and meetings held in the community. Furthermore, she resides in Chapel Hill and desires to serve the Chapel Hill-Orange County community in this capacity.

Thank you in advance for your consideration.

Sincerely,

Davis A. Whitfield
Commissioner

Meeting Date 2013	Attended
January 16	No
February 20	Yes
March 20	Yes
April 17	No
May 15	Yes
June 19	Yes
August 21	Yes
September 18	Yes
October 16	Yes
November 20	Yes

Meeting Date 2012	Attended
January 18	Yes
February	yes
March 21	no
April 18	yes
May 16	yes
June 20	yes
August 15	yes
September 19	yes
October 16	yes
November 14	Yes

Meeting Date 2011	Attended
March 16 (first meeting)	Yes
April 20	Yes
May 18	Yes
June 15	Yes
August 17	Yes
September 21	Yes
October 19	Yes
November 16	Yes

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mrs. Karen DeHart
Name Called:
Home Address: 102 Old Larkspur Way
 Chapel Hill NC 27516
Phone (Day): 919-240-7369
Phone (Evening): 919-929-6661
Phone (Cell):
Email: karen@nchsaa.org
Place of Employment: North Carolina High School Athletic Association
Job Title: Assistant Commissioner
Year of OC Residence: 2004
Township of Residence: Chapel Hill
Zone of Residence: Does not apply
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Almost 17 years (7/1/1994 through current date) working at NCHSAA; 15 years as business development/marketing director. 1 year teaching/coaching (8/1993-6/1994) Arrendell Parrott Academy, Kinston, NC
 Graduate student teaching assistant, UNC-CH; 1991-1992.
 PT/FT Fitness Coordinator/Director, IBM (Marriott Corp.); 1991-1993

Volunteer Experience: Sunday School Teacher, Orange United Methodist Church; 2007 to current date.

Platelet donor for American Red Cross; 2009 to current date.

Larkspur Neighborhood Communications Committee; 2008-2010

Millcreek Neighborhood Social Committee; 2002, 2003

Seawell Elementary School PTA member

Education: BA, UNC-CH 1990; MA, UNC-CH 1995

Other Comments:

I came to Chapel Hill as a college student in August 1986 and remained until August 1993 when I left to assume a teaching/coaching position in Kinston. I then returned to Chapel Hill/Carrboro in June 1994 and have lived in this community for all but 8 years since that time. I am deeply rooted in the Chapel Hill community, enjoy the local amenities and am proud of the schools and various opportunities available to our citizens and visitors. It would be an honor to serve on the CVB Board of Directors. STAFF

COMMENTS: Originally applied for CH/OC Visitors Bureau 2/2/2011. ADDRESS
VERIFICATION: 102 Old Larkspur Way is Chapel Hill Jurisdiction, Chapel Hill Township.

This application was current on: 2/2/2011 11:45:08 AM

Date Printed: 11/21/2013

Applicant Interest Listing

by Board Name and by Applicant Name

Chapel Hill/Orange County Visitors Bureau

Contact Person: Tina Fuller
Contact Phone: 919-968-2060

Ms. Libbie Hough Day Phone: 919-967-8070 Sex: Female
5401 Hough Road Evening Phone: 919-967-0469 Race: Caucasian
Hillsborough NC 27278 Cell Phone: Township: Bingham
E-mail: libbiehough@cmatters.org Date Applied: 05/31/2012
Also Serves On:
Skills: Chamber of Commerce Also Serves On:
Skills: Marketing Communications Also Serves On:
Skills: Mental Health Advocate Also Serves On:
Skills: School Volunteer Also Serves On:

Mr Art Menius Day Phone: 919-929-2787 Sex: Male
6627 Maynard Farm Rd Evening Phone: Race: Caucasian
Chapel Hill NC 27516 Cell Phone: Township: Bingham
E-mail: director@artscenterlive.org Date Applied: 04/03/2013
Also Serves On:
Skills:

Ms. Claire Millar Day Phone: 919 4892763 Sex: Female
332 standish drive Evening Phone: 919 4892763 Race: Caucasian
chapel hill NC 27517 Cell Phone: Township: Chapel Hill
E-mail: clairemillar509@gmail.com Date Applied: 11/20/2013
Also Serves On: Board of Social Services
Skills: Teacher

Ms. Sharon Riley Day Phone: 969-7866 Sex: Female
9212 Orange Grove Road. Evening Phone: 969-9630 Race: Caucasian
Chapel Hill NC 27516 Cell Phone: Township: Bingham
E-mail: sharonrsvp@bellsouth.net Date Applied: 02/04/2009
Also Serves On:
Skills: Hospitality Also Serves On:
Skills: Planning Experience Also Serves On:

Ms. Brande Roberts Day Phone: 919-537-9692 Sex: Female
1800 Hwy 15-501 South Evening Phone: Race: Caucasian
Chapel Hill NC 27517 Cell Phone: Township: Chapel Hill
E-mail: BLRoberts@alumni.ncsu.edu Date Applied: 04/12/2011
Also Serves On:
Skills: Research

Applicant Interest Listing

by Board Name and by Applicant Name

Chapel Hill/Orange County Visitors Bureau

Contact Person: Tina Fuller
Contact Phone: 919-968-2060

Mr. Brian Rowe 3235 Rigsbee Road N Chapel Hill NC 27514	Day Phone: 919-389-2331 Evening Phone: Cell Phone: E-mail: bsrowe67@aol.com Also Serves On: Also Serves On:	Sex: Male Race: Caucasian Township: Chapel Hill Date Applied: 01/05/2013
Skills: Accounting Experience Skills: Insurance		
Ms. Joy Salyers 1563 Riverside Drive Hillsborough NC 27278	Day Phone: 919-383-6040 Evening Phone: 919-998-8041 Cell Phone: E-mail: joysalyers@ncfolk.org Also Serves On:	Sex: Female Race: Caucasian Township: Hillsborough Date Applied: 08/13/2013
Skills: Arts Administration		
Ms. Mary Stowe 2435 Springview Tr Chapel Hill NC 27514	Day Phone: 919-260-8374 Evening Phone: 919-260-8374 Cell Phone: 919-260-8374 E-mail: mary@yarnsetc.com Also Serves On: Also Serves On:	Sex: Female Race: Caucasian Township: Chapel Hill Date Applied: 08/05/2013
Skills: Business Owner Skills: Marketing Analyst		
Mr. Andrew Wood 203 Raleigh St Chapel Hill NC 27514	Day Phone: 919-791-6005 Evening Phone: 919-791-6005 Cell Phone: E-mail: andrewwa@live.unc.edu Also Serves On:	Sex: Male Race: Caucasian Township: Chapel Hill Date Applied: 10/01/2013
Skills: Animal Welfare Advocate		

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Libbie Hough
Name Called:
Home Address: 5401 Hough Road
 Hillsborough NC 27278
Phone (Day): 919-967-8070
Phone (Evening): 919-967-0469
Phone (Cell):
Email: libbiehough@cmatters.org
Place of Employment: comma
Job Title: president
Year of OC Residence: 1979
Township of Residence: Bingham
Zone of Residence: County's Rural Buffer
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Chapel Hill/Orange County Visitors Bureau

Economic Development Advisory Board (REQUIRES DISCLOSURE ST

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Founder and owner of comma, llc, a marketing/pr firm located in rural Orange County 2001-present

Development Associate, Ackland Art Museum, UNC-CH, 2000-2001

Director of PR, Shoofly: An Audiomagazine for Children, 1998-2000

Director of HELPLINE, OPC Mental Health Center, 1989-1992

Director of Volunteers, Women's Center of Raleigh, 1988-1989

Volunteer Experience: Open Your Heart Chair, American Heart Association of the Triangle, Current Fourth Sector Cluster Initiative, Current Chair, Hillsborough/Orange County Chamber of Commerce's Education Committee, 2007-2012; Member, Mental Health America of the Triangle Board of Directors, 2006-2009, 2010-2012; Member, Hillsborough/Orange County Chamber of Commerce Board of Directors, 2007-2011; Member, Orange County Education Foundation Board of Directors, 2006-2008; Member, Orange County Schools Board of Education, 2002-2006; Volunteer Experience Prior to 2002: Church volunteer -- boards, choir, church school teacher Community volunteer -- Hillsborough Visitor's Center tour guide (Spirits of Hillsborough); Friends of the Library School volunteer -- PTSA board committee chair, 1997-2002; A L Stanback Library,

2003-2004.

Education: UNC-Chapel Hill, Masters of Social Work, 1987

UNC-Chapel Hill, BA, Religious Studies, 1984

Other Comments:

In addition to the other activities mentioned above, I am also a: Member, Chapel Hill Chamber of Commerce; Hillsborough Chamber of Commerce; Association for Corporate Growth-Raleigh Durham Chapter Member, Bull City Forward, a co-working incubator setting for social entrepreneurs. Co-organized a breakfast focused on entrepreneurship for the Hillsborough Chamber and Orange County Schools, March 2011. I am passionate about pushing forward Orange County's economic development efforts. I see this as a social justice issue in that we're creating jobs for those who live here or want to live here. I also see economic development as critical to nurture if we want to continue offering the quality of life we already have while also expanding efforts in other areas -- social services, recreational opportunities for residents. We must have a county-wide perspective while respecting the unique characteristics of each area or municipality within. It would be an honor to serve.

STAFF COMMENTS: Applied 05/31/2012 for Economic Development Advisory Board.

ADDRESS VERIFICATION: 5401 Hough Road is in Bingham Township, Orange County Jurisdiction, and Rural Buffer Zone.

This application was current on: 5/31/2012

Date Printed: 11/21/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr Art Menius
Name Called:
Home Address: 6627 Maynard Farm Rd
 Chapel Hill NC 27516
Phone (Day): 919-929-2787
Phone (Evening):
Phone (Cell):
Email: director@artscenterlive.org
Place of Employment: The ArtsCenter
Job Title: Executive Director
Year of OC Residence: 1973
Township of Residence: Bingham
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Chapel Hill/Orange County Visitors Bureau

I have been working directly in arts and entertainment based tourism development since 1988 with MerleFest/Wilkes Community College, Appalshop, Blue Ridge Music Hall of Fame, Wilkes County (NC) Chamber of Commerce, Wilkes County TDA, High Country Host, Letcher County (KY) Tourism Commission, and many other entities. I have organized events with up to 82,000 attendance. At MerleFest I handled marketing, sponsorship, and community relations, including leading our Economic Impact measurement efforts.

Community Activities/Organizational Memberships:

Rotary Club of Chapel Hill
 Carrboro Arts Committee
 Carrboro Economic Sustainability Commission (arts liaison)
 Folk Alliance International
 WCOM community radio

Past Service on Orange County Advisory Boards:

Other Comments:

This application was current on: 4/3/2013 4:36:01 PM

Date Printed: 11/21/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Claire Millar
Name Called:
Home Address: 332 standish drive
 chapel hill NC 27517
Phone (Day): 919 4892763
Phone (Evening): 919 4892763
Phone (Cell):
Email: clairemillar509@gmail.com
Place of Employment: retired
Job Title:
Year of OC Residence: 1971
Township of Residence: Chapel Hill
Zone of Residence: JPA (Joint Planning Area)
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Board of Social Services

Chapel Hill/Orange County Visitors Bureau

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Counselor/Teacher: Carolina Friends School
 Executive Director: Dispute Settlement Center, Orange County
 Director: Work Options for Women
 Owner: Cookie Factory, Claire's clothing store

Volunteer Experience: Habitat for Humanity
 Dispute Settlement Center
 Guardian ad Litem
 Bike and Ped Board
 Legal Aid

Education: MSW, Chapel Hill
 undergraduate degree in history and english from UND

Other Comments:

I have always enjoyed volunteering my time for good causes! STAFF COMMENTS:
 Applied 7/27/2010 for Board of Social Services, Chapel Hill/Orange County Visitors
 Bureau, Personnel Hearing Board. ADDRESS VERIFICATION: 332 Standish Drive is in

Chapel Hill Township and Chapel Hill Jurisdiction.

This application was current on: 11/20/2013

Date Printed: 11/25/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Sharon Riley
Name Called:
Home Address: 9212 Orange Grove Road.
 Chapel Hill NC 27516
Phone (Day): 969-7866
Phone (Evening): 969-9630
Phone (Cell):
Email: sharonrsvp@bellsouth.net
Place of Employment: RSVP Events
Job Title: President
Year of OC Residence:
Township of Residence: Bingham
Zone of Residence: At-Large, Bingham Township
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:
 Chapel Hill/Orange County Visitors Bureau

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I have been employed in the Hospitality Industry for 29 years as a meeting planner and a special event planner. Since 1987, I have owned and managed RSVP Events, an event management company.

