Orange County
Board of Commissioners

Agenda

Regular Meeting
November 5, 2015
7:00 p.m.
Richard Whitted Meeting Facility
300 West Tryon Street
Hillsborough, NC 27278

Note: Background Material on all abstracts available in the Clerk's Office

Compliance with the "Americans with Disabilities Act" - Interpreter services and/or special sound equipment are available on request. Call the County Clerk's Office at (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. Announcements and Petitions by Board Members (Three Minute Limit Per Commissioner)

4. Proclamations/ Resolutions/ Special Presentations

5. Public Hearings

a. North Carolina Community Transportation Program Administrative and Capital Grant Applications FY 2017
b. Unified Development Ordinance Text Amendment – Recreational Land Uses – Extension of Public Hearing
c. Zoning Atlas Amendment - Jacobs Glass Rezoning - Closure of Public Hearing and Action (No Additional Comments Accepted)
d. Zoning Atlas Amendment: Conditional Zoning – Master Plan Development Conditional Zoning District (MPD-CZ) Hart's Mill - Closure of Public Hearing and Action (No Additional Comments Accepted)
e. Unified Development Ordinance Text Amendment – Public Hearing Process Revisions - Closure of Public Hearing and Action (No Additional Comments Accepted)

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. Applications for Property Tax Exemption/Exclusion
e. Unified Development Ordinance Amendment Outline and Schedule – Engineering Standards for Development

7. Regular Agenda

a. Bicycle Safety Resolution and Next Steps

8. Reports

a. Community Giving Fund Update

9. County Manager's Report

Projected November 10, 2015 Work Session Topics
Eligibility Changes for Food and Nutrition Benefit Recipients
Space Study Update
Affordable Housing Plan Update
Annual Water Resources Update

10. County Attorney's Report

11. Appointments

a. Hillsborough Board of Adjustment – Appointment
b. Historic Preservation Commission – Appointments
c. Human Relations Commission – Appointment
d. Mebane Planning Board – Appointment
e. OPC Oversight Board – Appointments

f. Orange County Planning Board – Appointments

12. Board Comments (Three Minute Limit Per Commissioner)

13. Information Items

- October 20, 2015 BOCC Meeting Follow-up Actions List
- Tax Collector's Report – Numerical Analysis
- Tax Collector's Report – Measure of Enforced Collections
- Tax Assessor's Report – Releases/Refunds under $100
- BOCC Chair Letter Regarding Petitions from October 20, 2015 Regular Meeting

14. Closed Session

"To discuss the County's position and to instruct the County Manager and County Attorney on the negotiating position regarding the terms of a contract to purchase real property," NCGS § 143-318.11(a)(5).

15. Adjournment

Note: Access the agenda through the County's web site, www.orangecountync.gov

Orange County Board of Commissioners' regular meetings and work sessions are available via live streaming video at http://www.orangecountync.gov/departments/board_of_county_commissioners/videos.php and Orange County Gov-TV on channels 1301 or 97.6 (Time Warner Cable).

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 5-a

SUBJECT: North Carolina Community Transportation Program Administrative and Capital Grant Applications FY 2017

DEPARTMENT: Planning/Transportation **PUBLIC HEARING: (Y/N)** Yes

ATTACHMENT(S):
1. Community Transportation Program Resolution
2. 2015 Certifications and Assurances Signature Pages (2016 to be Received at a Later Date)
3. Public Hearing Notice
4. Local Share Certification for Funding

INFORMATION CONTACT:
Peter Murphy, Transportation Administrator, 919-245-2002
Craig Benedict, Planning Director 919-245-2592

PURPOSE: To:

- Continue and close the annual public hearing on the North Carolina Community Transportation Program (CTP) grant application by Orange Public Transportation (OPT) for FY 2017;
- Approve the grant application which includes adopting a resolution authorizing the applicant to enter into an agreement with the North Carolina Department of Transportation (NCDOT); and
- Authorize the County Attorney to review and complete the necessary 2016 certifications and assurances.

BACKGROUND: At the October 20, 2015 meeting, the Board of Commissioners opened the annual public hearing and continued the hearing to allow receipt of written comments by November 2, 2015 as indicated in the public hearing notice.

As presented, each year the NCDOT Public Transportation Division accepts requests for administrative and capital needs for county-operated community transportation programs. OPT is eligible to make application for both administrative and capital funding. The current year FY 2016-approved application includes $166,765 in administrative funding and $232,286 in capital funding for replacement vehicles with total expenses equaling $399,051.

The **total CTP funding request for FY 2017 is $166,765** for community transportation administrative expenses and an additional **$316,782 for capital expenses**. This draft grant application is made for expenses totaling **$483,547**.

Grant funds for administrative purposes will continue to be used to support overall transit systems management and operations and will continue to promote general ridership. Grant funds for capital items include the replacement of three (3) buses exceeding their useful life mileage thresholds in OPT's fleet.

A public hearing (Attachment 3) is requested with the opportunity for public discussion and comment before the Board takes action on the resolution (Attachment 1). The acceptance of these grant funds requires compliance with the annual certifications and assurances, for which the signature pages are attached (Attachment 2). The attached signature pages are for the certifications and assurances for FY 2015 as an example. The FY 2017 certifications and assurances signature pages are very similar to those for FY 2015; however, the County has not yet received them from NCDOT. When received, they will be forwarded to the County Attorney and Chair for review and signatures.

FINANCIAL IMPACT: The NCDOT CTP FY 2017 grant requires a 15% local match ($25,015) for administrative expenses and a 10% local match ($31,678) for capital expenses for a total of $56,693. As a comparison, the total CTP grant amount requested for FY 2016 was $166,765 for administrative expenses ($25,015 local match) and $232,286 for capital expenses ($23,229 local match) for a total of $48,244 local match, an increase of $84,496 in total expenses ($8,449 local match) from FY 2016 to FY 2017.

The indicated local match amounts will be requested in the upcoming FY 2017 budget cycle and must be committed from Orange County's budget for the performance period of July 1, 2016, through June 30, 2017 (FY 2017), as indicated in the attached Local Share Certification for Funding form (Attachment 4). This will require Orange County to obligate funding in its next budget cycle for these expenses. A total of $56,693 would come from the County's general operating budget. This is not expanding any services only to maintain rural services; therefore no OCBRIP funds will be used.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are applicable to this agenda item: Public Transportation provides opportunity for access to jobs and services to many individuals.

- **GOAL: FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY**
  The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
  The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

The CTP Administrative and Capital Grant provides Orange County access to funds to support its rural transportation infrastructure that promotes economic self-sufficiency to a wide range of residents and locations. The funds additionally support a system that enhances the access of residents in the non-urbanized areas to health care, shopping, education, employment, public services, and recreation.

RECOMMENDATION(S): The Manager recommends the Board:

1. Continue and conclude the public hearing for receiving public comments on the proposed grant application;
2. Close the public hearing;
3. Approve the Community Transportation Program Grant application for FY 2017 in the total amount of $483,547 with a local match total of $56,693 to be provided when necessary;
4. Approve and authorize the Chair to sign the Community Transportation Program Resolution and the Local Share Certification for Funding form (Attachments 1 and 4); and
5. Authorize the Chair and the County Attorney to review and sign the annual Certifications and Assurances document in Attachment 2.

RES-2015-054 **ATTACHMENT 1**

COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

Section 5311
FY 2017 RESOLUTION

Applicant seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by (*Board Member's Name*) _____ and seconded by (*Board Member's Name or N/A, if not required*) _____ for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, (*Legal Name of Applicant*) _____ hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project, prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the (*Authorized Official's Title*)***** _____ of (*Name of Applicant's Governing Body*) _____ is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

I (*Certifying Official's Name*)***** _____ (*Certifying Official's Title*) _____ do hereby certify that the above is a true and correct copy of a excerpts from the minutes of meetings of the (*Name of Applicant's Governing Board*) Orange County Board of Commissioners duly opened on the 20th day of October, 2015 and closed on the 5th day of November, 2015.

_____
Signature of Certifying Official

Note that the authorized official, certifying official, and notary public should be three separate individuals.

Seal Subscribed and sworn to me (*date*) _____

_____
Notary Public *****

_____
Printed Name and Address

My commission expires (*date*) _____

Affix Notary Seal Here

ATTACHMENT 2

FTA FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS

(Signature pages alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: _____

The Applicant agrees to comply with applicable provisions of Groups 01 – 24. _____

OR

The Applicant agrees to comply with applicable provisions of the Groups it has selected:

Group	Description	
01.	Required Certifications and Assurances for Each Applicant.	_____
02.	Lobbying.	_____
03.	Procurement and Procurement Systems.	_____
04.	Private Sector Protections.	_____
05.	Rolling Stock Reviews and Bus Testing.	_____
06.	Demand Responsive Service.	_____
07.	Intelligent Transportation Systems.	_____
08.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	_____
09.	Transit Asset Management Plan and Public Transportation Agency Safety Plan.	_____
10.	Alcohol and Controlled Substances Testing.	_____
11.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity) and Capital Investment Program in Effect before MAP-21 Became Effective.	_____
12.	State of Good Repair Program.	_____
13.	Fixed Guideway Modernization Grant Program.	_____
14.	Bus and Bus Facilities Formula Grants Program and Bus and Bus-Related Equipment and Facilities Grant Program (Discretionary).	_____
15.	Urbanized Area Formula Grants Programs/ Passenger Ferry Grants Program/Job Access and Reverse Commute (JARC) Formula Grant Program.	_____
16.	Seniors/Elderly/Individuals with Disabilities Programs/New Freedom Program.	_____
17.	Rural/Other Than Urbanized Areas/Appalachian Development/Over-the-Road Bus Accessibility Programs.	_____
18.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
19.	Low or No Emission/Clean Fuels Grant Programs.	_____
20.	Paul S. Sarbanes Transit in Parks Program.	_____
21.	State Safety Oversight Grant Program.	_____
22.	Public Transportation Emergency Relief Program.	_____
23.	Expedited Project Delivery Pilot Program.	_____
24.	Infrastructure Finance Programs.	_____

ATTACHMENT 2

FTA FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2015 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA funding and all FTA Grantees with an active Capital or Formula Project)

AFFIRMATION OF APPLICANT

Name of the Applicant: _____

Name and Relationship of the Authorized Representative: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all Federal statutes and regulations, and follow applicable Federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2015, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Project for which it seeks now, or may later seek FTA funding during Federal Fiscal Year 2015.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature_____ Date: _____

Name_____
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA Project or Projects.