Volunteer Experience: I have served on the Orange co. Parks and Rec Advisory Council, volunteered in Orange Co. Schools, and donated events for various nonprofits.

Education: Educated in the Orange co. Schools Graduated with a BS in Urban and Regional Planning from ECU.

Other Comments:

I would like to share my knowledge and experience in the Special Event with other industry leaders on the Chapel Hill Orange County Visitors Bd of Directors. STAFF COMMENTS: Originally applied for Recreation and Parks Advisory Council 6/22/2004. Applied for Chapel Hill/Orange County Visitors Bureau 2/4/2009. ADDRESS VERIFICATION: 9212 Orange Grove Rd is in Orange County in the Bingham Township.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Brande Roberts
Name Called:
Home Address: 1800 Hwy 15-501 South
 Chapel Hill NC 27517
Phone (Day): 919-537-9692
Phone (Evening):
Phone (Cell):
Email: BLRoberts@alumni.ncsu.edu
Place of Employment: ESC Labor Market Information Division
Job Title: Research Specialist
Year of OC Residence: 2000
Township of Residence: Chapel Hill
Zone of Residence: EA (Extraterritorial Area)
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:
 Chapel Hill/Orange County Visitors Bureau

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Research Specialist, Labor Market Information Division, NC ESC, 4/10 to present

Support NC Green Economy Study (short-term project funded by ARRA to study statewide employment and training needs): conduct literature review on green jobs; develop survey instrument; develop and deliver presentations on project to workforce development groups; create web page and public information documents for project; write quarterly progress reports for US Dept of Labor (funder); write interim and final project reports

Community Development Specialist, Div. of Community Assistance, NC Commerce, 6/07 to 3/10

Assist grantee communities in complying with federal and state regulations related to their community development programs; monitor grantee compliance through grant cycle; provide one-on-one training (in-person and remote) as well as group presentations; disseminate program information by writing press releases and items for internal and external newsletters and developing and managing Division's web pages; write and edit content for strategic plan and annual action plan; develop and update forms and accompanying instructions to minimize reporting burden on grantees; assist with audits by and communication with federal and state agencies

Survey Center Coordinator, State Center for Health Statistics, NC DHHS, 8/05 to 6/07
Oversee operations of survey center including staffing, training, and performance monitoring; analyze survey data using SAS; write and edit statistical reports on risk behaviors and health conditions across NC; write instructions and procedures manuals; assist with grant application preparation and required reporting to funder; ensure adherence to CDC protocol; develop and deliver training presentations

Research Assistant/Survey Supervisor, Urban Institute, UNC Charlotte, 3/04 to 12/04
Write statistical reports based on data from community surveys; develop case studies for economic development plans through secondary research and telephone interviews; clean and analyze survey data for reports; train interviewers on survey protocol and use of computer-assisted telephone interviewing software and monitor interviewers for data quality; design layout for and edit documents

Research Assistant, Office of Economic Development, UNC Chapel Hill, 10/00 to 1/04
Provide primary and secondary research and analytical support; assist in preparation of grant applications, e.g., projecting costs, writing goals and competencies statements, compiling supporting materials, and formatting to funder's specifications; market internship program and facilitate communication between employers and students; edit reports for accuracy and for consistency among collaborators; write and edit content for website and respond to inquiries from public regarding OED's work; organize and assist with focus groups and community stakeholder meetings

Volunteer Experience: Lumber River Conservancy (LRC)- Design and develop a website for LRC including building site, writing content, and finding appropriate photographs and links; create a brochure; develop a hand-out for FAQ for hard-copy distribution and to be included on the website

Regular volunteer with Chapel Hill Parks & Recreation and Eno River Association - Answer questions and provide directions at information booth, encourage attendees to complete surveys on events, help with clean-up after events, check IDs for alcohol purchase, sell tickets, assist attendees at recycling stations, etc.

Education: Graduate Certificate in Technical Communication, UNCC, May 2008
BS Business Management, Concentration in Marketing, NCSU, December 1997
BA Sociology, NCSU, May 1997

Additional training:

Community Development Academy, UNC School of Government, 2008

Basic Economic Development Course, UNC School of Government, 2001

Other Comments:

I'm seeking a more substantial volunteer commitment, where my time will really have a positive impact on our community. I believe my skills would be useful in either of these advisory groups. I've worked as a research professional for many years, most of that time focused specifically in economic development. I'm familiar with our resources such as Commerce, Rural Center, Golden LEAF, SBTDC, Triangle J, RTRP, CH-Carrboro

Chamber, CH Downtown Partnership, etc. I also have experience in grant proposal writing, interpreting state and federal regulations, and providing technical assistance and training. If this meets your needs, I would certainly appreciate the opportunity to participate. STAFF COMMENTS: Originally (4/12/2011) for Economic Deelopment Commission and Chapel Hill/Orange County Visitors Bureau. ADDRESS VERIFICATION: 1800 US Hwy 15--501 South is Chapel Hill Jurisdiction and Chapel Hill Township.

This application was current on: 4/12/2011 11:31:57 AM

Date Printed: 11/21/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Brian Rowe
Name Called:
Home Address: 3235 Rigsbee Road N
Chapel Hill NC 27514
Phone (Day): 919-389-2331
Phone (Evening):
Phone (Cell):
Email: bsrowe67@aol.com
Place of Employment: OE Enterprises, Inc.
Job Title: Accounting Manager
Year of OC Residence: 2011
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:
Orange County Parks and Recreation Council

Chapel Hill/Orange County Visitors Bureau

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: OE Enterprises, Inc. - Hillsborough, NC; NC Mutual Life Insurance Company - Durham, NC; Builders Mutual Life Insurance Company - Raleigh, NC

Volunteer Experience: American Red Cross; Jimmy V Celebrity Golf Classic; Special Olympics

Education: Bryant College - Smithfield, RI; BS/BA '89 - Concentration in Finance & Accounting

Other Comments:

I have recently relocated to Orange County from Wake County and have an interest in contributing to my community through volunteer opportunities throughout the county.
STAFF COMMENTS: Originally applied (1/12/2012) for Orange County Emergency Services Work Group, Orange County Parks and Recreation Council, and Chapel Hill/Orange County Visitors Bureau. ADDRESS VERIFICATION: Rigsbee Road N is Orange County Jurisdiction, Eno Fire Tax, and Chapel Hill Township.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Joy Salyers
Name Called:
Home Address: 1563 Riverside Drive
 Hillsborough NC 27278
Phone (Day): 919-383-6040
Phone (Evening): 919-998-8041
Phone (Cell):
Email: joysalyers@ncfolk.org
Place of Employment: North Carolina Folklife Institute
Job Title: Executive Director
Year of OC Residence: 2009
Township of Residence: Hillsborough
Zone of Residence: Rural Area Resident
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Chapel Hill/Orange County Visitors Bureau

I direct the North Carolina Folklife Institute, whose mission is to preserve and promote the traditional arts and cultures of the state and connect them with issues of public concern, including community-based economic development. One of the major tools for such development is heritage- and culture-based tourism, and the Institute helps communities use their traditions and unique sense of place to draw visitors.

Community Activities/Organizational Memberships:

Board Secretary, North Carolina Folklore Society
 Children s Education Committee, Watts Street Baptist Church
 Member, American Folklore Society, North Carolina Folklore Society

Past Service on Orange County Advisory Boards:

Other Comments:

STAFF COMMENTS: Originally (08/13/2013) applied for Chapel Hill/Orange County Visitors Bureau. ADDRESS VERIFICATION: 1563 Riverside Drive is Hillsborough Township, Orange County Jurisdiction, R1 Rural Residential Zoning.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr Daniel Siler
Name Called:
Home Address: 108 Ray Road
 Chapel Hill NC 27516
Phone (Day): 919-597-9447
Phone (Evening):
Phone (Cell):
Email: daniel.siler@gmail.com
Place of Employment:
Job Title:
Year of OC Residence: 2000
Township of Residence: Chapel Hill
Zone of Residence: Carrboro City Limits
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Chapel Hill/Orange County Visitors Bureau

My professional background has covered much of the ground that will be necessary to make this position successful. To pay for my undergraduate education at UNC, I worked a job that took me to every corner of the county. While in school, I founded the radio news program that continues to rank among the country's best. I served as an on-air personality and News Director at WCHL. These news roles rooted me in the community and allowed me an excellent perspective on the issues we face.

I spent more than four years employed by the Journalism School on the campus of UNC Chapel Hill, working with students, faculty and the general administration. Most recently, I have worked on the client side of media buying for an advertising agency with a strong base of clients in and around the Triangle. Throughout this time, I have worked for the Athletics Department at UNC to make the best experience possible for visitors who attend Basketball, Football and olympic sporting events.

Experiences from all of those areas color my current skill set, which I would enjoy bringing to bear on the Orange County visitors bureau board.

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Other Comments:

STAFF COMMENTS: Originally applied 03/31/2013) for Chapel Hill/Orange County Visitors Bureau. ADDRESS VERIFICATION: 108 Ray Road is Chapel Hill Township, Carrboro Jurisdiction, Carrboro City Limits, CA ETJ.

REAPPLIED: 11/5/2013 for Chapel Hill Board of Adjustment, Historic Preservation Commission.

This application was current on: 11/5/2013

Date Printed: 11/21/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Mary Stowe
Name Called:
Home Address: 2435 Springview Tr
 Chapel Hill NC 27514
Phone (Day): 919-260-8374
Phone (Evening): 919-260-8374
Phone (Cell): 919-260-8374
Email: mary@yarnsetc.com
Place of Employment: Yarns etc...
Job Title: Owner
Year of OC Residence: 1999
Township of Residence: Chapel Hill
Zone of Residence: C.H. City Limits
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:

Chapel Hill/Orange County Visitors Bureau

NC native who loves to share our fine town with visitors. I have a marketing degree and have owned my own business for 18 years (12 in Chapel Hill). Love to talk about all the things there are to do in this town with all of my out of town customers.

Community Activities/Organizational Memberships:

Chamber of Commerce - Retail Round Robin
 Our Childrens Place, Executive Board - Secretar

Past Service on Orange County Advisory Boards:

Volunteer Experience: Volunteer as a teller for Chapel of the Cross Church- CH

Volunteer in Chapel Hill City Schools in various ways including working at the Thrift shop

Other Comments:

As a business owner and homeowner in Orange County I am interested in the economic growth of the area. I feel that my experience in the business world will be an asset to this group. STAFF COMMENTS: Originally applied for Economic Development Commission on 5/19/08. APPLIED 08/05/2013 FOR CH/CARRBORO VISITORS BUREAU. ADDRESS VERIFICATION: 2435 Springview TR is Chapel Hill Township, CHPL jurisdiction. CH TOWN LIMITS.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Andrew Wood
Name Called:
Home Address: 203 Raleigh St
 Chapel Hill NC 27514
Phone (Day): 919-791-6005
Phone (Evening): 919-791-6005
Phone (Cell):
Email: andrewwa@live.unc.edu
Place of Employment: University of North Carolina at Chapel Hill
Job Title: Full Time Student
Year of OC Residence: 2012
Township of Residence: Chapel Hill
Zone of Residence: ETJ - Chapel Hill
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Animal Services Advisory Board

Having sat on advisory boards in the University setting, I am familiar with the professional policy making process and funding allocation. I have also served as a chairman for a committee granting me experience in decision making and preparing me for working in a professional political atmosphere. I am passionate about animals - being a dog owner myself - and I would love to serve on a committee that addresses the needs of both animals and the community. My fresh perspective as a student and UNC-CH in combination with my enthusiasm for animal awareness would allow me to make a positive impact on the Animal Services Advisory Board.

Chapel Hill Library Board of Trustees

My chairmanship within UNC-CH student government and my positions on advisory boards throughout the University's administration have provided me with the skills necessary to discuss policy and funding within a professional political setting. As an involved student, I am prepared to extend the scope of my civic duties and contribute positively to the community around me. I began my university career as an English major, and my love for literature and libraries in general inspires me to seek involvement on Chapel Hill's Library Board of Trustees. My experiences with community event and campaign planning have prepared me to serve on such a committee and to provide a fresh student perspective that may help to create greater connections between the University and the Town/County. While I may not be majoring in Library Science, I am familiar with the general civic purpose of a library and would greatly enjoy serving the town of Chapel Hill and Orange County in a positive manner.