Signature_____ Date: _____

Name_____
Attorney for Applicant

Each Applicant for FTA funding and each FTA Grantee with an active Capital or Formula Project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

ATTACHMENT 3

PUBLIC HEARING NOTICE

This is to inform the public that a public hearing was opened October 20, 2015 and was continued on the proposed Orange County Community Transportation Program Application to be submitted to the North Carolina Department of Transportation no later than November 6, 2015. The continuation will be held on November 5, 2015, 7:00 pm at Orange County Whitted Human Services Building, 300 W Tryon Street, Hillsborough, N.C., 27278 before the Orange County Board of County Commissioners.

Those interested in attending the public hearing and needing either auxiliary aids and services under the Americans with Disabilities Act (ADA) or a language translator should contact Peter Murphy on or before November 5, 2015, at telephone number 919 245-2002 or via email at pmurphy@orangecountync.gov.

The Community Transportation Program provides assistance to coordinate existing transportation programs operating in Orange County as well as provides transportation options and services for the communities within this service area. These services are currently provided using fixed, demand response, deviated fixed, and subscription routes. Services are rendered by Orange County Public Transportation.

The total estimated amount requested for the period ***July 1, 2016 through June 30, 2017***

Project	Total Amount	Local Share	
Administrative	**$ 166,765**	**$ 25,015**	**(15%)**
Capital (Vehicles & Other)	**$316,782**	**$31,678**	**(10%)**
TOTAL PROJECT	**$ 483,547**	**$ 56,693**	
	Total Funding Request	**Total Local Share**	

This application may be inspected at 600 Highway 86 North, Hillsborough, N.C., 27278 from 8:00 a.m. - 5:00 p.m., Monday through Friday. Written comments should be directed to Peter Murphy before November 2, 2015.

End of Notice

Note: AN ORIGINAL COPY of the published Public Hearing Notice must be attached to a signed Affidavit of Publication. **Both the Public Hearing Notice and the Affidavit of Publication** must be submitted with the CTP grant application.

ATTACHMENT 4

LOCAL SHARE CERTIFICATION FOR FUNDING

Orange County
(Legal Name of Applicant)

Requested Funding Amounts

Project	**Total Amount**	**Local Share**
Administrative	$ **166,765**	$ **25,015** (15%)
Capital (Vehicles & Other)	$ **316,782**	$ **31,678** (10%)
Operating (Small fixed route, regional, and consolidated urban-rural systems)	$ _____	$ _____ *(50% or more) *Note: Small fixed route systems contribute more than 50%
TOTAL	$ **483,547** **Total Funding Requests**	$ **56,693** **Total Local Share**

The Local Share is available from the following sources:

Source of Funds	Amount
Local general operating fund	$ **56,693**
_____	$ _____
_____	$ _____
_____	$ _____
TOTAL	$ **56,693**

I, the undersigned representing *(Legal Name of Applicant)* **Orange County** do hereby certify to the North Carolina Department of Transportation, that the required local funds for the FY2017 Community Transportation Program will be available as of **July 1, 2016**, which has a period of performance of July 1, 2016 – June 30, 2017.

_____
Signature of Authorized Official

Chair of the Board of County Commissioners
_____
Type Name and Title of Authorized Official

_____
Date

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 5-b

SUBJECT: Unified Development Ordinance Text Amendment – Recreational Land Uses – Extension of Public Hearing

DEPARTMENT: Planning and Inspections **PUBLIC HEARING: (Y/N)** Yes

ATTACHMENTS:

None

INFORMATION CONTACT:

Michael D. Harvey, Planner III, (919) 245-2597
Craig Benedict, Director, (919) 245-2575

PURPOSE: To continue the public hearing on Planning Director initiated Unified Development Ordinance (UDO) text amendments to revise existing regulations governing the development and use of recreational land uses.

BACKGROUND: This item was presented at the September 8, 2015 Quarterly Public Hearing. Agenda materials from this meeting can be viewed at: http://www.orangecountync.gov/document_center/BOCCAgendaMinutes/150908.pdf.

As articulated during the hearing, staff and the County Attorney's office have determined existing definitions and classification methodology for recreation land uses are inappropriate. Staff proposed new definitions, as well as new development standards, for recreational land uses. The public hearing was adjourned to the November 5, 2015 BOCC meeting in order to receive the Planning Board recommendation.

This item was presented at the October 7, 2015 Planning Board meeting where members requested additional modifications and information on potential impacts of proposed regulations. As a result staff is recommending the public hearing be continued to **December 7, 2015** to allow the Planning Board to complete its review.

FINANCIAL IMPACT: There is no financial impact to continue this item.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are applicable to this agenda item:

- **GOAL: ESTABLISH SUSTAINABLE AND EQUITABLE LAND-USE AND ENVIRONMENTAL POLICIES**

  The fair treatment and meaningful involvement of people of all races, cultures, incomes and educational levels with respect to the development and enforcement of environmental laws, regulations, policies, and decisions. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

- **GOAL: ENABLE FULL CIVIC PARTICIPATION**

  Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

RECOMMENDATION(S): The Manager recommends the Board:

1. Open the public hearing; and
2. Defer the hearing by adjourning it to **December 7, 2015**.

ORANGE COUNTY
BOARD OF COMMISSIONERS
AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda
Item No. 5-c

SUBJECT: Zoning Atlas Amendment - Jacobs Glass Rezoning - Closure of Public Hearing and Action (No Additional Comments Accepted)

DEPARTMENT: Planning and Inspections **PUBLIC HEARING: (Y/N)** Yes

ATTACHMENTS:

1. Property and Vicinity Map
2. Excerpt of Draft September 8, 2015 Quarterly Public Hearing Minutes
3. Excerpt of Draft October 7, 2015 Planning Board Minutes
4. Planning Board Approved Statement of Consistency
5. Statement of Consistency
6. Draft Ordinance Approving Rezoning

INFORMATION CONTACT:

Patrick Mallett, Planner II, (919) 245-2577
Michael Harvey, Planner III, (919) 245-2597
Craig Benedict, Director, (919) 245-2592

PURPOSE: To receive the Planning Board recommendation, close the public hearing, and make a decision on an owner initiated request to rezone a split zoned 9.8 acre parcel of property in accordance with the provisions of Section 2.9.2 of the Unified Development Ordinance (hereafter 'UDO'):

FROM: Economic Development Eno Lower Intensity (EDE-1), Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District

TO: Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District

BACKGROUND: This item was presented at the September 8, 2015 Quarterly Public Hearing. Materials from the September 8, 2015 Quarterly Public Hearing can be viewed at: http://www.orangecountync.gov/document_center/BOCCAgendaMinutes/150908.pdf.

During the public hearing the following questions/comments were made:

1. A BOCC member asked if the property owner will have to maintain land use buffers along NC 751 and adjacent residential property, both in Orange and Durham counties, if the property were rezoned.

   STAFF COMMENT: The property owner will have to comply with established buffers, including:

a. The 100 foot perimeter Economic Development District (EDD) buffer required under Section 6.8.12 (C) (1) of the UDO along the southern property line (i.e. railroad right-of-way) and eastern property line (i.e. Durham County line), and

b. A 20 foot Type A land use buffer along NC 751 in accordance with Section 6.8.12 (C) (13) of the UDO.

The aforementioned land use buffers are the same for EDE-1 and EDE-2 zoned property.

2. A Planning Board member asked if approval of the rezoning petition grants development rights allowing for the expansion of the existing commercial operation.

   STAFF COMMENT: As indicated during the public hearing, approval of the zoning atlas amendment does not eliminate the applicant's responsibility to apply for, and obtain, site plan approval and a Zoning Compliance Permit allowing for the expansion of the existing business as required by Section 2.5 of the UDO.

An excerpt of the public hearing minutes is contained in Attachment 2.

Procedural Information: In accordance with 2.8.8 of the UDO, any evidence not presented at the public hearing must be submitted in writing prior to the Planning Board's recommendation. Additional oral evidence may be considered by the Planning Board only if it is for the purpose of presenting information also submitted in writing. The public hearing is held open to a date certain for the purpose of the BOCC receiving the Planning Board's recommendation and any submitted written comments.

Planning Director's Recommendation: The Planning Director recommends **approval** of proposed Zoning Atlas Amendment application and further recommends approval of the:

i. Statement of Consistency, as contained in Attachment 5, indicating the proposed zoning atlas amendment is consistent with the adopted Comprehensive Plan and the project is reasonable and in the public interest, and

ii. Ordinance amending the Orange County Zoning Atlas as contained in Attachment 6.

Planning Board Recommendation: At its October 7, 2015 meeting, the Board voted unanimously to recommend **approval** of the Statement of Consistency and the Ordinance approving the Zoning Atlas Amendment. Excerpt of draft minutes of the Planning Board meeting are included in Attachment 3.

The Planning Board's signed Statement of Consistency is included within Attachment 4. Agenda materials from the October 7, 2015 Planning Board meeting can be viewed at: http://www.orangecountync.gov/Full_Agenda_Packet___PB_10_7_15.pdf.

FINANCIAL IMPACT: This request has been reviewed by various County departments who have determined that the approval or denial of the request would not create the need for additional funding for the provision of County services. Costs associated with advertising, including the public hearing notice and mailings, were paid by the applicant in accordance with the adopted Orange County Fee Schedule.

Costs associated with permitting development of any future project shall be paid by the applicant in accordance with the adopted Orange County Fee Schedule (i.e. erosion control, stormwater management, building, zoning, etc.).