Chapel Hill/Orange County Visitors Bureau

I have served on several committees that function to plan events and policies that best serve the UNC-CH student body. My experiences in strategizing and planning within UNC's student government as well as my previous involvement with the State's Board of Governors and General Administration have prepared me to work in a professional political atmosphere. As a student pursuing a degree in Journalism and Mass Communications with a specialization in Graphic Design, I would be able to contribute both a fresh student's perspective in regards to tourism and marketing campaigns and could contribute my talents in any way possible. I am passionate about the town of Chapel Hill - not just the University - and my involvement and connections with the community would contribute positively to the makeup of the visitor's bureau.

Chapel Hill Parks and Recreation Commission

As a lover of the outdoors and fun weekend activities, I understand the true value of parks to a community. Not only does my passion for parks extend to the physical locations, but I value the worth that they bring by offering a space to bring neighbors from the same community together in communal recreation and activities. My experiences serving on UNC-CH's student government and sitting on advisory boards for the UNC System's policy-making functions, I am prepared to serve in a professional political atmosphere for deciding on policy issues and funding allocations. By applying for this position, I hope to provide a connection between the University and town's park and recreation services as well as provide a fresh student perspective on any advisory committees.

Community Activities/Organizational Memberships:

I'm heavily involved in UNC-CH's student government. I have served the UNC system and community by advising members of Tom Ross' administration on various policy issues. I also serve as a chair for the Multicultural Affairs and Diversity Outreach committee of student government. In addition, I sit on a committee that advises UNC-CH's provost on LGBTQ issues and allocates funding to University departments and organizations. I attend classes at UNC-CH as a full-time student and am a dues-paying member of the Young Democrats. I serve as an executive assistant to the Senior Adviser within Student Government and sit on the University's Diversity Awards Committee.

Past Service on Orange County Advisory Boards:**Other Comments:**

STAFF COMMENTS: Originally (10/01-02/2013) applied for Chapel Hill Library Board of Trustees, Chapel Hill/Orange County visitors Bureau, and Chapel Hill Parks and Recreation Commission, and Animal Services Advisory Board. ADDRESS VERIFICATION: 203 Raleigh St., is Chapel Hill Jurisdiction, Chapel Hill ETJ, and Chapel Hill Town Limits.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

Action Agenda

Item No. 11-d

SUBJECT: Commission for the Environment – Appointments

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Recommendation / Attendance
Application(s) of Person(s) Recommended
Interest List
Application(s) of Person(s) on the Interest
List

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making additional term appointments for existing commission members to the Commission for the Environment.

BACKGROUND: The following additional term appointments are for Board consideration:

- Appointment to a second full term for Mr. Loren Hintz. If appointed Loren Hintz will be serving a second full term expiring 12/31/2016 as a Biological Resources representative.
- Appointment to a second full term for Dr. Jan Sassaman. If appointed Dr. Sassaman will be serving a second full term expiring 12/31/2016 as an At-Large representative.
- Appointment to a second full term for Rev. Susie Enoch. If appointed Rev. Enoch will be serving a first full term expiring 12/31/2016 as an At-Large representative.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
4	Mr. Loren Hintz	Biological Resources	12/31/2016
7	Dr. Jan Sassaman	At – Large	12/31/2016
8	Rev. Susie Enoch	At – Large	12/31/2016

FINANCIAL IMPACT: None.

RECOMMENDATION(S): The Board will consider making additional term appointments to the Commission for the Environment.

Board and Commission Members

And Vacant Positions

Commission for the Environment

Meeting Times: 7:30 p.m. second Monday of each month

Terms: 2

Contact Person: Rich Shaw

Meeting Place: the Southern Human Services Center

Positions: 15

Length: 3 years

Contact Phone: 919-245-2514

Description: All members are appointed by the Board of Commissioners. This commission advises the Board of Commissioners on matters affecting the environment with particular emphasis on protection. It educates public and local officials on environmental issues and performs special studies and projects. It also recommends environmental initiatives and study changes in environmental science and local and federal regulations.

1	Dr. May Becker 511 Cotton St. Chapel Hill NC 27516	Day Phone: 919-969-7439 Evening Phone: FAX: E-mail: tomatocutter@yahoo.com	Sex: Female Race: Undesignated Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/21/2010 Current Appointment: 12/13/2011 Expiration: 12/31/2014 Number of Terms: 2
2	Mrs Lucy Adams 5128 Green Meadow Rd Hillsborough NC 27278	Day Phone: 919-954-0033 Evening Phone: 919-942-8925 FAX: E-mail: lhadams1@mindspring.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: Air Quality	First Appointed: 03/21/2006 Current Appointment: 01/20/2011 Expiration: 12/31/2013 Number of Terms: 2
3	Ms. Lydia Wegman 5704 Cascade Drive Chapel Hill NC 27514	Day Phone: 919-541-5505 Evening Phone: 919-382-1904 FAX: E-mail: wegman.lydia@epa.gov	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: Land Resources	First Appointed: 11/19/2013 Current Appointment: 11/19/2013 Expiration: 12/31/2014 Number of Terms: 1
4	Mr. Loren Hintz 804 Kings Mill Rd. Chapel Hill NC 27517	Day Phone: 919-933-8987 Evening Phone: FAX: E-mail: ldhintz@bellsouth.net	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: Biological Resources	First Appointed: 01/27/2009 Current Appointment: 01/20/2011 Expiration: 12/31/2013 Number of Terms: 1
5	Dr. Donna Lee Jones 3035 Carriage Trail Hillsborough NC 27278	Day Phone: 919-541-5251 Evening Phone: 919-732-4672 FAX: E-mail: Jones.DonnaLee@epa.gov	Sex: Female Race: Caucasian Township: Eno Resid/Spec Req: At-Large Special Repr: Water Resources	First Appointed: 05/21/2013 Current Appointment: 05/21/2013 Expiration: 12/31/2015 Number of Terms: 2

Board and Commission Members

And Vacant Positions

Commission for the Environment

Meeting Times: 7:30 p.m. second Monday of each month

Terms: 2

Contact Person: Rich Shaw

Meeting Place: the Southern Human Services Center

Positions: 15

Length: 3 years

Contact Phone: 919-245-2514

Description: All members are appointed by the Board of Commissioners. This commission advises the Board of Commissioners on matters affecting the environment with particular emphasis on protection. It educates public and local officials on environmental issues and performs special studies and projects. It also recommends environmental initiatives and study changes in environmental science and local and federal regulations.

6	Ms Terri Buckner 306 Yorktown Drive Chapel Hill NC 27516	Day Phone: 919-672-8271 Evening Phone: 919-942-9055 FAX: E-mail: tbuckner@ibiblio.org	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 11/08/2012 Current Appointment: 11/08/2012 Expiration: 12/31/2013 Number of Terms: 1
7	Dr. Jan Sassaman Vice-Chair 201 Bolinwood Drive Chapel Hill NC 27514	Day Phone: 919-933-1609 Evening Phone: 919-933-1609 FAX: 919-933-0824 E-mail: jan.sassaman@gmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 12/13/2011 Current Appointment: 12/13/2011 Expiration: 12/31/2013 Number of Terms: 1
8	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: At-Large Special Repr:	First Appointed: 05/21/2013 Current Appointment: 05/21/2013 Expiration: 12/31/2013 Number of Terms: 0
9	Ms. Jeanette O'Connor 116 S Peak Dr. Carrboro NC 27510	Day Phone: 703-678-6893 Evening Phone: 703-678-6893 FAX: E-mail: jeanette.oconnor@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 05/21/2013 Current Appointment: 05/21/2013 Expiration: 12/31/2014 Number of Terms: 1
10	Mr. Peter Cada 420 Coach House Lane Hillsborough NC 27278	Day Phone: 919-485-8278 Evening Phone: 919-599-9866 FAX: E-mail: peter.cada@tetrattech.com	Sex: Male Race: Caucasian Township: Eno Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/21/2010 Current Appointment: 12/13/2011 Expiration: 12/31/2014 Number of Terms: 2

Board and Commission Members

And Vacant Positions

Commission for the Environment

Meeting Times: 7:30 p.m. second Monday of each month

Terms: 2

Contact Person: Rich Shaw

Meeting Place: the Southern Human Services Center

Positions: 15

Length: 3 years

Contact Phone: 919-245-2514

Description: All members are appointed by the Board of Commissioners. This commission advises the Board of Commissioners on matters affecting the environment with particular emphasis on protection. It educates public and local officials on environmental issues and performs special studies and projects. It also recommends environmental initiatives and study changes in environmental science and local and federal regulations.

11	Mr. David Welch 20 East Drive Chapel Hill NC 27516	Day Phone: 919-929-8391 Evening Phone: 919-360-7823 FAX: E-mail: davwelch@hotmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/21/2010 Current Appointment: 12/13/2011 Expiration: 12/31/2014 Number of Terms: 2
12	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: At-Large Special Repr: Engineering	First Appointed: 05/21/2013 Current Appointment: 05/21/2013 Expiration: 12/31/2015 Number of Terms: 2
13	Mr. David Neal Chair 323 W Queen St Hillsborough NC 27278	Day Phone: 919-732-2156 Evening Phone: 919-824-1814 FAX: E-mail: David.L.Neal@gmail.com	Sex: Male Race: Caucasian Township: Hillsborough Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/21/2010 Current Appointment: 12/11/2012 Expiration: 12/31/2015 Number of Terms: 2
14	Mr. Steven Niezgoda 524 Patriot's Pointe Drive Hillsborough NC 27278	Day Phone: 716-998-1490 Evening Phone: FAX: E-mail: Steve.niezgoda@gmail.com	Sex: Male Race: Caucasian Township: Hillsborough Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 05/21/2013 Current Appointment: 05/21/2013 Expiration: 12/31/2015 Number of Terms: 1
15	Ms. Rebecca Ray 5617 Jomali Drive Durham NC 27705	Day Phone: 919-383-0685 Evening Phone: FAX: E-mail: bbray@nc.rr.com	Sex: Female Race: Caucasian Township: Eno Resid/Spec Req: At-Large Special Repr:	First Appointed: 11/19/2013 Current Appointment: 11/19/2013 Expiration: 12/31/2015 Number of Terms: 1



Department of Environment,
Agriculture, Parks & Recreation

November 26, 2013

Donna Baker
Clerk to the Board of County Commissioners
200 South Cameron Street
Hillsborough, NC 27278

Dear Ms. Baker:

Four members of the Orange County Commission for the Environment (CFE) are eligible for reappointment before their current terms end on December 31. One of those members (**Terri Buckner**) has notified me she is unable to serve another term.

The CFE Membership Committee (Chair and Vice-Chair) recommends that the Board of County Commissioners reappoint three members to the CFE: **Susie Enoch, Loren Hintz, and Jan Sassaman**. Attendance records for the past year are attached. All three are eligible to serve another term.

Thank you, on behalf of the Commission for the Environment.

Sincerely,

Rich Shaw

Rich Shaw
Land Conservation Manager

cc: David Neal, Chair
Jan Sassaman, Vice-Chair

CFE Attendance Record - 2013

NAME	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec
Lucy Adams	E	✓	E	✓	E	E		E	E		✓	
May Becker	✓	✓	✓	✓	✓	✓		✓	✓		✓	
Terry Buckner	E	✓	✓	✓	E	E		✓	✓		E	
Peter Cada	✓	✓	✓	✓	✓	E		✓	✓		✓	
Susie Enoch						E		✓	E		E	
Loren Hintz	✓	✓	✓	✓	E	✓		✓	✓		✓	
Donna Lee Jones						✓		✓	✓		✓	
Bill Kaiser	✓	✓	✓	✓	✓							
David Neal	✓	✓	✓	✓	E	✓		✓	✓		E	
Steven Niezgoda						✓		✓	E		✓	
Jeanette O'Connor						✓		✓	✓		✓	
Tom O'Dwyer	✓	✓	✓	✓	✓	E		E	✓		✓	
Jan Sassaman	✓	✓	✓	✓	✓	✓		E	✓		✓	
Gary Saunders	✓	✓	✓	✓	✓	✓		✓	✓		E	
David Welch	E	✓	E	✓	✓	U		✓	✓		✓	
Samuel Yellen	U	E	E	U	U	U						
Q = Quorum	Q	Q	Q	Q	Q	Q	No Meeting	Q	Q	No Meeting	Q	

E = Excused absence
 U = Unexcused absence

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Loren Hintz
Name Called:
Home Address: 804 Kings Mill Rd.
 Chapel Hill NC 27517
Phone (Day): 919-933-8987
Phone (Evening):
Phone (Cell):
Email: ldhintz@bellsouth.net
Place of Employment: chapel hill high school
Job Title: science teacher
Year of OC Residence:
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Chapel Hill High School: biology teacher; Halifax Community College: biology instructor; Peace Corps Volunteer El Salvador/Honduras: science teacher training and environmental education development; also taught at Northampton and Granville County schools all levels of science plus Fish and Wildlife Management and Spanish.

Volunteer Experience: member and chair Chapel Hill Transportation Board (1997-2003); president Kings Mill Morgan Creek Neighborhood Association; Apoyo Latino student support team CHHS; Audubon Bird Counts (Spring and Christmas 1992-present); co-chair Orange Chatham Sierra Club; member Fordham Blvd Safety Task Force 2006; volunteer special projects for parks in El Salvador, Honduras and Nicaragua.

Education: B.A. biology, College of Wooster; M.S. Ecology and Evolutionary Biology, University of Arizona; M.A.T science education, UNC-Chapel Hill; certified environmental educator North Carolina; recent course work UNC/Highlands Biological Station: Conservation Biology; Invasive Species

Other Comments:

I am interested in the Biological Resources position of the Commission of the Environment. Both my professional and personal interests focus on protecting the environment. STAFF COMMENTS: Originally applied for Commission for the Environment 11/24/2008. ADDRESS VERIFICATION: 804 Kings Mill Rd, Chapel Hill is

Chapel Hill township, CHPL jurisdiction.

This application was current on: 11/23/2008 10:13:16 PM

Date Printed: 11/21/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Dr. Jan Sassaman
Name Called:
Home Address: 201 Bolinwood Drive
 Chapel Hill NC 27514
Phone (Day): 919-933-1609
Phone (Evening): 919-933-1609
Phone (Cell):
Email: jan.sassaman@gmail.com
Place of Employment: Retired
Job Title: Environmental Consultant
Year of OC Residence: 1986
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I presently have a sole proprietorship environmental consulting practice (operated since 1995) at which I work only a few hours a month. Prior to that time, I worked for regional and national engineering and consulting firms. At this time, I am essentially retired. I have worked my entire career since graduate school (starting in 1971) in the environmental arena, as a college professor teaching ecology and environmental studies and as a consultant to government and industry. My areas of expertise include environmental impact analysis, energy development, and municipal and hazardous waste disposal.

Volunteer Experience: I presently chair the Solid Waste Advisory Board and have represented Chapel Hill since 2001. In the 1970's, I chaired the Unity, Maine Planning Board and served on the North Kennebec Regional Planning Commission. In addition, I served on the Executive Board of the Natural Resources Council of Maine. Finally, I have spent 13 years volunteering in Panama where I have lead a United Methodist Volunteers in Mission effort operating a rural medical clinic and constructing/repairing several church buildings.

Education: BS Biology, College of William and Mary (1965)
 PhD Zoology, University of Oklahoma (1974)

Other Comments:

I have served on the Solid Waste Advisory Board since its inception, and for the past 1 1/2 years as its Chair. I work professionally dealing with solid and hazardous waste management and disposal, and have been involved for many years with issues associated with waste disposal and recycling. I feel that the SWAB has much to do yet in the next couple of years and I wish to continue as a participant in that work. There are a number of areas of mutual interest for both the Commission on the Environment and the Solid Waste Advisory Board for which cross communication is most helpful. In addition, I now have additional time to bring my accumulated expertise in environmental dynamics and in Orange County dynamics to environmental issues in the county.

STAFFCOMMENTS: Appointed by Town of Chapel Hill to the Orange County Solid Waste Advisory Board, mid-February, 2000., Applied for Commission for the Environment 10/18/2011, ADDRESS VERIFICATION:

This application was current on: 10/18/2011

Date Printed: 11/21/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Rev. Susie Enoch
Name Called:
Home Address: 4002 McGowan Creek Road
 Efland NC 27243
Phone (Day): 336-260-7694
Phone (Evening): 336-260-7694
Phone (Cell):
Email: enochts@aol.com
Place of Employment: Unemployed
Job Title:
Year of OC Residence: 2009
Township of Residence: Cheeks
Zone of Residence: Rural Area Resident
Sex: Female
Ethnic Background: African American

Boards/Commissions applied for:

Durham Technical Community College Board of Directors

Board of Social Services

Economic Development Advisory Board (REQUIRES DISCLOSURE ST

Human Relations Commission

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITH

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: WrightCare Alternatives Services, Hillsborough, NC [Mar 2008 - May 2011]

Human Resource Director; Served in a pivotal role as a member of the senior leadership team, while providing organizational leadership for the alignment of WCAS workforce with the mission and vision. Worked closely with the Program Director and key clinical team to develop and implement HR strategies, functions and systems to facilitate the achievement of WCAS strategic directions and initiatives. Served as the staff advisor and liaison within various Committees of WCAS Board of Directors, as needed:

'Promoted and facilitated the mission and vision of the organization. Maintained the staff needed for client care. Created, directed, and implemented development strategies to solidify and expand the organization's employee and employer relationship. Developed a

sound HR dept which allowed for effective delivery of excellent services while achieving the financial goals set for the organization. Oversaw all operations including hiring and supervising of staff, training, and developing and implementing organizational policies and procedures.

Qualified Professional: Served as Qualified Professional responsible for providing an array of case coordination and mental health services for MH/DD/SA clients. Determined the extent of each individual's mental health or crisis situations as well as the appropriate measures to be taken in each case. Upheld agency goals to meet the educational, vocational, residential, mental health treatment, financial, social and other non-treatment needs of the recipient. Managed the arrangement, and linkage or integration of multiple services as needed as it related to programs and other outside agencies. Assessed and reassessed recipient's needs for case management services; informed the recipient about benefits, community resources, and services.

Duke University Medical Center (Pastoral Services), Durham, NC [May 2010 - May 2011]

Chaplain Resident: Provided interfaith pastoral/spiritual care to patients, families, and staff in crisis situations. Evaluated emotional, social, spiritual and religious factors to determine the capacity to cope with illness and death through completed spiritual assessments outlining problems, goals and interventions. Served as a liaison with community pastoral care services, clergy and faith communities. Successfully educated patients, families, and staff, as well as participated in ethics consults. Developed sacerdotal functions, religious rituals, and services upon personal request of patients or their family members according to their beliefs, and religious orientations; personally or in conjunction with community spiritual leaders.

Durham Technical Community College, Durham, NC [2004 - 2005]

Continuing Education Instructor: Taught classes in basic money marketing skills, customer service, healthcare, and teaching careers for c.e.u certification, and associate/bachelor level degrees. Lead Job Fairs and provided classroom instruction in job assistance training [in both group/individual] settings. Successfully educated clients in job preparation through counseling, mock interviews and resume critique.

Bank of America (formerly NationsBank), Burlington, NC & Greensboro, NC [1998 - 2000] Assistant Branch Manager/ Consumer Banker. Played a key role in developing sales programs that helped meet company goals. Maintained direct oversight of branch cash flow; resolved escalated issues and reported to management. Conducted monthly and quarterly branch audits, including security system tests. Open and closed the branch daily; supervised a staff of 12.

Great American Knitting Mills (Gold Toe), Burlington, NC [1995 - 1998] Credit/Account Analyst - Worked with a team of three analyst/collectors. Ensured that staff members complied with FDCPA guidelines. Conducted some training and team development sessions. Recovered \$750,000 in charged off collateral. Implemented a new goal oriented business plan detailing objectives, costs and accomplishments. Reduced delinquencies 20%

Volunteer Experience: New Covenant UHC (Burlington, NC) Clothing Giveaway (Evangelism Committee);

Education: Duke University Medical Center-Pastoral Services, Durham, NC C.P.E. Residency, 3 Units- May 2011

Duke University Medical Center-Pastoral Services, Durham, NC C.P.E. Internship, 1 Unit- May 08-Aug 08

Duke University Duke Divinity School, Durham, NC Master of Divinity, GPA: 2.89 -May 2009

Shaw University, Raleigh, NC BA Religion/Philosophy; Summa Cum Laude, GPA:3.89 - Dec-2004

Other Comments:

The community in which one lives should always be a matter of concern to them. The quality of life within the community reflects the heart and soul of its residents in regards to their values and principles they live by. With that said, I am most interested to be a part of the Orange County community not just as a mere resident, but one who desires to serve the community in a greater aspect within the Advisory Board, Commission, and or Committee(s) listed above. STAFF COMMENTS: Applied for Orange County Planning Board, Board of Social Services, and Interlocal Agreement committee for the Hillsborough Area-Orange county Strategic Growth Plan Phase II 12/29/2010. Updated application through Planning Department for OUTBoard 1/24/2011. UPDATED APPLICATION FOR OC PLANNING BOARD 02/13/2012. UPDATED APPLICATION 05/15/2012 TO INCLUDE Human Relations Commission, Commission for the Environment, Historic Preservation Commission, Orange Unified Transportation Board, Board of Social Services, Durham Technical Community College Board of Directors, and Economic Development Advisory Board. , ADDRESS VERIFICATION: 4002 McGowan Creek Road, Efland, NC is in Orange County Jurisdiction and Cheeks Township.

This application was current on: 8/29/2012

Date Printed: 11/21/2013

Applicant Interest Listing

by Board Name and by Applicant Name

Commission for the Environment

Contact Person: Rich Shaw

Contact Phone: 919-245-2514

Ms. Kim Calandra	Day Phone: 919-996-0718	Sex: Female
716 Churchill Dr	Evening Phone:	Race: Caucasian
Chapel Hill NC 27517	Cell Phone:	Township: Chapel Hill
	E-mail:	Date Applied: 04/30/2012
Skills: Acupuncturist	Also Serves On:	
Skills: Avid Environmentalist	Also Serves On:	
Skills: Chinese Medicine Practitioner	Also Serves On:	
Skills: Landscape Artist	Also Serves On:	

Mr. Paul Dubbeling	Day Phone: 910-584-8593	Sex: Male
4212 Orange Grove Road	Evening Phone: 910-584-8593	Race: Caucasian
Hillsborough NC 27278	Cell Phone:	Township: Hillsborough
	E-mail: paul.dubbeling@gmail.com	Date Applied: 03/14/2013
Skills: Attorney	Also Serves On:	

Mr. Jae Furman	Day Phone: 919-725-7070	Sex: Male
520 Dairy Glen Road	Evening Phone:	Race: Caucasian
Chapel Hill NC 27516	Cell Phone:	Township: Chapel Hill
	E-mail: yoganature@gmail.com	Date Applied: 11/03/2012
Skills: Research Analyst	Also Serves On:	

Ms. Judy Miller	Day Phone: 919-732-9969	Sex: Female
403 Jericho Rd.	Evening Phone: 919-241-3001	Race: Caucasian
Hillsborough NC 27278	Cell Phone:	Township: Cedar Grove
	E-mail: jmiller221@hotmail.com	Date Applied: 08/18/2011
Skills: Nurse	Also Serves On: Animal Services Advisory Board	
Skills: Research		

Mr William Newby	Day Phone: 919 541-5296	Sex: Male
2821 Becketts Ridge	Evening Phone: 919 732-4701	Race: Caucasian
Hillsborough NC 27278	Cell Phone:	Township: Hillsborough
	E-mail: newby.william@epa.gov	Date Applied: 08/09/2013
Skills: Environmental Consultant	Also Serves On:	

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Kim Calandra
Name Called:
Home Address: 716 Churchill Dr
 Chapel Hill NC 27517
Phone (Day): 919-996-0718
Phone (Evening):
Phone (Cell):
Email:
Place of Employment: Self
Job Title: Acupuncturist
Year of OC Residence: 2008
Township of Residence: Chapel Hill
Zone of Residence: C.H. Twnshp; C.H.Cty.Lmts.
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:
 Commission for the Environment

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: Acupuncturist, Chinese Medicine Practitioner, Landscape Artist

Volunteer Experience: 2005/2006- Secretary for the Natural Living Association of St. John's County, FL

2007-President of the Natural Living Association of St. John's County, FL

Education: University of Florida-BS Psychology
 Southwest Acupuncture College- Masters in Oriental Medicine

Other Comments:

I am an avid environmentalist especially towards Orange County. I spend my free time exploring and hiking the natural areas of the community. After reading the Inventory of Natural Areas and Wildlife Habitats for Orange County, NC, I feel compelled to hopefully have the honor to contribute and volunteer my time as a concerned citizen and ecological steward for the CFE. STAFF COMMENTS: 4/30/2012 applied for Commission for the Environment. ADDRESS VERIFICATION: 716 Churchill Drive is in Chapel Hill township, Chapel Hill Town Limits.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Paul Dubbeling
Name Called:
Home Address: 4212 Orange Grove Road
 Hillsborough NC 27278
Phone (Day): 910-584-8593
Phone (Evening): 910-584-8593
Phone (Cell):
Email: paul.dubbeling@gmail.com
Place of Employment: Horizon Home Rentals
Job Title: Owner
Year of OC Residence: 2012
Township of Residence: Hillsborough
Zone of Residence: Bingham Twncsp
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Commission for the Environment

I am a small business owner in the community, former military officer, and lawyer. I am deeply interested in preserving and building a vibrant, healthy environment in Orange County. I believe in the importance of maintaining a healthy ecosystem but understand that any public policy must reflect a variety of concerns. I have years of both managerial and legal experience which will enable me to assist the Board in both the articulation and execution of plans to maintain and improve the quality of Orange County.