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals is applicable to this agenda item:

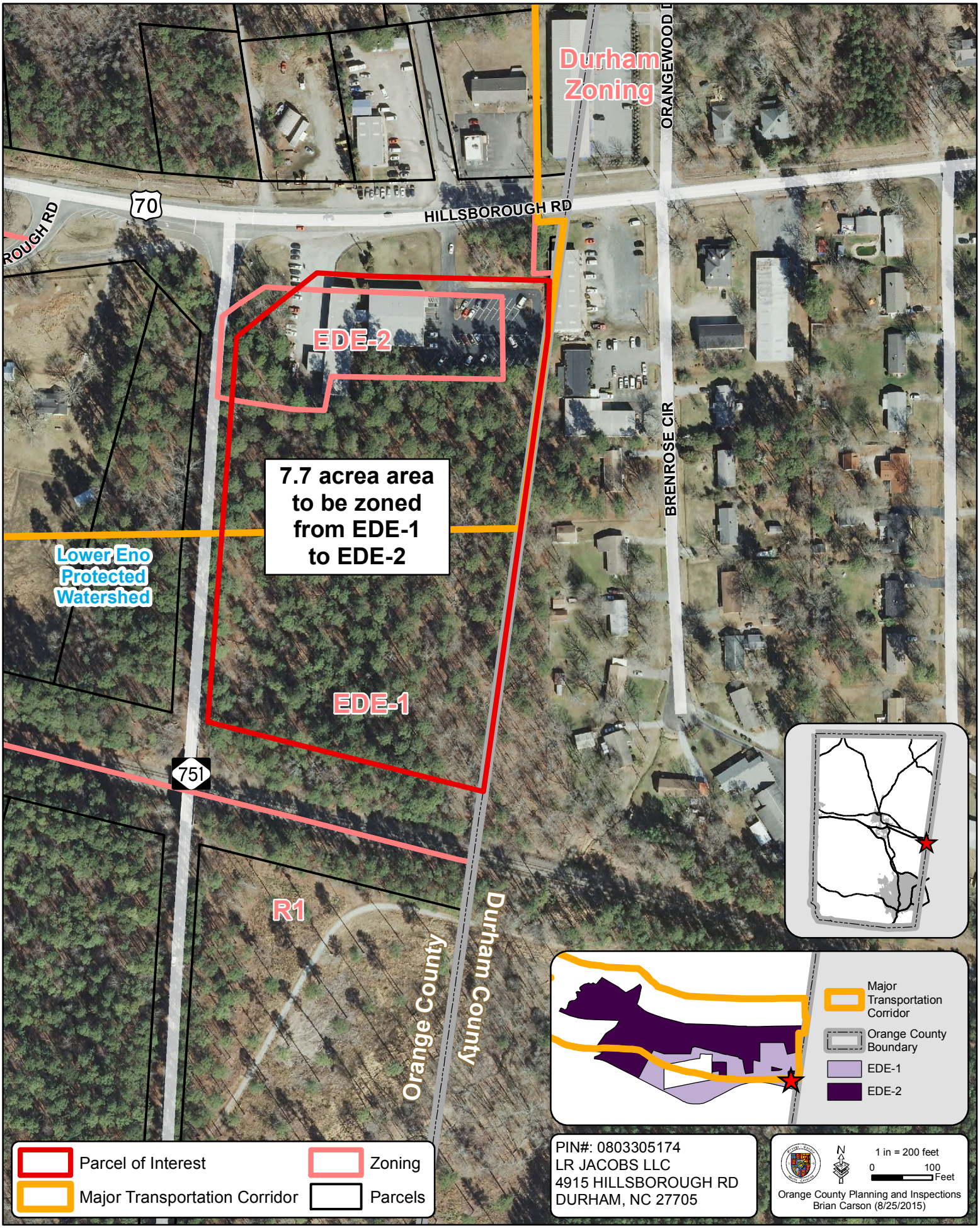
- **GOAL: ESTABLISH SUSTAINABLE AND EQUITABLE LAND-USE AND ENVIRONMENTAL POLICIES**

  The fair treatment and meaningful involvement of people of all races, cultures, incomes and educational levels with respect to the development and enforcement of environmental laws, regulations, policies, and decisions. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

RECOMMENDATION(S): The Manager recommends the Board:

1. Receive the Planning Board's recommendation;
2. Close the public hearing;
3. Deliberate on the application as desired; and
4. Decide accordingly and/or adopt the Statement of Consistency, contained within Attachment 5, and the Ordinance amending the Zoning Atlas, contained within Attachment 6, as recommended by the Planning Board and staff.

Attachment 1 - Vicinity Map



Attachment 2

Excerpt of Minutes

DRAFT **MINUTES**
ORANGE COUNTY BOARD OF COMMISSIONERS
QUARTERLY PUBLIC HEARING
September 8, 2015
7:00 P.M.

The Orange County Board of Commissioners met with the Orange County Planning Board for a Quarterly Public Hearing on September 8, 2015 at 7:00 p.m. at the Whitted Building, in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Earl McKee and Commissioners Barry Jacobs, Mia Burroughs, Mark Dorosin, Bernadette Pelissier, Renee Price and Penny Rich
COUNTY COMMISSIONERS ABSENT:
COUNTY ATTORNEY PRESENT: James Bryan (Staff Attorney)
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below)
PLANNING BOARD MEMBERS PRESENT: Chair Pete Hallenbeck and Planning Board members Lisa Stuckey, Herman Staats, Paul Guthrie, Laura Nicholson, Andrea Rohrbacher, Maxecine Mitchell, H.T. "Buddy" Hartley, James Lea, Tony Blake
PLANNING BOARD MEMBERS ABSENT: Lydia Wegman

Chair McKee called the meeting to order at 7:03 p.m.

A. OPENING REMARKS FROM THE CHAIRS
None

B. PUBLIC CHARGE
Chair Hallenbeck dispensed with the reading of the Public Charge.

C. PUBLIC HEARING ITEMS

1. **Zoning Atlas Amendment** – To review an application requesting the rezoning of an approximately nine acre parcel of property located at 4915 Hillsborough Road within the Eno Township **from** Economic Development Eno Lower Intensity (EDE-1), Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District **to** Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District.

Patrick Mallet, Current Planning, presented the following PowerPoint slides:

BACKGROUND
- **PIN**: 0803-30-5174
- **Size of Parcel:** 9.87 (7.7 acres rezoned)
- **Future Land Use Element Map:** Economic Development – Transition; Resource Protection

- **Growth Management System Designation:** Urban
- **Existing Conditions:** The property is partially developed as the Jacobs Glass Company.
- **Access**: The property has direct access US70E/Hillsborough Rd.

REQUEST:

- Property is split zoned EDE-1/EDE-2.
- 7.7 acre EDE-1 portion was originally part of Duke Forest, which was sold to applicant as surplus property.
- Applicant is seeking to EDE-2 zoning on the entire tract to allow for an expansion of its glass assembly business.

FUTURE LAND USE MAP:

STAFF ASSESSMENT:

- The application is complete.
- The property is of sufficient size.
- Rezoning consistent with the Orange County 2030 Comprehensive Plan, Growth Management System Map, and Eno Small Area Plan.
- Eliminates split zoning on property.

RECOMMENDATION:

1. Receive the proposal to amend the Zoning Atlas.
2. Conduct the Public Hearing and accept public, Board of County Commissioners (BOCC), and Planning Board comment on the proposed amendment.
3. Refer the matter to the Planning Board with a request that a recommendation be returned to the Board of County Commissioners in time for the **November 5, 2015** BOCC regular meeting.
4. Adjourn the public hearing until **November 5, 2015** in order to receive and accept the Planning Board's recommendation and any submitted written comments.

Maxecine Mitchell arrived at 7:10 p.m.

Chad Abbot, Summit Design and Engineering, said he is here representing Mr. Jacobs, who has operated a glass company on the property since 1986. He said Mr. Jacobs has needed to expand his business for about 10 to 15 years. He said Mr. Jacobs is willing to contribute to the Economic Development District. He added that Mr. Jacobs does need to expand his business and will need to move if he cannot expand on the current property. He said Mr. Jacobs would like to remain on the current property.

Chad Abbott said as the land was originally part of Duke Forest, it is understandable that it was designated as a Resource Protection Area. He added that Duke Forest has seen fit to sell the land as it is separated from the rest of the forest by railroad tracks.

He said the application and all required materials have been submitted and the staff has found them in compliance with the Future Land Use Map.

Commissioner Price asked if the zoning is granted will the property borders protect the neighbors to the east as well as residential areas to the south of the railroad.

Patrick Mallet said the Railroad Right of Way (ROW) is 250 feet and a good portion of this property is part of the Duke Forest property. He said there is a 100-foot buffer along the County lines.

Chad Abbott said the buffer is not associated with the resource protection area. He said that the whole Economic Development District is required to have a 100-foot buffer around it.

Commissioner Rich asked if it is common to have an EDD-1 and EDD-2 within the same property and if there is any precedent

Michael Harvey said it is not uncommon and there other areas of split zoning in the County.

Commissioner Rich asked if property owners are encouraged not to split the zoning.

Michael Harvey said the County works with property owners to try and find solutions.

Commissioner Rich asked if the Planning Board had any comments. She said she would rather not be reactionary.

Michael Harvey said the County has been working for almost a year to reach out to owners of split-zoned properties to work out the best solutions. He said a joint amendment to the Zoning Atlas Map is moving forward. He said there are also properties that are split zoned commercial and residential.

Public Comment:
NONE

A motion was made by Commissioner Price, seconded by Commissioner Pelissier to approve:

1. Referring the matter to the Planning Board with a request that a recommendation be returned to the Board of County Commissioners in time for the **November 5, 2015** BOCC regular meeting; and
2. Adjourning the public hearing until **November 5, 2015** in order to receive and accept the Planning Board's recommendation and any submitted written comments.

VOTE: UNANIMOUS

ATTACHMENT 3

Excerpt of Minutes

DRAFT

MINUTES
PLANNING BOARD
OCTOBER 7, 2015
REGULAR MEETING

MEMBERS PRESENT: Peter Hallenbeck (Chair), Cheeks Township Representative; Lydia Wegman-At-Large Chapel Hill Township (Vice Chair); Tony Blake, Bingham Township Representative; Paul Guthrie, At-Large Chapel Hill Township; Buddy Hartley, Little River Township Representative; Laura Nicholson, Eno Township Representative; Lisa Stuckey, Chapel Hill Township Representative; Maxecine Mitchell, At-Large Bingham Township; Herman Staats, At-Large, Cedar Grove Township; James Lea, Cedar Grove Township Representative; Andrea Rohrbacher, At-Large Chapel Hill Township;

MEMBERS ABSENT: None

STAFF PRESENT: Craig Benedict, Planning Director; Michael Harvey, Current Planning Supervisor; Perdita Holtz, Planning Systems Coordinator; Ashley Moncado, Special Projects Planner; Patrick Mallett, Planner II;

AGENDA ITEM 7: ZONING ATLAS AMENDMENT – To make a recommendation on a request to rezone an approximately 9 acre parcel of property located at 4915 Hillsborough Road within the Eno Township from Economic Development Eno Lower Intensity (EDE-1), Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District to Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District. This item was heard at the September 8, 2015 quarterly public hearing.

Presenter: Michael Harvey, Current Planning Supervisor

Michael Harvey reviewed the abstract.