Community Activities/Organizational Memberships:

None. I am relatively new to the area (though I have chosen Orange County to be both my home and the location of my business) and am looking for opportunities for public service.

Past Service on Orange County Advisory Boards:

Other Comments:

STAFF COMMENTS: Applied 03/14/2013 for Commission for the Environment.
ADDRESS VERIFICATION: 4212 Orange Grove Road, Hillsborough, NC. Is Bingham Township, Orange County Jurisdiction and Rural Buffer Zoning.

**Volunteer Application
Orange County Advisory Boards and Commissions**

Name: Mr. Jae Furman
Name Called:
Home Address: 520 Dairy Glen Road
Chapel Hill NC 27516
Phone (Day): 919-725-7070
Phone (Evening):
Phone (Cell):
Email: yoganature@gmail.com
Place of Employment: Duke University
Job Title: Institutional Research Analyst
Year of OC Residence: 1995
Township of Residence: Chapel Hill
Zone of Residence: Carrboro City Limits
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Commission for the Environment

Strong interest in protecting the environment. Strengths are in communications, strategic planning, data analysis.

Community Activities/Organizational Memberships:

None currently. Former conservation chair, New Hope Audubon Society.

Past Service on Orange County Advisory Boards:

Other Comments:

STAFF COMMENTS: Originally (11/03/2012) applied for Commission for the Environment. ADDRESS VERIFICATION: 520 Dairy Glen Road, Chapel Hill, NC 27516 is Chapel Hill Township, Carrboro Jurisdiction, Carrboro City Limits.

This application was current on: 11/3/2012 1:18:29 AM

Date Printed: 11/21/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Judy Miller
Name Called:
Home Address: 403 Jericho Rd.
 Hillsborough NC 27278
Phone (Day): 919-732-9969
Phone (Evening): 919-241-3001
Phone (Cell):
Email: jmiller221@hotmail.com
Place of Employment: Hillsborough Veterinary Clinic
Job Title: receptionist
Year of OC Residence: 2005
Township of Residence: Cedar Grove
Zone of Residence: -
Sex: Female
Ethnic Background: Caucasian

Boards/Commissions applied for:
 Commission for the Environment

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I now have a job where I can give some back to the community as a board volunteer. I value deeply our older adults, animals and the environment. Which board to serve on is more a function of where I can best serve and meeting times.

Receptionist Hillsborough Veterinary Hospital, since 2006
 Educational research consultant, UNC School of Nursing, Gerontological Nursing
 Associate Dean, Duke University School of Nursing
 Associate Dean, University of Portland, School of Nursing
 Associate Professor, UNC School of Nursing
 Board of Governors Award for Teaching Excellence, State of
 North Carolina
 clinical nurse specialist, gerontological nursing
 Director of Nursing, Assistant Director of Nursing - rehabilitation hospital and nursing
 home

Volunteer Experience: special event volunteer - hog day, hillsborough clean up

Education: PhD - gerontology, nursing. Oregon Health Sciences University, Portland Or.
MSN - nursing, post masters - education. Duke University
BS - nursing. Adelphi University, Garden City NY

Other Comments:

thank you for all you do!. I am available to serve anytime on Mondays, otherwise evenings after 6:30pm. STAFF COMMENTS: Originally applied for Animal Services Advisory Board, Advisory Board on Aging, and Commission for the Environment on 08/18/2011. ADDRESS VERIFICATION: 403 Jericho Road is Orange County Jurisdiction, Cedar Grove Township.

This application was current on: 8/18/2011 1:08:15 PM

Date Printed: 11/21/2013

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr William Newby
Name Called:
Home Address: 2821 Becketts Ridge
Hillsborough NC 27278
Phone (Day): 919 541-5296
Phone (Evening): 919 732-4701
Phone (Cell):
Email: newby.william@epa.gov
Place of Employment: U.S. Environmental Protection Agency
Job Title: Contracts Spec. RTP-POD Office of Air & Radiation
Year of OC Residence: 1986
Township of Residence: Hillsborough
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Commission for the Environment

Past experience in City Planning - Community Development - Housing Authority - HUD cost analyst - Masters Degree in Public Administration. Thirty (30) years government experience at EPA, working with Air and radiation Program including the following: Air pollution regulation promulgation and implementation; Research and development projects in the area of electric utilities.

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

N/A

Other Comments:

STAFF COMMENTS: Originally (8/9/2013) applied for Commission for the Environment.
ADDRESS VERIFICATION: 2821 Becketts Ridge is Hillsborough Township, Orange County Jurisdiction.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 10, 2013

Action Agenda

Item No. 11-e

SUBJECT: Orange County Parks & Recreation Council – Appointment

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Recommendation
Application(s) of Person(s) Recommended
Interest List
Application(s) (s) of Person(s) on the
Interest List

INFORMATION CONTACT:
Clerk's Office, 245-2130

PURPOSE: To consider making an appointment to the Orange County Parks & Recreation Council.

BACKGROUND: The following appointment is for Board consideration:

- Appointment to a first partial term for Mr. Robert Robinson. If appointed Mr. Robinson will be serving a first partial term expiring 3/31/2014.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
8	Mr. Robert Robinson	Little River Township	03/31/2014

FINANCIAL IMPACT: None.

RECOMMENDATION(S): The Board will consider making an appointment to the Orange County Parks & Recreation Council.

Board and Commission Members

And Vacant Positions

Orange County Parks and Recreation Council

Meeting Times: 6:30 pm first Wednesday of each month

Terms: 2

Contact Person: David Stancil

Meeting Place: Recreation and Parks Building, Area II

Positions: 12

Length: 3 years

Contact Phone: 919-245-2510

Description: Each member of the Council shall be a County resident appointed by the Orange County Board of Commissioners. This council consults with and advises the Department of Environment, Agriculture, Parks and Recreation, and the Board of County Commissioners on matters affecting recreation policies, programs, personnel, finances, and the acquisition and disposal of lands and properties related to the total community recreation program, and to its long-range planning for recreation.

1	Mr. Eric Roeder Vice-Chair 504 Cates Farm Rd Chapel Hill NC 27514	Day Phone: 919-425-6465 Evening Phone: 919-260-3480 FAX: E-mail: leroeder@gmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: Carrboro City Limits Special Repr:	First Appointed: 11/15/2011 Current Appointment: 03/22/2012 Expiration: 03/31/2015 Number of Terms: 1
2	Dr. Tori Williams Reid 904 Chandler Court Hillsborough NC 27278	Day Phone: 919-241-5292 Evening Phone: FAX: E-mail: TReid@rahdch.com	Sex: Female Race: African American Township: Hillsborough Resid/Spec Req: Hillsbr. Township Special Repr: Hillsbr. Township	First Appointed: 04/09/2013 Current Appointment: 04/09/2013 Expiration: 03/31/2016 Number of Terms: 1
3	Mrs. Betty Khan 6023 Efland-Cedar Grove road PO Box 185 Cedar Grove NC 27231	Day Phone: Evening Phone: 919-732-8251 FAX: E-mail: BKSKTX@aol.com	Sex: Female Race: Caucasian Township: Cedar Grove Resid/Spec Req: Cedar Grove Twmsp. Special Repr: Cedar Grove Twmsp.	First Appointed: 10/16/2012 Current Appointment: 10/16/2012 Expiration: 03/31/2015 Number of Terms: 1
4	Mr. Joel Bulkley 123 barclay rd. chapel hill NC 27516-1402	Day Phone: 968-8741 Evening Phone: same FAX: same E-mail: Joelj13@earthlink.net	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: C.Hill City Limits Special Repr:	First Appointed: 11/15/2011 Current Appointment: 11/15/2011 Expiration: 03/31/2014 Number of Terms: 1
5	Ms. Jamie Paulen 5500 Spring House Lane Chapel Hill NC 27516	Day Phone: 216-965-5095 Evening Phone: FAX: E-mail: jamiypaulen@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 04/09/2013 Current Appointment: 04/09/2013 Expiration: 03/31/2016 Number of Terms: 1

Board and Commission Members

And Vacant Positions

Orange County Parks and Recreation Council

Meeting Times: 6:30 pm first Wednesday of each month

Terms: 2

Contact Person: David Stancil

Meeting Place: Recreation and Parks Building, Area II

Positions: 12

Length: 3 years

Contact Phone: 919-245-2510

Description: Each member of the Council shall be a County resident appointed by the Orange County Board of Commissioners. This council consults with and advises the Department of Environment, Agriculture, Parks and Recreation, and the Board of County Commissioners on matters affecting recreation policies, programs, personnel, finances, and the acquisition and disposal of lands and properties related to the total community recreation program, and to its long-range planning for recreation.

6	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Cheeks Twmsp Special Repr: Cheeks Township	First Appointed: 04/09/2013 Current Appointment: 04/09/2013 Expiration: 03/31/2015 Number of Terms: 0
7	Mr. Neal Bench Chair 397 Lakeshore Lane Chapel Hill NC 27514	Day Phone: 919-260-9058 Evening Phone: 919-942-4050 FAX: E-mail: nj397bench@gmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: Chapel Hill Twmsp Special Repr: Chapel Hil Township	First Appointed: 11/15/2011 Current Appointment: 11/15/2011 Expiration: 03/31/2014 Number of Terms: 1
8	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Little River Townshi Special Repr: Little River Township	First Appointed: Current Appointment: Expiration: 03/31/2011 Number of Terms:
9	Mr. Allan Green 5604 Dairyland Road Hillsborough NC 27278	Day Phone: 919-933-5105 Evening Phone: 919-933-5105 FAX: E-mail: allan@woodcrestfarmnc.com	Sex: Male Race: Caucasian Township: Bingham Resid/Spec Req: Bingham Township Special Repr: Bingham Township	First Appointed: 12/14/2010 Current Appointment: 09/20/2011 Expiration: 03/31/2014 Number of Terms: 1
10	Ms. Denise Dickinson 225 W. Margaret Lane Hillsborough NC 27278	Day Phone: 265-2638 Evening Phone: 644-1364 FAX: E-mail: ddickinson@rti.org	Sex: Female Race: Caucasian Township: Hillsborough Resid/Spec Req: Hillsbr. Town Limits Special Repr:	First Appointed: 09/13/2005 Current Appointment: 04/09/2013 Expiration: 09/30/2013 Number of Terms: 3

Board and Commission Members

And Vacant Positions

Orange County Parks and Recreation Council

Meeting Times: 6:30 pm first Wednesday of each month

Terms: 2

Contact Person: David Stancil

Meeting Place: Recreation and Parks Building, Area II

Positions: 12 Length: 3 years

Contact Phone: 919-245-2510

Description: Each member of the Council shall be a County resident appointed by the Orange County Board of Commissioners. This council consults with and advises the Department of Environment, Agriculture, Parks and Recreation, and the Board of County Commissioners on matters affecting recreation policies, programs, personnel, finances, and the acquisition and disposal of lands and properties related to the total community recreation program, and to its long-range planning for recreation.

11	Mr James E. Carter 400 Dumont Drive Hillsborough NC 27278	Day Phone: 732-2358 Evening Phone: 618-0482 FAX: E-mail: jemmitt66@earthlink.net	Sex: Male Race: African American Township: Eno Resid/Spec Req: Eno Township Special Repr: Eno Township	First Appointed: 09/21/2010 Current Appointment: 03/19/2013 Expiration: 12/31/2015 Number of Terms: 2
12	Mrs. Erin Dillard 4807 Governor Hunt Street Efland NC 27243	Day Phone: 919-414-6573 Evening Phone: 919-732-9019 FAX: E-mail: erindillard0519@gmail.com	Sex: Female Race: Caucasian Township: Cedar Grove Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 01/24/2013 Current Appointment: 03/19/2013 Expiration: 03/31/2016 Number of Terms: 1

Orange County Parks and Recreation Council

PO Box 8181, Hillsborough, NC 27278

(919) 245-2510

November 7, 2013

Barry Jacobs, Chair
Board of County Commissioners
PO Box 8181
Hillsborough, NC 27278

Re: Recommended Appointment

Dear Chair Jacobs:

The Orange County Parks and Recreation Council (PRC) has a longstanding vacancy for its Little River Township position, and would like to recommend that applicant Robert Robinson be appointed to the Council for its Little River Township seat (position #8).

A vacancy for the Town of Hillsborough seat (#10) occupied by Denise Dickinson will occur at the end of the year, as the Board concurred in March to allow Ms. Dickinson to continue to serve to help provide linkage and continuity on the Parks and Recreation Master Plan effort. A new vacancy has also just occurred for position #6, Cheeks Township.

The Council is actively soliciting applications for those slots and hopes to have a recommendation for these positions in January.

Thank you for consideration of these appointments.

Sincerely,

David Stancil
Director, Department of Environment, Agriculture, Parks and Recreation

**Volunteer Application
Orange County Advisory Boards and Commissions**

Name: Mr. Robert Robinson
Name Called:
Home Address: 5600 Guess Road
Rougemont NC 27572
Phone (Day): 919-929-6921
Phone (Evening): 919-606-1961
Phone (Cell):
Email: third1261@gmail.com
Place of Employment: A Better Wrench, Inc
Job Title: Automotive mechanic
Year of OC Residence: 1986
Township of Residence: Little River
Zone of Residence: Agricultural Residential
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange County Parks and Recreation Council

I am a former Chapel Hill Parks and Recreation umpire and referee. I also worked for the Hillsborough Youth Athletic Association and umpired high school baseball. I played recreation league softball & basketball.

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Other Comments:

STAFF COMMENTS: Originally (06/24/2013) applied for Orange County Parks and Recreation Council. ADDRESS VERIFICATION: 5600 Guess Road is Little River Township, Orange County Jurisdiction, and AR (Agricultural Residential Zoning).

Applicant Interest Listing

by Board Name and by Applicant Name

Orange County Parks and Recreation Council

Contact Person: David Stancil
Contact Phone: 919-245-2510

<p>Mr. Mark Anderson 2310 Stagecoach Dr. Hillsborough NC 27278</p> <p>Skills: Web Site Advisor</p>	<p>Day Phone: 919-259-1295 Evening Phone: 919-423-6081 Cell Phone: E-mail: mark.g.anderson@us.pwc.com</p> <p>Also Serves On:</p>	<p>Sex: Male Race: Caucasian Township: Eno Date Applied: 12/19/2012</p>
<p>Mr. Miquel Burnette 709 Shannon Dr Carrboro NC 27516</p> <p>Skills:</p>	<p>Day Phone: 919-360-4509 Evening Phone: Cell Phone: E-mail: miquelburnette@gmail.com</p> <p>Also Serves On:</p>	<p>Sex: Male Race: African American Township: Chapel Hill Date Applied: 11/13/2013</p>
<p>Mr. Brian Finch 601 Porteur Point Cedar Grove NC 27231</p> <p>Skills: Skills: Education</p>	<p>Day Phone: 704-989-4886 Evening Phone: 704-989-4886 Cell Phone: E-mail: roundunderpar@gmail.com</p> <p>Also Serves On: Also Serves On:</p>	<p>Sex: Male Race: Caucasian Township: Cedar Grove Date Applied: 02/06/2013</p>
<p>Mr. William R. Kaiser 2112 Markham Dr. Chapel Hill NC 27514</p> <p>Skills: Geologist Skills: Hydrogeologic/Geochemical Environmental Skills: Peace Corps</p>	<p>Day Phone: 919-933-9794 Evening Phone: 919-933-9794 Cell Phone: E-mail: w_mckaiser@hotmail.com</p> <p>Also Serves On: Also Serves On: Also Serves On:</p>	<p>Sex: Male Race: Caucasian Township: Chapel Hill Date Applied: 07/28/2013</p>
<p>Mr. Robert Robinson 5600 Guess Road Rougemont NC 27572</p> <p>Skills: Recreation and Parks Management</p>	<p>Day Phone: 919-929-6921 Evening Phone: 919-606-1961 Cell Phone: E-mail: third1261@gmail.com</p> <p>Also Serves On:</p>	<p>Sex: Male Race: Caucasian Township: Little River Date Applied: 06/24/2013</p>

Applicant Interest Listing

by Board Name and by Applicant Name

Orange County Parks and Recreation Council

Contact Person: David Stancil
Contact Phone: 919-245-2510

Mr. Brian Rowe	Day Phone: 919-389-2331	Sex: Male
3235 Rigsbee Road N	Evening Phone:	Race: Caucasian
Chapel Hill NC 27514	Cell Phone:	Township: Chapel Hill
	E-mail: bsrowe67@aol.com	Date Applied: 01/05/2013
Skills: Accounting Experience	Also Serves On:	
Skills: Insurance	Also Serves On:	

Mr. Jeffrey L. Schmitt	Day Phone: 919-732-9852	Sex: Male
2101 Schley Road	Evening Phone: 919-732-9852	Race: Caucasian
Hurdle Mills NC 27541	Cell Phone:	Township: Cedar Grove
	E-mail: calaveras@embarqmail.com	Date Applied: 01/16/2013
Skills: Financial Planner	Also Serves On: Orange County Board of Adjustment (REQUIRES DIS	
Skills: Former Library Services Taskforce Mem		
Skills: Former Member - O.C. Bd. Adj.		
Skills: Former O/C Rec. & Parks Advisory Co		
Skills: Former Orange County Planning Board		

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Mark Anderson
Name Called:
Home Address: 2310 Stagecoach Dr.
 Hillsborough NC 27278
Phone (Day): 919-259-1295
Phone (Evening): 919-423-6081
Phone (Cell):
Email: mark.g.anderson@us.pwc.com
Place of Employment: PricewaterhouseCoopers LLP
Job Title: Manager
Year of OC Residence: 2006
Township of Residence: Eno
Zone of Residence: Does not apply
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMEN

Orange County Parks and Recreation Council

Hillsborough Planning Board

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: I have over 18 years of experience dedicated to managing the design of web applications. I specializes in User Experience (UX) Design and have experience in functional and technical roles within the UX context. These include Usability, User Interface Design, Usability Evaluation, Usability Testing, Accessibility Evaluation and Information Architecture. I have performed multiple design and consulting roles during my career including Designer, Design Manager, Creative Director, Usability Engineer and Production Manager.

Volunteer Experience: Architecture Review Board Chairman, Auburn Neighborhoods, Durham 2003-2006

Education: Ohio State University Columbus OH, Graduate work in Geographic Information Systems design 1991-1993; Tongji University Shanghai, The People's Republic of China Grad Study Abroad Program Summer 1993; Purdue University West Lafayette IN Bachelor of Science (graduated with highest distinction) 1991; US Army 1984 - 1987, US Army Honorable Discharge 5/1987

St. Francis College Ft. Wayne IN Commercial Art and Design 1979-1981.

Other Comments:

STAFF COMMENTS: 05/02/2011 - Originally applied for Orange County Planning Board, Orange County Parks and Recreation Council, and Hillsborough Planning Board. UPDATED APPLICATION 02/13/2012 FOR OC PLANNING BOARD. UPDATED APPLICATION 12/19/2012 FOR PARKS AND REC. COUNCIL. ADDRESS VERIFICATION: 2310 Stagecoach Dr., Hillsborough is Orange County Jurisdiction and Eno Township.

This application was current on: 12/19/2012

Date Printed: 11/19/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr Miquel Burnette
Name Called:
Home Address: 709 Shannon Dr
Carrboro NC 27516
Phone (Day): 9193604509
Phone (Evening):
Phone (Cell):
Email: miquelburnette@gmail.com
Place of Employment: US Army & Target
Job Title: PV2/ Flow Team Support
Year of OC Residence: 2012
Township of Residence: Chapel Hill
Zone of Residence: Orange County
Sex: Male
Ethnic Background: African American

Boards/Commissions applied for:

Board of Social Services

My name is Miquel Burnette, and I attended Hillside High School. During my years at Hillside I was introduced to a social worker who helped change my life. I was inspired by his willingness to help me during my trials and hardtimes. I feel as though I owe it to the youth to give back in the same way God used that social worker to help me.

Orange County Parks and Recreation Council

Jury Commission

Community Activities/Organizational Memberships:

My current community activitie is volunteering at the YMCA.

Past Service on Orange County Advisory Boards:

N/A

Other Comments:

This application was current on: 11/13/2013 10:06:52 AM

Date Printed: 11/19/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Brian Finch
Name Called:
Home Address: 601 Porteur Point
 Cedar Grove NC 27231
Phone (Day): 704-989-4886
Phone (Evening): 704-989-4886
Phone (Cell):
Email: roundunderpar@gmail.com
Place of Employment: Johnston Community College
Job Title: Lead Coordinator
Year of OC Residence: 2012
Township of Residence: Cedar Grove
Zone of Residence: Orange County
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Durham Technical Community College Board of Directors

Fifteen years of secondary school experience, six years of community college experience. Doctorate in Education for adult learning.

Orange County Parks and Recreation Council

Fifteen years of secondary school experience, six years of community college experience. Doctorate in Education for adult learning.

Joint Orange Chatham Community Action Agency

Fifteen years of secondary school experience, six years of community college experience. Doctorate in Education for adult learning.

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Other Comments:

STAFF COMMENTS: Originally applied (02/06/2013) for Durham Technical Community College Board of Directors, Orange County Parks and Recreation Council, and Joint Orange Chatham Community Action Agency. ADDRESS VERIFICATION: 601 Porteur Point is Cedar Grove Township, Orange County Jurisdiction and Agricultural Residential Zoning.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. William R. Kaiser
Name Called:
Home Address: 2112 Markham Dr.
 Chapel Hill NC 27514
Phone (Day): 919-933-9794
Phone (Evening): 919-933-9794
Phone (Cell):
Email: w_mckaiser@hotmail.com
Place of Employment: Retired geologist
Job Title: Retired geologist
Year of OC Residence: 2004
Township of Residence: Chapel Hill
Zone of Residence: Chapel Hill Township within C.H. city limits
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Agricultural Preservation Board

Preservation of agricultural land will have positive environmental impact. I am conversant with the county's environmental issues. I'd bring geological perspective and relevant volunteer experience to board discussions. I can investigate and solve technical problems and have proven written and oral communication skills. I would use them in review of VAD and EVAD applications.

Orange County Parks and Recreation Council

My knowledge of the natural world gained professionally as a geologist, as a CFE member, and as a volunteer would guide my evaluation of park land.

Community Activities/Organizational Memberships:

NC Botanical Garden volunteer: invasive plant control, prairie and forest management, trail maintenance at Mason Farm. Climate garden at Totten Center.

Duke Forest: trail development and maintenance, geology tour leader.

Past Service on Orange County Advisory Boards:

Commission for the Environment, Nov.2005-May 2013, 2 yr as Chair.

New Hope Park at Blackwood Farm Master Plan Committee Member, 2006

Work Experience: Extensive research (Univ. of Texas at Austin Bur. Economic Geology) and industry experience (Exxon) in energy resources, especially coal and natural gas. Hydrogeologic and geochemical skills for environmental studies e.g., coal gasification,

high-level radioactive waste, mined lands, oil-field waste, geophysical - log analysis, ground -water flow patterns, aquifer architecture and gravity. Proven written and oral communication skills.