Michael Harvey: There were no comments made by the public at the public hearing. We have provided on pages 13 and 14 of the abstract, answers to the two questions asked at the public hearing concerning land use buffers and site plan approval. The Planning Director is recommending approval and the statement of consistency has been provided to you in Attachment 2 and ordinance amending the zoning atlas in Attachment 3. We are asking you tonight to make a recommendation on this petition which will be presented to the BOCC at their November 5 regular meeting.

Pete Hallenbeck: We have a statement of consistency to vote on. Do I have any motions to approve the statement of consistency?

MOTION made by Tony Blake to recommend approval of the statement of consistency. Buddy Hartley seconded.
VOTE: Unanimous

MOTION made by James Lea to approve the ordinance of approval. Herman Staats seconded.
VOTE: Unanimous

STATEMENT OF CONSISTENCY OF PROPOSED ZONING ATLAS AMENDMENTS WITH THE 2030 COMPREHENSIVE PLAN AND/OR OTHER ADOPTED COUNTY PLANS

L.R. Jacobs, owners of a 9.8 acre parcel of property within Orange County, has initiated an amendment to the Orange County Zoning Atlas, as established in Section 1.2 of the Orange County Unified Development Ordinance (UDO) to rezone property:

FROM: Economic Development Eno Lower Intensity (EDE-1), Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District

TO: Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District

allowing for the continued development and expansion of an existing commercial facility known as Jacobs Glass Company. The parcel, further identified utilizing Orange County Parcel Identification Number (PIN) 0803-30-5174, is located in the southeastern quadrant of the NC 751 and US70 East/Hillsborough Road, and an address of 4915 Hillsborough Road hereafter referred to as 'the property.'

The Planning Board finds:

- The requirements of Section 2.8 of the Unified Development Ordinance (UDO) have been deemed complete, and
- Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds documentation within the record denoting that the rezoning **is consistent** with the adopted 2030 Comprehensive Plan, the Eno EDD Area Small Area Plan and/or other adopted County plans.

The amendment is consistent with applicable plans because it:

- Supports the following 2030 Comprehensive Plan goals and objectives including:
    1. Land Use Overarching Goal: *Coordination of the amount, location, pattern and designation of future land uses, with availability of County services and facilities sufficient to meet the needs of Orange County's population and economy consistent with other Comprehensive Plan element goals and objectives.*
    2. Land Use Goal 2: *Land uses that are appropriate to on-site environmental conditions and features, and that protect natural resources, cultural resources, and community character.*
    3. Objective LU-1.1: *Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources.*
    4. *Economic Development Goal 1: Public-private sector partnerships that create a stronger business climate.*

Objective ED-1.4: Achieve the objective of adding 5,000 new private sector jobs in the County and $125,000,000 in new commercial property by June 2010, with the goal of 75% of the new jobs being filled by County residents.

Objective ED-1.5: Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.

Objective ED-1.6: Provide outreach, recognition and/or expedited service to new and existing businesses that meet development criteria.

Objective ED-1.8: Explore policies to use in attracting and encouraging development of companies and enterprises that will build and expand upon the County's economic base.

5. *Economic Development Goal 2: Infrastructure that supports desired development.*

   Objective ED-2.5: Identify lands suitable to accommodate the expansion and growth of commercial and industrial uses in the County.

   Objective ED-2.8: Adjust ongoing designation and zoning of Economic Development Districts to avoid the area designated as the Rural Buffer. (See also Land Use Objectives LU-3.1 and LU-3.3.).

The amendments are reasonable and in the public interest because:

a. The amendment will foster economic development within the Eno Economic Development District. It also encourages the balanced and sustainable growth of existing non-residential uses.

   The project will provide buffers and setbacks to transition between residential uses and transition to natural resource areas.

b. The project will not result in traffic impacts deemed to be detrimental to existing roadways due to the proposed density.

c. The proposed amendments promote public health, safety, and general welfare by furthering the goals and objectives of the 2030 Comprehensive Plan.

The Planning Board hereby recommends that the Orange County Board of County Commissioners consider adoption of the proposed Zoning Atlas amendments.

Pete Hallenbeck, Chair

10/7/15
Date

Attachment 5

STATEMENT OF CONSISTENCY
OF PROPOSED ZONING ATLAS AMENDMENTS WITH THE 2030 COMPREHENSIVE PLAN AND/OR OTHER ADOPTED COUNTY PLANS

L.R. Jacobs, owners of a 9.8 acre parcel of property within Orange County, has initiated an amendment to the Orange County Zoning Atlas, as established in Section 1.2 of the Orange County Unified Development Ordinance (UDO) to rezone property:

FROM: Economic Development Eno Lower Intensity (EDE-1), Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District

TO: Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District

allowing for the continued development and expansion of an existing commercial facility known as Jacobs Glass Company. The parcel, further identified utilizing Orange County Parcel Identification Number (PIN) 0803-30-5174, is located in the southeastern quadrant of the NC 751 and US70 East/Hillsborough Road, and an address of 4915 Hillsborough Road hereafter referred to as 'the property.'

<u>The BOCC finds</u>:

- The requirements of Section 2.8 of the Unified Development Ordinance (UDO) have been deemed complete, and
- Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds documentation within the record denoting that the rezoning **is consistent** with the adopted 2030 Comprehensive Plan, the Eno EDD Area Small Area Plan and/or other adopted County plans.

<u>The amendment is consistent with applicable plans because it</u>:

- Supports the following 2030 Comprehensive Plan goals and objectives including:
    1. <u>Land Use Overarching Goal</u>: *Coordination of the amount, location, pattern and designation of future land uses, with availability of County services and facilities sufficient to meet the needs of Orange County's population and economy consistent with other Comprehensive Plan element goals and objectives*.
    2. <u>Land Use Goal 2</u>: *Land uses that are appropriate to on-site environmental conditions and features, and that protect natural resources, cultural resources, and community character.*
    3. <u>Objective LU-1.1</u>: *Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources.*

4. *Economic Development Goal 1: Public-private sector partnerships that create a stronger business climate.*

   Objective ED-1.4: Achieve the objective of adding 5,000 new private sector jobs in the County and $125,000,000 in new commercial property by June 2010, with the goal of 75% of the new jobs being filled by County residents.

   Objective ED-1.5: Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.

   Objective ED-1.6: Provide outreach, recognition and/or expedited service to new and existing businesses that meet development criteria.

   Objective ED-1.8: Explore policies to use in attracting and encouraging development of companies and enterprises that will build and expand upon the County's economic base.

5. *Economic Development Goal 2: Infrastructure that supports desired development.*

   Objective ED-2.5: Identify lands suitable to accommodate the expansion and growth of commercial and industrial uses in the County.

   Objective ED-2.8: Adjust ongoing designation and zoning of Economic Development Districts to avoid the area designated as the Rural Buffer. (See also Land Use Objectives LU-3.1 and LU-3.3.).

The amendments are reasonable and in the public interest because:

a. The amendment will foster economic development within the Eno Economic Development District. It also encourages the balanced and sustainable growth of existing non-residential uses.

   The project will provide buffers and setbacks to transition between residential uses and transition to natural resource areas.

b. The project will not result in traffic impacts deemed to be detrimental to existing roadways due to the proposed density.

c. The proposed amendments promote public health, safety, and general welfare by furthering the goals and objectives of the 2030 Comprehensive Plan.

The Board of County Commissioners hereby adopts this Statement of Consistency and findings expressed herein.

_____ _____

Earl McKee, Chair Date

Ordinance #:ORD-2015-029

AN ORDINANCE AMENDING
THE ORANGE COUNTY ZONING ATLAS

WHEREAS, Orange County has received and processed a petition submitted by L.R. Jacobs seeking to amend the Orange County Zoning Atlas, as established in Section 1.2 of the Orange County Unified Development Ordinance (UDO), and

WHEREAS, this petition seeks to rezone a 9.8 acre parcel of property, further identified utilizing Orange County Parcel Identification Number (PIN) 0803-30-5174, to Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District for the purpose of expanding their business known as Jacobs Glass company.

WHEREAS, the proposal has been found to be consistent with the various plans outlining allowable development in the area including the Eno EDD Area Small Area Plan, and

WHEREAS, the requirements of Section 2.8 of the UDO have been deemed complete, and

WHEREAS, the Board has found the proposed zoning atlas amendment to be reasonably necessary to promote the public health, safety, and general welfare.

BE IT ORDAINED by the Board of Commissioners of Orange County that the Orange County Zoning Atlas is hereby amended to rezone the 9.8 acre portion of the aforementioned parcel to Economic Development Eno Higher Intensity (EDE-2), Lower Eno Protected Watershed Protection Overlay District, and Major Transportation Corridor (MTC) Overlay District.

BE IT FURTHER ORDAINED THAT this ordinance be placed in the book of published ordinances and that this ordinance is effective upon its adoption.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing ordinance was adopted this _____ day of _____, 2015.

I, Donna S. Baker, Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on _____, 2015 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2015.

SEAL

_____
Clerk to the Board of Commissioners

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 5-d

SUBJECT: Zoning Atlas Amendment: Conditional Zoning – Master Plan Development Conditional Zoning District (MPD-CZ) Hart's Mill - Closure of Public Hearing and Action (No Additional Comments Accepted)

DEPARTMENT: Planning and Inspections **PUBLIC HEARING: (Y/N)** Yes

ATTACHMENTS:

1. Property and Vicinity Map
2. Excerpt of Approved May 26, 2015 Quarterly Public Hearing Minutes
3. Responses to Questions from May 26, 2015 Quarterly Public Hearing
4. Excerpt of Approved July 1, 2015 Planning Board Minutes
5. Responses to Questions from July 1, 2015 Planning Board Meeting
6. Excerpt of Approved September 2, 2015 Planning Board Minutes
7. Planning Board Approved Statement of Consistency
8. Statement of Consistency
9. Ordinance Approving Rezoning with Conditions

INFORMATION CONTACT:

Michael D. Harvey, Planner III, (919) 245-2597
Craig Benedict, Director, (919) 245-2575

PURPOSE: To receive the Planning Board recommendation, close the public hearing, and make a decision on a request to rezone a 112 acre parcel of property to Master Plan Development – Conditional Zoning (MPD-CZ) district in accordance with the provisions of Section 2.9.2 of the Unified Development Ordinance (hereafter 'UDO').

BACKGROUND: This item was presented at the May 26, 2015 Quarterly Public Hearing. Agenda materials from this meeting can be viewed at: http://www.orangecountync.gov/150526QPHKC.pdf. Excerpt of minutes from the hearing are contained in Attachment 2.