Volunteer Experience: Volunteered on a regular basis with the Heart of Texas Peace Corps Association serving two varieties of public agencies and non-profit groups, e.g. Safe Place, Wild Basin, AIDS Services, Food Bank, Hornsby Bend, Mayfield Park, Tree Folks, Lower Colo. R. Authority, etc. Peace Corps Volunteer (1963-65); Ghana, W. Africa, assigned to Ghana Geological Survey.

Education: The Johns Hopkins University, Ph.D. Geology. University of Wisconsin - Madison, M.S. Geology; University of Wisconsin - Madison, B.A. Geology.

Other Comments:

STAFF NOTES: Originally applied 4/6/04 for Solid Waste Advisory Board; Commission for the Environment; and Economic Development Commission. APPLIED 07/28/2013 for Agricultural Preservation Board and Orange County Parks and Recreation Council.

Address Verification: 2112 Markham Drive, Chapel Hill, NC 27514 is Chapel Hill Township, Chapel Hill Jurisdiction, and Chapel Hill Town Limits.

This application was current on: 7/28/2013

Date Printed: 11/19/2013

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Brian Rowe
Name Called:
Home Address: 3235 Rigsbee Road N
 Chapel Hill NC 27514
Phone (Day): 919-389-2331
Phone (Evening):
Phone (Cell):
Email: bsrowe67@aol.com
Place of Employment: OE Enterprises, Inc.
Job Title: Accounting Manager
Year of OC Residence: 2011
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange County Parks and Recreation Council

Chapel Hill/Orange County Visitors Bureau

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Work Experience: OE Enterprises, Inc. - Hillsborough, NC; NC Mutual Life Insurance Company - Durham, NC; Builders Mutual Life Insurance Company - Raleigh, NC

Volunteer Experience: American Red Cross; Jimmy V Celebrity Golf Classic; Special Olympics

Education: Bryant College - Smithfield, RI; BS/BA '89 - Concentration in Finance & Accounting

Other Comments:

I have recently relocated to Orange County from Wake County and have an interest in contributing to my community through volunteer opportunities throughout the county.

STAFF COMMENTS: Originally applied (1/12/2012) for Orange County Emergency Services Work Group, Orange County Parks and Recreation Council, and Chapel Hill/Orange County Visitors Bureau. ADDRESS VERIFICATION: Rigsbee Road N is Orange County Jurisdiction, Eno Fire Tax, and Chapel Hill Township.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Jeffrey L. Schmitt
Name Called:
Home Address: 2101 Schley Road
 Hurdle Mills NC 27541
Phone (Day): 919-732-9852
Phone (Evening): 919-732-9852
Phone (Cell):
Email: calaveras@embarqmail.com
Place of Employment: Retired
Job Title: n/a
Year of OC Residence: 1996
Township of Residence: Cedar Grove
Zone of Residence: At-Large
Sex: Male
Ethnic Background: Caucasian

Boards/Commissions applied for:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Prior experience (two terms on this board) plus general understanding of the UDO

Orange County Parks and Recreation Council

served two terms on this board, one as the Chairperson.

Community Activities/Organizational Memberships:

Friends of the Orange County Public Library, Schley Grange, Orange/Durham Cattlemen's Assn.,

Past Service on Orange County Advisory Boards:

Orange County Parks and Rec. Board; Orange County Board of Adjustments, Orange County Planning Board; two Library Task Force boards

Other Comments:

STAFF COMMENTS: :Renewed application on 2/24/2009 for Hyconeechee Regional Library. Renewed application on 1/11/2006 for HSAC rep from Co-Op Extension . Renewed application 11/16/2004 for Orange County Planning Board. Renewed app. For Library Services Task Force (Reconvened 2004) 2/22/04. Renewed app. 10/30/2000 for OCPB. Renewed app. 03/04/1999. Appointed by Orange County Recreation and Parks Adv. Council to IP Work Group, 10/00. Board(s) app. For: O/C Planning Bd., Rec. & Parks Adv. Council. UPDATED APPLICATION 11/12/2010 BY E-MAIL FOR: ECONOMIC DEVELOPMENT COMMISSION. Renewed application

1/19/2013 for OC Board of Adjustment, OC Planning Board, and OC Parks and Recreation Council. ADDRESS VERIFICATION: 2101 Schley Rd is Orange County, Cedar Grove Township, Orange County Jurisdiction, Agrucultural Residential Zoning..

This application was current on: 1/16/2013

Date Printed: 11/19/2013

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
12/2/13	Review and consider request from Commissioner Gordon regarding staff providing information on Closed Session items prior to the meeting	12/10/2013	Chair/Vice Chair/Manager	DONE BOCC Chair to follow-up with information from March 2013 request
12/2/13	Review and consider request from Commissioner Price that County staff pursue opportunities to support the efforts of Cooperative Extension	12/10/2013	Chair/Vice Chair/Manager	DONE To be discussed as part of 2014-15 budget discussions
12/2/13	Review and consider request from Commissioner Price that the County look at affordable rentals	12/10/2013	Chair/Vice Chair/Manager	DONE To be discussed as part of coordinated affordable housing efforts involving towns and County
12/2/13	Consider possibly adding recognition of additional amendments to the US Constitution as part of Bill of Rights Day/Human Rights Day/Human Rights Week proclamation	12/1/2014	Tara Fikes	To be considered
12/2/13	Move forward with several press releases addressing issues encountered by the County related to sequester, federal government shutdown, etc. and also sharing information on services available through County departments such as health clinic with sliding scale fee structure, etc. as well as efforts by the faith community	1/1/2014	Carla Banks	Press releases to be developed
12/2/13	Begin transition to new County logo, with full transition to occur by July 1, 2014	7/1/2014	Carla Banks	Transition efforts beginning
12/2/13	Incorporate comments from Board members regarding draft Rogers Road Solid Waste Convenience Center schematic into future considerations/planning/etc.	4/1/2014	Gayle Wilson Jeff Thompson	Comments to be considered and incorporated as feasible

INFORMATION ITEM

Tax Collector's Report - Numerical Analysis

Effective Date of Report: November 22, 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	70,626,729.27	\$ 62,652,582.29	\$ 137,868,792.00	\$ 67,242,062.73	51.52%
*Current Year VTS Taxes		402,790.83				
Prior Year Taxes	\$ 4,163,721.00	1,023,532.70	\$ 3,114,161.32	\$ 994,130.00	\$ (29,402.70)	102.96%
Total	\$ 142,032,513.00	72,053,052.80	\$ 65,766,743.61	\$ 138,862,922.00	\$ 67,212,660.03	51.89%
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	60,161,343.75	\$ 74,200,057.60	\$ 135,068,463.00	\$ 74,907,119.25	44.54%
Prior Year Taxes	\$ 4,026,736.27	990,904.88	\$ 2,740,383.63	\$ 994,130.00	\$ 3,225.12	99.68%
Total	\$ 139,095,199.27	61,152,248.63	\$ 76,940,441.23	\$ 136,062,593.00	\$ 74,910,344.37	44.94%
Current Year Overall Collection Percentage Tax Year 2013			53.11%			
Current Year Overall Collection Percentage Tax Year 2012			44.93%			

**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.*

November collections from the Vehicle Tax System (VTS) is not included in this report. Counties are working with the NC Department of Revenue (NCDOR) and NC Department of Transportation (NCDOT) to balance the VTS collections report for November.

INFORMATION ITEM



Department of Environment,
Agriculture, Parks & Recreation

MEMORANDUM

TO: Board of County Commissioners
Michael Talbert, Interim County Manager

FROM: David Stancil, Director
Rich Shaw, Land Conservation Manager
Peter Sandbeck, Cultural Resources Coordinator

DATE: December 3, 2013

RE: Town-County Collaboration on Protecting Hillsborough Archaeological Sites

The following is an update on County and Town of Hillsborough efforts to protect known archaeological sites and other culturally-significant sites located on public lands in Hillsborough.

In June 2012 the Board of County Commissioners directed County staff to work with Town staff to develop a protocol for ensuring the protection of archaeological sites and other culturally-significant locations on Town- and County-owned properties. Previous efforts to keep sites undisturbed were not always successful due to insufficient information and communication.

Staff from the Department of Environment, Agriculture, Parks and Recreation (DEAPR) began meeting with Town Planning staff in 2012 to identify all known archaeological and cultural resources area on a single map. A draft map was shared with the NC Division of Archives and History for review and concurrence. The State Archaeologist identified another 29 sites that were not yet mapped. Those additional sites resulted from several construction projects that had occurred in recent years—projects that identified new locations due largely to State and County requirements that sites be surveyed for cultural and archaeological resources before construction.

In the meantime, additional archaeological surveys have been conducted in 2012-13 for construction projects at 129 East King Street, East Margaret Lane (geothermal well network), and the Riverwalk. New locations are being added to the map maintained by DEAPR and Town staff responsible for the protection of cultural resources.

Over the next few weeks DEAPR will work with Town staff and the County Attorney on a draft agreement that we intend to have ready for BOCC and Town of Hillsborough Board of Commissioners consideration by February or March 2014.

*Environment, Agriculture, Parks and Recreation
PO Box 8181 / 306-A Revere Road
Hillsborough, NC 27278
(919) 245-2510*

INFORMATION ITEM

BARRY JACOBS, CHAIR
 EARL MCKEE, VICE CHAIR
 MARK DOROSIN
 ALICE M. GORDON
 BERNADETTE PELISSIER
 RENEE PRICE
 PENNY RICH

ORANGE COUNTY BOARD OF COMMISSIONERS
 POST OFFICE BOX 8181
 200 SOUTH CAMERON STREET
 HILLSBOROUGH, NORTH CAROLINA 27278



December 3, 2013

Dear Commissioners,

At the Board's December 2, 2013 regular meeting, three petitions were brought forth which were reviewed by the Chair/Vice Chair/Manager Agenda team. The petitions and responses are listed below:

- 1) Review and consider request from Commissioner Gordon regarding staff providing information on closed session items prior to the meeting.

Response: The Chair responded to a similar item with a petition response letter written on March 25th and part of the April 9th agenda packet. (Attached is the 3/25/13 petition letter along with an email/memo from Dave Stancil about information on the closed session for 12/2/2013). We will see that this process is followed.

- 2) Review and consider request by Commissioner Price that County staff pursue opportunities to support efforts of Cooperative Extension.

Response: This request will be considered as part of the 2014-15 budget discussions.

- 3) Review and consider a request by from Commissioner Price that the County look at affordable rentals.

Response: To be discussed as part of coordinated affordable housing efforts involving towns and county.

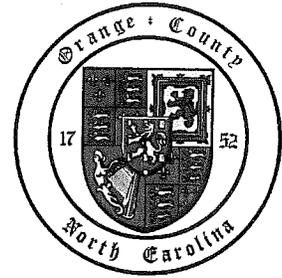
This letter will be provided as an Information Item on the December 10, 2013 agenda for public information.

Best,

Barry Jacobs, Chair
 Board of County Commissioners

www.co.orange.nc.us

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 Orange County, North Carolina – You Count!
 (919) 245-2130 • FAX (919) 644-0246



ORANGE COUNTY BOARD OF COMMISSIONERS
 POST OFFICE BOX 8181
 200 SOUTH CAMERON STREET
 HILLSBOROUGH, NORTH CAROLINA 27278

BARRY JACOBS, CHAIR
 EARL MCKEE, VICE CHAIR
 MARK DOROSIN
 ALICE M. GORDON
 BERNADETTE PELISSIER
 RENEE PRICE
 PENNY RICH

March 25, 2013

Dear Commissioners,

At the Board's March 7, 2013 regular meeting, three petitions were brought forth which were reviewed by the Chair/Vice Chair/Manager Agenda team and the petitions and responses are below:

- 1) Review and consider a request by a citizen that the Board convene an impartial group to review issues related to Lake Orange, water management practices and the Capacity Use Agreement

Response: Chair to provide letter to petitioner noting an existing group that includes all stakeholders, and suggestion for petitioner to contact this group (which meets annually in August); if this meeting does not suffice, we can discuss next steps with county staff.

- 2) Review and consider a request by Commissioner Gordon that the Board adopt a more formal process for closed session discussions, including agenda abstracts, attachments, etc.

Response: Staff plans to provide summaries of closed session topics, when feasible, and Economic Development issues will be handled as they are currently.

- 3) Review and consider request by Chair Jacobs that staff investigate the County's use of Outlook for email service, alternatives to Outlook, and related information

Response: IT staff has followed up with Board members on this request.