Conditional Zoning District (CZD) Process: The process involves the approval of a rezoning petition and site plan allowing for the development of specific land use(s) on a parcel of property. Applications are processed in a legislative manner (i.e. does not require sworn testimony or evidence) and decisions are based on the BOCC's determination that the project is consistent with the purpose and intent of the Comprehensive Plan. The typical cadence for the review of a CZD application is:

- **First Action** – Planning staff schedules a Neighborhood Information Meeting (NIM).

  Staff Comment – DONE. This meeting was held on April 8, 2015.

- **Second Action** – The BOCC and Planning Board review the application at 1 of 4 joint Quarterly Public Hearings.

  Staff Comment – DONE. The public hearing was held on May 26, 2015.

- **Third Action** – The Planning Board makes a recommendation on the proposal.

  Staff Comment – DONE. The Planning Board began their review of this item at its July 1, 2015 regular meeting and recommended approval of the project at its September 2, 2015 regular meeting.

- **Fourth Action** – The BOCC receives the Planning Board recommendation and makes a decision.

  Staff Comment – The BOCC will receive the Planning Board recommendation at its November 5, 2015 regular meeting.

As articulated at the public hearing, the proposed project is a village style development with approximately 34 dwelling units and involves the preservation of the majority of the property as vegetative open space and farm area (i.e. pasture and crop production). The residential portion of the project would occupy approximately 22 acres of the parcel with another 5 to 8 acres being used to support the proposed septic system. The remaining acreage would be preserved as farmland and dedicated open space.

During the public hearing the following comments were made:

1. There was general support for the project.
2. A BOCC member requested additional information on the ownership mechanism proposed by the applicant, expressing concern(s) over how residents will own their individual housing units and surrounding property.

   STAFF COMMENT: Please refer to Attachment 3 of the abstract for the applicant's response.

3. A BOCC member asked for clarification on the imposition of conditions.

   STAFF COMMENT: As detailed in the public hearing abstract, mutually agreed upon conditions can be imposed as part this process only if they address:

   i. The compatibility of the proposed development with surrounding property,

   ii. Proposed support facilities (i.e. roadways and access points, parking, pedestrian and vehicular circulation systems, screening and buffer areas, etc.) and/or

   iii. All other matters the County may find appropriate or the petitioner may propose.

   The applicant has verbally indicated they have accepted the recommended conditions. Further staff has been informed a letter signifying same will be presented at the November 5, 2015 regular BOCC meeting.

4. A BOCC member asked staff to clarify proposed and allowable density.

   STAFF COMMENT: The property is located within the Rural Residential (R-1) general use zoning district and the Upper Eno Protected Watershed Protection

Overlay District allowing for a density of 1 dwelling unit for every 40,000 sq. ft. (0.92 acres) of property.

The property is also located within the 20 Year Transition Area as denoted on the Future Land Use Map and is designated as being Urban on the Growth Management System Map indicating urban densities are permitted.

This could result in a total of 112 dwelling units being developed on the property based purely on the size of the parcel and not taking other factors into consideration (i.e. adequate soils for septic, road access, permitting process, presence of stream and other environmental features, etc.).

If approved the project would only allow for 1 dwelling unit for approximately every 3.2 acres of property and 34 dwelling units.

5. A Planning Board member asked if additional dwelling units could be added in the future.

   STAFF COMMENT: The plan could be modified through the submittal and processing of a new Conditional Zoning District petition. This would require holding a new neighborhood information meeting and a public hearing to review the proposal.

6. A BOCC member asked if the applicant was being asked to extend road access to adjacent parcels.

   STAFF COMMENT: It is not practical to extend the proposed roadway to the east due to the presence of streams and floodplain. There is no perceived benefit in requiring connection with adjoining subdivisions as this could create traffic concerns for adjacent neighborhoods.

7. A BOCC member asked the applicant to provide additional detail on the proposed 6 inch water line serving the project and if the line would be adequate to support water for both consumption and firefighting capabilities.

   STAFF COMMENT: Please refer to Attachment 3 of the abstract for the applicant's response.

   In consultation with the Fire Marshal and Orange County Emergency Services staff is recommending a condition requiring the final size of required waterlines to be determined at time of permitting with the review and approval of the Orange County Fire Marshal.

8. Several BOCC members asked for clarification on the proposed septic system for the project.

   STAFF COMMENT: Please refer to Attachment 3 of the abstract for the applicant's response.

9. Planning staff indicated the applicant was asked to provide additional detail on proposed landscaping in and around individual residential structures.

   STAFF COMMENT: Please refer to Attachment 3 of the abstract for the applicant's response.

At the July 1, 2015 Planning Board meeting the following additional information was requested:

a. A Planning Board member asked if there were any marketing materials available for the project and, if so, if copies could be provided.

STAFF COMMENT: Please refer to Attachment 5 of the abstract for the applicant's response.

b. Several Planning Board members asked if the applicant was going to allow for the creation of recreational amenities/land uses on the property. There was a concern expressed over requiring the applicant to come back through the process to amend the approved Conditional Zoning district to add a recreational amenity.

STAFF COMMENT: The site plan has been modified to include identified recreation areas.

The proposed development conditions contained in Attachment 9 were modified to spell out permitted recreational amenities for residents.

c. A Planning Board member asked for a more detailed breakdown of anticipated farm activities that would be allowed on the property.

STAFF COMMENT: Please refer to Attachment 5 of the abstract for the applicant's response.

d. The Planning Director asked the applicant to provide additional information on the promotion of 'crime prevention through environmental design'.

STAFF COMMENT: Please refer to Attachment 5 of the abstract for the applicant's response.

Procedural Information: In accordance with 2.8.8 of the UDO any evidence not presented at the public hearing must be submitted in writing prior to the Planning Board's recommendation. Additional oral evidence may be considered by the Planning Board only if it is for the purpose of presenting information also submitted in writing. The public hearing is held open to a date certain for the purpose of the BOCC receiving the Planning Board's recommendation and any submitted written comments.

Planning Director Recommendation: The Planning Director recommends **approval** of proposed Zoning Atlas Amendment application and further recommends approval of the:

i. Statement of Consistency, as contained in Attachment 8, indicating the proposed zoning atlas amendment is consistent with the adopted Comprehensive Plan and the project is reasonable and in the public interest, and

ii. Ordinance amending the Orange County Zoning Atlas as contained in Attachment 9.

Planning Board Recommendation: At its September 2, 2015 meeting, the Board voted unanimously to recommend **approval** of the Statement of Consistency and the Ordinance approving the Zoning Atlas Amendment. Excerpts of approved minutes are included in Attachment 6.

The Planning Board's signed Statement of Consistency is included within Attachment 7. Agenda materials from the September 2, 2015 Planning Board meeting can be viewed at: http://www.orangecountync.gov/PB_Sep_2015_Agenda_Package.pdf.

FINANCIAL IMPACT: This request has been reviewed by various County departments who have determined that the approval or denial of the request would not create the need for additional funding for the provision of County services. Costs associated with advertising, including the public hearing notice and mailings, were paid by the applicant in accordance with the adopted Orange County Fee Schedule.

Costs associated with permitting development of the project shall be paid by the applicant in accordance with the adopted Orange County Fee Schedule (i.e. erosion control, stormwater management, building, zoning, etc.).

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals is applicable to this agenda item:

- **GOAL: CREATE A SAFE COMMUNITY**

  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

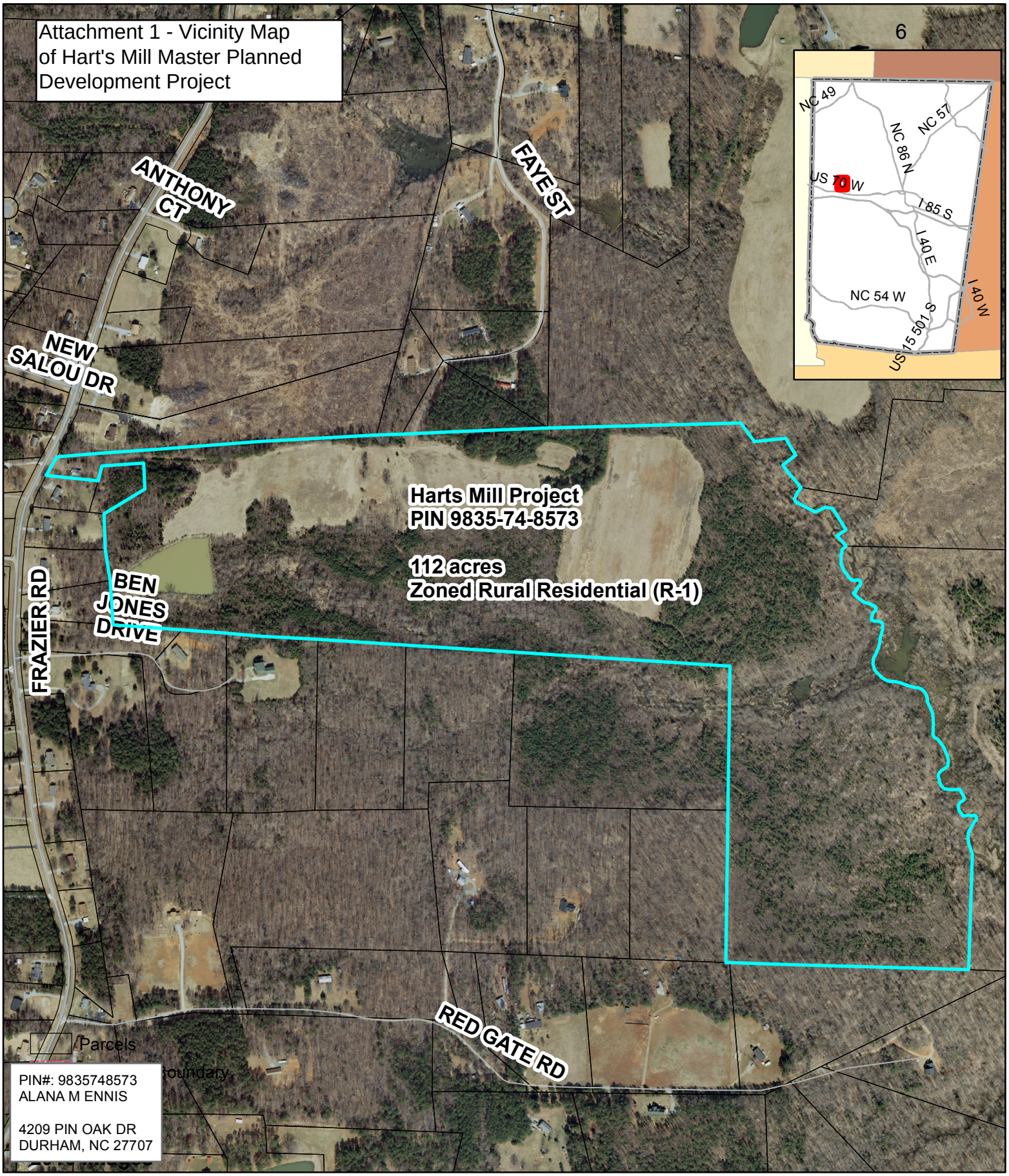
- **GOAL: ESTABLISH SUSTAINABLE AND EQUITABLE LAND-USE AND ENVIRONMENTAL POLICIES**

  The fair treatment and meaningful involvement of people of all races, cultures, incomes and educational levels with respect to the development and enforcement of environmental laws, regulations, policies, and decisions. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

RECOMMENDATION(S): The Manager recommends the Board:

1. Receive the Planning Board's recommendation;
2. Close the public hearing;
3. Deliberate on the application as desired; and
4. Decide accordingly and/or adopt the Statement of Consistency, contained within Attachment 8, and the Ordinance amending the Zoning Atlas, contained within Attachment 9, as recommended by the Planning Board and staff.

Attachment 1 - Vicinity Map of Hart's Mill Master Planned Development Project



PIN#: 9835748573
ALANA M ENNIS

4209 PIN OAK DR
DURHAM, NC 27707

N

1 inch = 582 feet

0 500

Orange County Planning and Inspections Department
03/27/2015

Attachment 2

APPROVED 9/1/2015

MINUTES
ORANGE COUNTY BOARD OF COMMISSIONERS
QUARTERLY PUBLIC HEARING
May 26, 2015
7:00 P.M.

The Orange County Board of Commissioners met with the Orange County Planning Board for a Quarterly Public Hearing on May 26, 2015 at 7:00 p.m. at the Whitted Building, in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Earl McKee and Commissioners Mia Burroughs, Mark Dorosin, Bernadette Pelissier, Renee Price and Penny Rich
COUNTY COMMISSIONERS ABSENT: Barry Jacobs
COUNTY ATTORNEY PRESENT: James Bryan (Staff Attorney)
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below)
PLANNING BOARD MEMBERS PRESENT: Chair Pete Hallenbeck and Planning Board members Lisa Stuckey, Herman Staats, Paul Guthrie, Tony Blake, Laura Nicholson, and Lydia Wegman, Andrea Rohrbacher, Maxecine Mitchell, H.T. "Buddy" Hartley
PLANNING BOARD MEMBERS ABSENT: James Lea and Bryant Warren

2. **Zoning Atlas Amendment (Conditional Zoning District)** – To review an application requesting the rezoning of 112 acres of property from Rural Residential (R-1), Upper Eno Protected Watershed Protection Overlay District to Master Planned Development Conditional Zoning (MPD-CZ), Upper Eno Protected Watershed Protection Overlay District in order to allow for the development of Hart's Mill Village within the Cheeks Township.

Pete Hallenbeck, introduced Michael Harvey, who presented the following PowerPoint slides:

MAY 26, 2015
QUARTERLY PUBLIC HEARING
AGENDA ITEM:C-2
CONDITIONAL ZONING ATLAS AMENDMENT AND SITE PLAN
HART'S MILL RESIDENTIAL DEVELOPMENT

PROJECT INFORMATION
PIN: 9835-74-8573
Size : 112 acres
Zoning: Rural Residential (R-1), Upper Eno Protected Watershed Overlay, Special Flood Hazard Area (SFHA) Overlay
Future Land Use Map Designation: 20 Year Transition
Growth Management System Designation: Urban

CONDITIONAL ZONING PROCESS
- Applications are processed in a legislative manner (i.e. does not require sworn testimony or evidence).
- are based on determination project is consistent with the purpose/intent of the Decisions Comprehensive Plan.

- Mutually agreed upon conditions can be imposed if they address:
  - The compatibility of the proposed development with surrounding property,
  - Proposed support facilities (i.e. roadways and access points, parking, screening and buffer areas, etc.) and/or
  - All other matters the County may find appropriate or the petitioner may propose.

REQUEST

- Rezone 112 acres of the property to:
  Master Planned Development – Conditional Zoning (MPD-CZ)
  in support of a proposed new residential development and farm.
- Application package includes required site plan.
- Narrative contains synopsis of suggested zoning regulations.

PROPOSAL

- Construction of 34 residences on approximately 22 acres of the 112 acre property,
  - Walkable design with limited traffic access points. Parking of private vehicles will not be allowed near proposed houses.
  - Access road around residences designed for emergency vehicle access (i.e. fire, EMS, etc.).
- Maintaining of existing farm (i.e. crop and animal pasture) operations maintained by community residents,
- Preservation of existing forest and woodlands along eastern property line.
- A common house/shared community facility shall be built,
- Applicant proposing a 100 foot residential building setback around perimeter of property as well as a Type A 20 ft. wide land use buffer,
- Central septic system proposed to support project (take up approximately 5.5 acres of property),
- 6 inch water line shall supply water,
  - Water line maintained by Orange Alamance Water System via an existing 6 inch line in Frazier Road.
  - Hydrants are also proposed in an around the residential area of the project.

Site Plan - Rendering

SITE PLAN – Residential Area

SITE PLAN – Septic Area

SITE PLAN – Housing Types

STAFF COMMENTS

- Proposal is consistent with existing Land Use Category designation and the MPD-CZ zoning district,
- Proposed density of 1 dwelling unit for every 3 acres of land exceeds current allowances (i.e. 1 unit for every 40,000 sq. ft.),
- Project is consistent with existing development trends in the area,
- Staff is encouraged about the total amount of open space/farm area preserved as part of the project.
- Additional information is necessary on the proposed water line to verify it will be adequate for development as well as for use during emergencies (i.e. house fire).

  - Staff has been informed by the Efland Volunteer Fire Department they have equipment to address pressure problems and believe the proposed water line is adequate.
- Stormwater and erosion control permits will have to be issued for the project, if approved by BOCC.
- Staff has requested additional landscape plans denoting planting of foliage in and around the proposed houses.
- Staff has informed the applicant the solar array denoted on the site plan can only be viewed for illustrative purposes. Development of said facility will have to comply with Class B Special Use Permit process detailed within UDO.

RECOMMENDATION

1. Receive the application,
2. Conduct the Public Hearing and accept public, Planning Board, and BOCC sworn testimony,
3. Refer the matter to the Planning Board with a request that a recommendation be returned in time for the **September 1, 2015** BOCC regular meeting, and
4. Adjourn the public hearing until **September 1, 2015** in order to receive the Planning Board's recommendation, and any submitted written comments.

Commissioner Pelissier asked if Orange County would approve the alternative to the traditional septic, or would the State need to give approval.

Michael Harvey said an email written by Alan Clapp, of Orange County Environmental Health, states that it would be reviewed jointly by the State and the County. However, depending on the nature of the system, it may defer to a total State approval. He added that if this were the case, the County would receive notification from the State that the septic system had been approved before any further development would be allowed.

Commissioner Rich asked if any of the 32 properties will go in to the Community Home Trust for affordable housing.

Michael Harvey said probably not, but recommended asking the Applicant. He added that he finds the metrics and economics of this project to be different than most, considering it will be based on a condominium ownership model. He said he believes that houses will be more affordable than most housing in the area. He added that it was not required of the Applicant to designate properties to the Trust.

Commissioner Rich asked if there are conditions when it is required.

Michael Harvey said in accordance with section 6.1.18 of the UDO, there is a process where a developer can request density bonuses. He reminded the Board that there is language within the regulations that prohibits density bonuses being awarded for affordable housing in watershed protection overlay districts, in which this project is.

Commissioner Price asked if there would need to be additional screenings between homes as there is only 10 feet in between. She added as this is one big property, perhaps additional screenings may not apply.

Michael Harvey said Commissioner Price is partially correct. He added that a home occupation would have to be applied for, in accordance with the applicable standards as they

are relayed in the UDO. He said if additional screenings are required the owner will have to abide by the UDO. He said this problem is not anticipated.

Commissioner Price said as this is one big property and has no property lines, there is nowhere from which to measure the 10 feet between the two houses.

Michael Harvey said although there are no property lines, there will be a defined ownership area. He said this will not meet the technical definition of a property line, per the UDO, but additional landscaping may be required to comply with code.

Commissioner Price said she liked the project and would not want to see it stumble based on technicalities.

Michael Harvey said the Applicant has methodically worked through the majority of concerns, as they have arisen.

Commissioner Rich referred to page 15 where two small group homes, with three to five private suites, are mentioned. She asked if this scenario would fall under the ordinance of unrelated people living together or some other category.

Michael Harvey said he believed it will fall in a category of a different situation. He added that in the review of this narrative, this arrangement has not been viewed as a potential problem.

Commissioner Rich asked if it will open a can of worms down the road.

Michael Harvey said not in his opinion, based on what he knows today. He added that the question can be raised with the Applicant, and answered more fully for the BOCC. He said the BOCC is approving a new zoning district with this project. He said this zoning district can specify individual components as to how the development operation of this project will go in perpetuity.

Chair McKee said this project is effectively a condominium and asked if approval of this unique project would place it by default in the Orange County UDO.

Michael Harvey said no. He said the Master Plan Development Conditional Zoning is handled on a case by case basis, where an applicant must submit a proposal to the BOCC. He said this project does not set a precedent unless an applicant wanted to go through the very same process as Hart's Mill. He added that this is a unique opportunity to approve a project that accomplishes a lot of Orange County's goals with respect to the environment and affordable housing. He said this type of project is only possible in the urbanizing areas of the County.

Chair McKee asked if a developer should come forward with this model, would they have to go through the same process as this one.

Michael Harvey said that is correct.

Lydia Wegman asked for an explanation as to why this project would be a Class B Special Use Permit.

Michael Harvey said it is based on mega-wattage. Anything over 20,000 and fewer than 100,000 megawatts is a Class B Special Use permit.

Paul Guthrie said he ran all the aerial photographs of the property since 1955. He said it is clear that the area surrounding this property has boomed with development since that time. He asked if this new form of organization would be able to make internal changes without having to return to the County every time.

Michael Harvey said any changes would require a return to the BOCC. He said there is no room to deviate from the mutually agreed upon set of conditions created by the applicant and the BOCC.