This letter will be provided as an Information Item on the April 9, 2013 agenda for public information.

Regards,


 Barry Jacobs, Chair
 Board of County Commissioners

CC: Frank Clifton, County Manager

www.co.orange.nc.us

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 Orange County, North Carolina – You Count!
 (919) 245-2130 • FAX (919) 644-0246

Subject: FW: Email for BOCC re 12/10 Item
Attachments: Hughes CE donation info.pdf; Agenda Review Team response for 3 7 2013 Petitions.doc; Agenda Review Team response for Dec 2 2013 Petitions.doc

Importance: High

From: Donna Baker
Sent: Thursday, November 21, 2013 11:12 AM
To: Michael Talbert; Barry Jacobs; Bernadette Pelissier; Earl McKee; gordon.alice@gmail.com; Mark Dorosin; Penny Rich (pennyrich.ch@gmail.com); Penny Rich; Renee Price
Cc: David Stancil; Greg Wilder; Donna Baker
Subject: FW: Email for BOCC re 12/10 Item
Importance: High

Commissioners –Please see email below from Dave Stancil --

Donna Baker
 Clerk to the Board
 P.O. Box 8181
 200 South Cameron St.
 Hillsborough, N.C. 27278
 Phone: (919) 245-2130
 Fax: (919) 644-0246
 Cell: (919) 428-3212
dbaker@orangecountync.gov

From: David Stancil
Sent: Thursday, November 21, 2013 9:50 AM
To: Donna Baker
Cc: Greg Wilder; Michael Talbert; Rich Shaw
Subject: Email for BOCC re 12/10 Item

Donna – please send the info below and the attachment to the Board:

Good morning:

Staff has been working with Michael and Dale Hughes in Bingham Township on a conservation easement donation. The owners would like to take advantage of the NC Conservation Tax Credit (expiring December 31 of this year) by donating an easement along 11 acres which includes a segment of Collins Creek (on the impaired stream list). The only County costs would be for our share of closing costs (estimated to be under \$2,500). Information about the easement donation is attached.

Upon review with the Manager, Chair and Vice-Chair, there are no expected closed session items on December 2. Since action to accept the easement will be needed at the December 10 meeting, **we are writing to advise you of this agenda item and ask if this needs to go to closed session for discussion and review on December 2, or if the attached information is sufficient such that we may go ahead and place it on the December 10 agenda for action. In other words, since this is a small donation with very little expenditure of funds, and there are no other December 2 closed session items, is the Board comfortable with not holding a closed session discussion of this easement donation on December 2, and placing it on December 10 for action?**

Please feel free to call or email Rich Shaw (rshaw@orangecountync.gov) or myself with any questions, or if you would rather discuss this in closed session on December 2. In keeping with the publish date for the agenda, if you do wish to have closed session discussion on December 2, please respond accordingly by Monday, November 25. Otherwise, we will plan to have it on the open session for your action on December 10.

Thank you.

P. David Stancil, AICP, Director
Orange County
Department of Environment, Agriculture, Parks and Recreation

306A Revere Rd (PO Box 8181) Hillsborough NC 27278

 (919) 245-2510 |  www.orangecountync.gov/DEAPR

ORANGE COUNTY



Department of Environment,
Agriculture, Parks & Recreation

MEMORANDUM

TO: Board of County Commissioners
Michael Talbert, Interim County Manager
John Roberts, County Attorney

FROM: David Stancil, Director
Rich Shaw, Land Conservation Manager

DATE: November 21, 2013

RE: Hughes Conservation Easement Donation

The following is confidential closed session information pertaining to potential County land acquisition projects through the Lands Legacy program.

Michael and Dale Hughes are interested in donating a conservation easement to protect a stream corridor on a portion of their property. The conservation easement would preserve forested stream buffers along both sides of Collins Creek, which the State of NC identifies as an "impaired stream" due to excess nutrients and low flow.

The owners wish to take advantage of state and federal tax benefits for easement donations prior to the NC Conservation Tax Credit ending December 31.

DEAPR has obtained an appraisal to determine the easement value, and the landowners are eager to complete the project and record the easement before December 31.

Significance: conserving this land would help protect forest buffers and wildlife habitat along Collins Creek, an "impaired stream" that flows to Haw River and Jordan Lake.

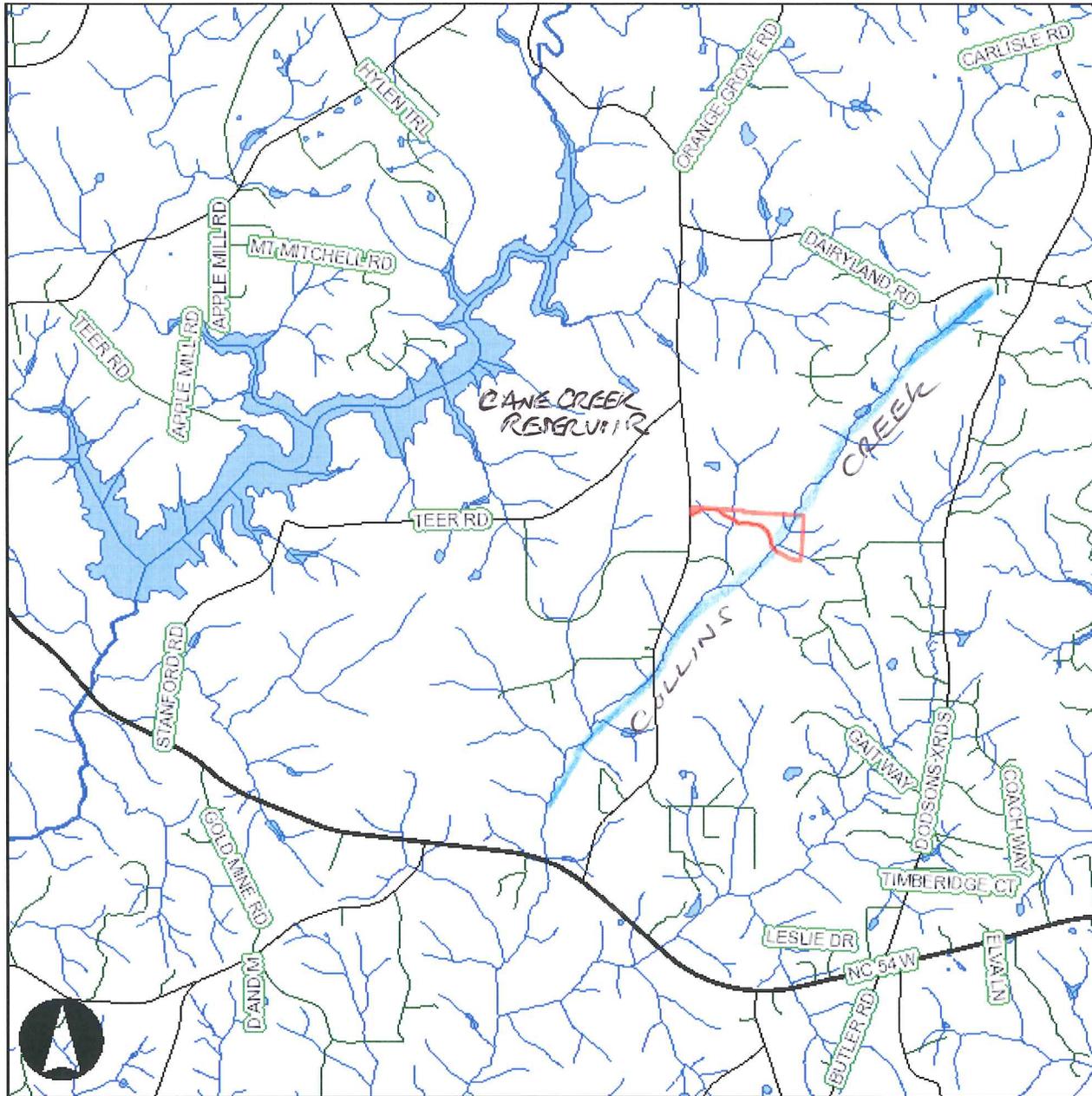
If the Board is interested, DEAPR could have the materials ready for consideration at your December 10 meeting. The draft conservation easement will require final review and refinement by the County Attorney before it is ready for closing, but it will be highly similar to other easement projects the County has completed.

Attachments: Location map, Site map



Orange County, NC GIS

Hughes property (30 ac.)

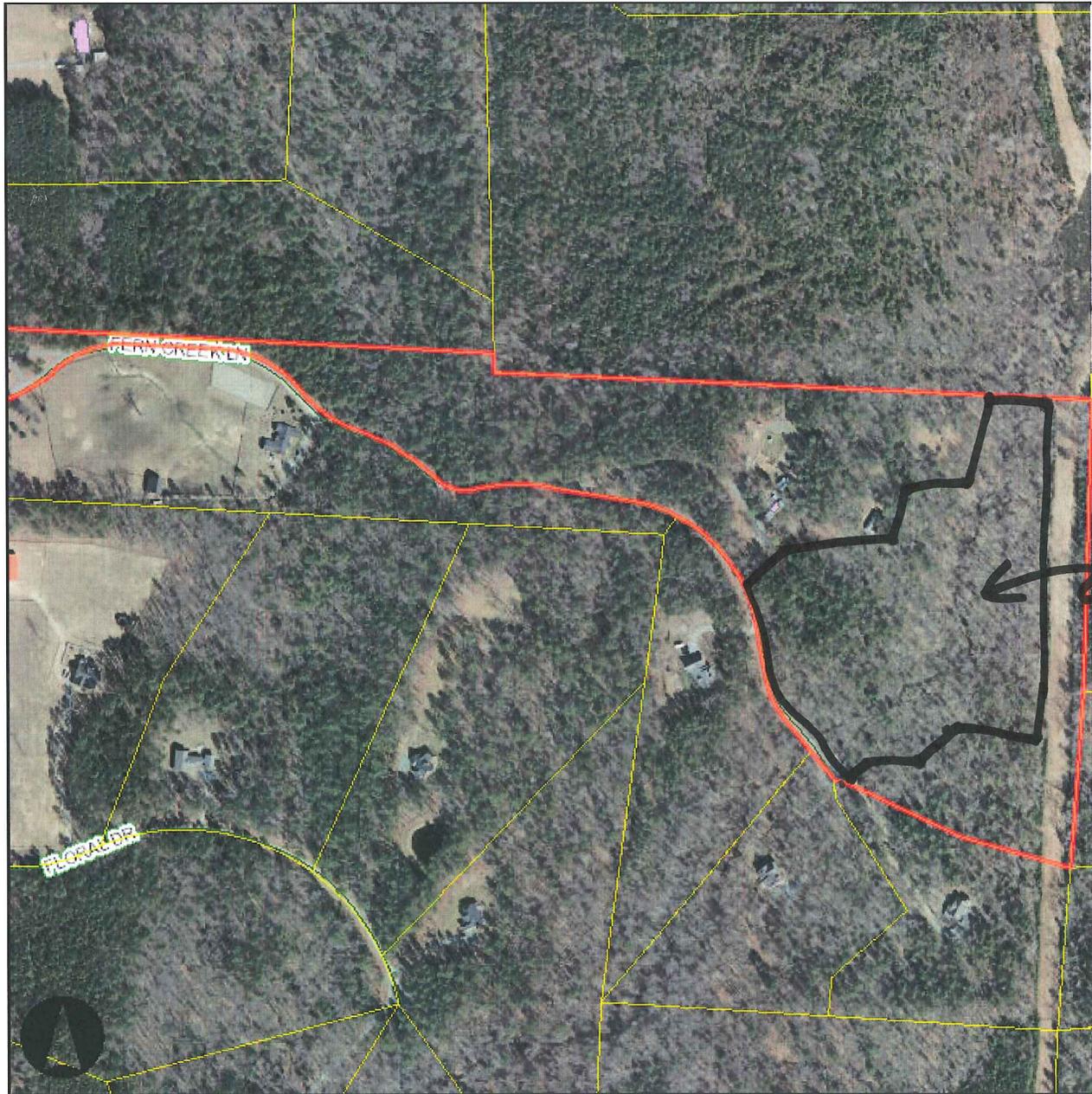


1 inch = 4000 feet
Created on 8/20/2013. Orange County, North Carolina.



Orange County, NC GIS

Hughes property (30 ac) - Aerial



1 inch = 400 feet

Created on 8/20/2013. Orange County, North Carolina.