Hope Horton and Katy Ansardi of Hart's Mill Village made a PowerPoint presentation. Hope Horton began by thanking the BOCC and reviewing the following slides:

Hart's Mill Village and Farm
Presentation to the Orange County Board of Commissioners
May 26, 2015

Who We Are

- Local Triangle residents
- Singles, couples and families of all ages
- Professionals in education, business, health, technology, farming, city planning, and the arts living independent and modern lives
- Our desire is to create an old-fashioned neighborhood where people actually know each other and do things together

This is Our Future Home

- We are creating Hart's Mill for ourselves; we are not commercial developers
- Currently we have about 45 members
- We have a very personal long-term interest in creating a livable community
- We want to be good neighbors

Our Model

Hart's Mill is being designed and organized in a way that is different from a conventional residential development, as distinguished by our:

- Guiding principles
- Legal structures
- Governance method
- Site plan design
- Guiding Principles

Social: create a diverse and collaborative community
Environmental: restore and protect ecosystems
Economic: adopt simpler, less expensive lifestyles and enable income-generating activities
Service: become a model for others through example, education, and outreach

Katy Ansardi continued the PowerPoint presentation:

- Legal Structures
    - Undivided ownership of all land & common facilities
    - Active management by the community association
    - At least 80% of homes will be owner occupied
    - Common ownership of up to 20% of homes for transition housing
    - Farm/forest operating agreements closely managed by the association
    - Conservation &/or farm preservation easements
    - Dynamic Self Governance

Hope Horton resumed the PowerPoint presentation:

- Developed in a business context to promote transparency, equivalence and efficiency
- Increasingly being applied in cohousing communities
- We have invested in community-wide training and ongoing consulting
- Has proven to be a very effective method for organizing and achieving our goals

Katy Ansardi continued the PowerPoint presentation:

- Village Plan
- Village Site Plan Detail
- Village Street
- Energy: An Integrated Approach

Reduce demand

- Superinsulated building envelopes
- Climate responsive design (solar, wind, humidity)
- High efficiency equipment
- Operational and lifestyle choices

Produce energy onsite

- Stand-alone and building-integrated photovoltaics
- Solar hot water
- Water Supply

Reduce domestic & irrigation demand

- Low-flow plumbing fixtures
- Rainwater catchment & design for infiltration
- Climate-sensitive landscape design
- Lifestyle choices

Provide for fire protection

- Distributed small ponds to supplement hydrants
- Access to large pond with standpipe
- Keep option open for community well, if needed
- Farm and Woodland

Michael Hughes, Civil Engineer for the Hart's Mill project, said he has expertise in water supply engineering, and waste water conveyance and engineering. He said he is willing to

answer any questions regarding the water supply, the lot layout or roadway design, or the septic system.

Chair McKee said it seems there is sufficient access for emergency vehicles to enter but asked for clarification regarding space for emergency vehicles to turn around. He also asked if Michael Hughes could clarify the purpose of the supplemental hydrants.

Michael Hughes said the Efland Fire Department expressed excitement that the Hart's Mill plan included fire hydrants. He added that the Fire Department said the pond was very important as a means to get water into the pumper trucks in the case of a fire. He said the Fire Department asked for an access road to the pond specifically for their trucks. He said this was accommodated. He said the stand pipe is a pipe that is accessible to the pumper truck to retrieve water from the pond. He said the other hydrant that was requested is one that can be flowed to refill the pond, as necessary during those times.

Katy Ansadi resumed the PowerPoint presentation:

Purposes

- Provide food & fiber for the community
- Practice & demonstrate restorative, sustainable approaches to agriculture and silvaculture
- Provide employment opportunities on the land

Characteristics

- Small-scale, integrated plant & animal systems
- Farmstead structures: barn, workshop, sheds, greenhouse, farmhouses
- No onsite retail sales

Hope Horton completed the PowerPoint presentation:

Hart's Mill Village & Farm provides many benefits to Orange County:

- Open space and farmland preservation
- Low-impact development that protects natural resources & reduces demand on infrastructure
- Variety of efficient housing choices for all ages
- Live/work opportunities
- Innovative model for future development

Commissioner Dorosin asked if he were interested in owning one of these homes what would he actually own.

Katy Ansadi said he would own his home and he has rights to utilize his "yard". She said the yard is common space but it is limited common space.

Commissioner Dorosin asked if the home owner would be required to maintain this grassy area.

Katy Ansadi said that is yet to be determined by the Home Owners Association.

Commissioner Dorosin asked for explanation of the process of becoming a resident.

Katy Ansadi said it will be a self-selecting process. She said there is a group that has tiers from exploratory members to those who are fully engaged in the process. She said as the next phase of building and selling begins people who come forward will be seriously interested in the concept and lifestyle.

Commissioner Dorosin said there are other co-housing developments in Orange County and he asked if these developments have the same condominium type model or something different.

Katy Ansadi said there are different models in Orange County. She said this project will likely have a modified condominium structure that will act as a housing cooperative as much as possible.

Commissioner Price said that the properties have yet to be sold and asked if shares will be sold in a certain way. She asked if one wanted to move into the community would one go directly to an owner or would there be a vetting process.

Katy Ansadi said this process is not yet clearly defined.

Commissioner Price said there are beavers in the area and asked if the group had any plans regarding the animals.

Katy Ansadi said it is felt that the beavers are far enough away at this time to leave them alone.

Commissioner Price said there is bus service near the proposed site. She also asked if there could be clarification regarding the stated desire for no curbside recycling.

Katy Ansadi said the community is committed to recycling but trucks going through the site are undesirable. She said there will be a common pick up area toward the entrance of the development, as can be seen on page 229.

PUBLIC COMMENT:

Hope Horton said she had no further comment.

Daniel Steenwike said he is a property owner, adjacent to the proposed site. He said the community is welcomed to the area, and he is glad that this is a sustainable living community.

A motion was made by Commissioner Price, seconded by Commissioner Burroughs for the Board to:

- Refer the matter to the Planning Board with a request that a recommendation be returned to the County Board of Commissioners in time for the **September 1, 2015** BOCC regular meeting.

VOTE: UNANIMOUS

A motion was made by Commissioner Price, seconded by Commissioner Burroughs to:

- Adjourn the public hearing until **September 1, 2015** in order to receive the Planning Board's recommendation and any submitted written comments.

Commissioner Dorosin asked if a decision was reached regarding the quarterly public hearing process.

Chair McKee said it was discussed in a work session but no conclusions were reached.

Craig Benedict, Orange County Planning Director, said on June 2nd an amendment outline of guidelines for this process will be brought to the BOCC for discussion. He added that any changes that the BOCC approves will not apply to the amendments in front of them this evening.

VOTE: UNANIMOUS

A. ADJOURNMENT OF PUBLIC HEARING

A motion was made by Commissioner Burroughs, seconded by Commissioner Rich to adjourn the meeting at 9:59 p.m.

VOTE: UNANIMOUS

Earl McKee, Chair

Donna Baker
Clerk to the Board

July 31, 2015

To: Orange County Planning Department

From: Hart's Mill, LLC

RE: **Hart's Mill Master Plan Development/Conditional Zoning Application**
Organizational & Operational Model

How will the land and infrastructure be owned and managed?

The entire parcel of land will remain in common, undivided ownership, much of it permanently protected by covenant restrictions, conservation easements and/or agricultural easements. All shared infrastructure such as water lines, wastewater systems and central solar panels will be owned by the community association as a whole and managed by an elected board.

Residents will have limited rights to private use and enjoyment of defined areas of land immediately adjacent to their homes. Some portions of community association land and farm structures may be leased to individuals, small businesses or nonprofits for the purpose of small-scale sustainable agricultural and forest production.

The community board will be responsible for the financial and physical management of all of the land and infrastructure. Residents may opt to maintain the yards around their homes in compliance with adopted standards.

How will housing be owned and maintained?

The majority of homes will be owner-occupied. A small portion of homes and suites will be available for rental. There will be restrictions on subleases and long-term rental of individually-owned homes. Residents will be responsible for the maintenance of the interior of their homes and the community association will be responsible for exterior maintenance.

Who can buy into or live at Hart's Mill? What is the process for entry?

Our legal documents will specifically prohibit housing discrimination for all State and Federal protected classes, and we plan to incorporate universal design principles for accessible housing. We seek diversity in attributes such as age, family composition, income, ethnicity, spiritual beliefs, skills and abilities because we believe this creates a more vibrant and resilient community.

Homes will be offered for sale and lease to the general public. At the same time, we will place reasonable restrictions in our covenants and agreements to ensure that residents of Hart's Mill are committed to our central values of environmental stewardship and social equity and are willing to embody them in their daily lives. Requirements may include energy and water conservation practices, recycling and composting, use of non-toxic household/garden

chemicals, etc. The implementation and enforcement will be spelled out in our bylaws. All residents, to the extent capable will be required to actively participate in the governance and operations of the community. This will include a requirement for residents to contribute a minimum number of hours to community activities each month according to abilities and interest.

How are you addressing affordability?

Hart's Mill is being organized according to a model which takes a comprehensive, long-term approach to affordability. We seek to create a mutually supportive, mixed-income community. Some of the features and strategies that we plan to adopt include:

- Smaller homes which are less expensive to build and to maintain
- Private suites in one or two shared homes
- Shared facilities and amenities such as laundry, commercial kitchen, workshop/crafting spaces, media and music rooms, storage spaces and guest rooms to eliminate or reduce the need for space, furnishings and equipment in individual homes
- Shared specialty and/or infrequently-used equipment
- Reduced costs and improved security for energy and food from onsite production
- Carpooling and shared vehicles to reduce the need for families to own a second car or truck and to reduce commuting costs
- Opportunities for in-kind contributions in lieu of a portion of cash payments
- Informal social support for day-to-day needs such as after-school childcare as well as emergency situations such as accidents and illnesses
- Frequent shared meals which reduce both cost and time, especially for working parents
- Emergency financial fund for short-term loans to residents

What happens when someone leaves Hart's Mill?

A homeowner leaving Hart's Mill may sell their home to the general public provided that the buyer accepts all required covenants and agreements. At the same time, the community reserves the first right to purchase homes under certain circumstances (such as foreclosure).

July 31, 2015

To: Orange County Planning Department

From: Hart's Mill, LLC

RE: Sample Covenants and Restrictions

Hart's Mill has not yet adopted formal legal covenants and restrictions for the planned community. The following are examples of the type of provisions that are expected to be put in place to ensure that the community is safe and attractive, and is aligned with its values, mission and aims.

> ***Mission:***
> To actualize Hart's Mill Village and Farm as an agrarian intentional community: restorative in its agriculture, sustainable in its designs and practices, collaborative in its social and work life, and celebratory and creative in all that we do.

Note: The term "Yard" as used below refers to the limited common area immediately surrounding each Dwelling for which the Owner of the Dwelling has more exclusive rights to use and enjoy. There will be no subdivision of separately owned lots or yards in the development.

EXTERIOR INSTALLATIONS, STORAGE AND TRASH

Utilities. All electric, television, radio and telephone line installations and connections from the Owner's property line to the Dwelling Unit shall be placed underground. All types of exterior refrigerating, cooling or heating apparatus must be concealed or integrated into the architectural design. Building integrated solar thermal and photovoltaic systems are encouraged.

Fences. The design, type of construction, and location of fences must be approved by the Design Review and Land Use Committee.

Restrictions on Signs and Advertising Devices. No sign, poster, billboard, advertising device or display of any kind shall be erected or maintained anywhere within The Property that does not comply with local sign codes, ordinances, and regulations and without prior written approval by the Land Use Committee.

Outside Installations. Any outside installation of antennas such as TV or wireless, or any projection on any physical structure including such things as sports apparatus but excluding chimneys and vent stacks shall fall under the guidelines of the Design Review Committee. Satellite dishes may be installed within The Property so long as such installation is approved by the Design Review Committee and the Land Use committee. Clotheslines may be installed on the side or back of an Owner's Yard, and are encouraged to save energy.

Personal Storage. Storage of personal items; small equipment of small recreational vehicles and equipment; or any such personal property must be stored within the Owner's Dwelling, or in the Owner's storage locker or shed. Any storage by an Owner outside of these personally owned areas can be done only with approval from the Land Use Committee.

Garbage, Trash and Recycling. All trash, rubbish, garbage, or other waste materials shall be kept in an appropriate sanitary, enclosed container on the Owner's Yard or in the approved recycling, composting and/or trash collection areas. The Community Association will provide for trash collection, recycling, and composting for the Property. No scrap or refuse such as lumber, trimmings from shrubs and trees, metals, bulk materials, or any kind of trash or waste material shall be kept, stored, or allowed to accumulate on any portion of The Property or upon any Owner's Yard except within approved enclosed structures or appropriately screened areas identified by the Land Use Committee.

The intent of the restrictions stated herein is to stay aligned with the ecological and energy goals and purposes of the community and land, and to avoid unsanitary, unsightly, or offensive conditions that might be a detriment to the Property, the people on the Property, and adjacent land and peoples. Each Owner shall keep his or her Yard at all times in a neat and clean condition.

VEHICLES AND ACCESS

Vehicular Parking and Storage. No vehicle, house trailer, camping trailer, camper, camper shells, boat trailer, hauling trailer, boat or boat accessories, truck larger than 3/4 ton, recreational vehicle or equipment, or commercial vehicle may be parked or stored anywhere within the Property except on designated parking spaces or at places defined by the Land Use Committee.

No household shall park more than the designated vehicles per household on the Property without prior written permission by the Land Use Committee.

Parking is allowed only in the designated parking areas and car shelters. No parking is allowed on landscaped areas, Common Areas, pedestrian ways, or access roads.

Vehicle Maintenance and Storage. All vehicle maintenance activities must occur within the auto workshop or parking areas. No abandoned, unlicensed, wrecked or inoperable vehicle of any kind shall be stored or parked within the Property except in garages or except in emergencies.

Pedestrian Ways. Pedestrian ways are intended for vehicular use only in rare situations when direct access is required by emergency, utility, and maintenance vehicles and moving vans. At no time can the pedestrian ways be obstructed in any way. It is the intent of the Association and these covenants that the pedestrian ways be used exclusively by people on foot and non-motorized or very small electric vehicles such as bicycles, strollers, wheelchairs and golf carts.

Emergency Easements. A nonexclusive easement for ingress and egress is hereby granted to all police, sheriff, fire protection, ambulance, and other similar emergency agencies or persons, now or hereafter servicing the Property, to enter upon any part of The Property in the performance of their duties.

ACTIVITIES

Actions upon the Property. No noxious or offensive activity shall be conducted upon the Property or any part thereof, nor shall anything be done or maintained thereon which may be or become an annoyance or nuisance to the neighborhood or which does not reflect the goals and values of the Community Association. Examples given here are not intended to define or restrict the intent of this

Article. These examples are drawn from other communities and include: habitually barking or howling dogs; glaring light; noisy or smoky vehicles; unlicensed off-road motor vehicles; or activities that interfere with television/radio reception or block solar access.

No Hazardous Activities. No activity shall be conducted on any portion of The Property which is or might be unsafe or hazardous to any person or property. Without limiting the generality of the foregoing, no open fires shall be lighted or permitted on any portion of the Property except in a contained space while attended and in use for recreational and/or cooking purposes or within a fireplace designed to prevent the dispersal of burning embers.

ANIMALS

Household Pets. The Land Use Committee guides its actions and decisions in matters of pets and animals with an intent to integrate animals into the community and onto The Property in a way that is aligned with the Association's goals and purposes that respects the Property and preserves its wild inhabitants and its natural or landscaped state. The intent of the Land Use Committee and this Paragraph is not to prevent any Owner from having an animal but rather to monitor the number and kinds of animals and their impact and compatibility with The Property and the community on an ongoing basis.

The Land use Committee must be notified of any animal kept on the Property. Animals must be approved in writing by the Land Use Committee. The only exceptions to these are animals such as birds, fish or reptiles that are kept within an Owner's Dwelling Unit that have no outside needs or use.
Any animal that needs the Common Areas for housing such as horses, goats, chickens requires that the Owner submit plans for the animal's care and maintenance for written approval by the Land Use Committee before the animal can be brought onto the Property. Animals (except wild) shall not be allowed to run at large within the Property but at all times shall be under the control of the owner or the Association member responsible for their care. Any animals on the Property shall be cared for and their living area maintained so they are healthy, not neglected in any way, and do not become a nuisance to others. All household pet litter in the Common Areas shall be cleaned up immediately by the owner or caretaker in charge at the time. Animal living areas shall be maintained so that they do not become an odorous or visual nuisance.

Animals belonging to or being cared for by any Owner or his or her Guests within the Property must abide by the provisions stated herein.

MAINTENANCE

Maintenance of the Common Areas. The Association shall provide for the repair, maintenance and/or replacement of the Common Areas located within the Property. Without limiting the generality of the foregoing and by way of illustration, the Association shall keep the Common Areas safe, attractive, clean, functional and in good repair and may make necessary or desirable alterations or improvements thereon.

No planting or gardening shall be done, and no fences, hedges or walls shall be erected upon said Common Areas to benefit a Dwelling Unit, except such as are installed in accordance with the initial

construction of the Dwelling Unit or as approved by the Land Use and Design Review Committee. If such improvements are made to the Common Areas, then such improvements must be maintained by the Owner of the Dwelling Unit benefitted in a manner acceptable to the Community Association. In the event the Owner shall fail to maintain such improvements in a manner acceptable to the Community Association, the Community Association shall have the right and duty, after Notice and Hearing, to remove the improvement and restore the Common Areas to a condition compatible with the remainder of the Common Areas.

Maintenance of the Yards and Dwelling Units. To provide and maintain exterior harmony for all of the Dwelling Units located within The Property, the Community Association shall maintain and repair the exterior of the Dwelling Unit located within The Property to include but not be limited to the painting, repairing, replacing and maintaining of roofs, gutters, down spouts, exterior building surfaces, patios, decks and perimeter fence. Such maintenance shall not include the maintenance, repair or replacement of glass in doors or windows or screened surfaces, entry door or door frames or hardware, all of which shall be the sole responsibility of the Dwelling Unit's Owner.

The maintenance obligation on the part of the Community Association shall apply to such maintenance required by ordinary wear and tear and shall not apply to maintenance, repair or restoration resulting from willful neglect or destruction.

All other Dwelling Unit maintenance and repair shall be the sole responsibility and at the sole expense of the Owner. Each Owner shall be responsible for maintaining the landscaping upon the Yard surrounding his or her own Dwelling Unit. All landscaping and maintenance thereof must comply with the Rules, Regulations and Guidelines established by the Land Use Committee and be in compliance the approved landscape plan.

An Owner may elect to turn over maintenance of landscaping on the Yard surrounding his or her Dwelling Unit to the Association. A written agreement and payment of an additional maintenance fee are required.

Maintenance of Drainage Pattern. There shall be no interference with the established drainage pattern initially established by the Declarant over any of the Yards and Common Areas within the Property, except as approved in writing by the Land Use Committee. Approval shall not be granted unless provision is made for adequate alternate drainage. The established drainage pattern shall mean the drainage pattern which exists at the time the overall grading of any property is completed by the Declarant and shall include any established drainage pattern shown on the plans approved by the Land use Committee. The established drainage pattern may include the drainage pattern from the Common Areas over any Yards with The Property and from any Yard within The Property over the common Areas, or from any Yard over another Yard.

michael m. hughes, p.e.

Civil Engineer

July 31, 2015

Michael D. Harvey AICP, CFO, CZO
Current Planning Supervisor – Planner III
Orange County Planning Department

Re: Harts Mill Water System Design

Dear Mr. Harvey:

There has been some deliberation about the extent of fire protection for the Harts Mill Village afforded by the Orange Alamance Water System (OAWS) and the sizing of the water mains within the village. The purpose of this letter is to describe some of the constraints when considering pipe sizing for Harts Mill.

The principal purpose of the proposed water supply connection to the OAWS system for Harts Mill Village is the provision of domestic potable water for the residences. OAWS provides potable water to approximately 3,450 rural customers in the area around the Harts Mill Village.

OAWS provides water via a network of underground pipes. The primary network water mains that would supply Harts Mill consist of a 12" pipe along US 70 from the water tower to intersection of Frazier Road, and a 6" waterline up Frazier Road which extends beyond the Harts Mill Village to serve customers north of Lebanon Road. The system pressures are maintained by the elevated water tower at theOAWS office at 5900 US-70, Mebane, NC.

The principal mission of OAWS is the provision of high-quality potable water, the physical and chemical characteristics of which are regulated by the USEPA. As a result the OAWS water network has not been designed and constructed for fire protection.

Unlike municipal systems which serve high-density land-use with residential and commercial water taps on the water mains every hundred feet or so, OAWS serves a low density rural community with water tap connections that may be many hundreds, or thousands, of feet apart. The water quality throughout the pipe network is regulated by the USEPA, and is directly proportional to the age of the water which, in turn, is a function of the amount of water withdrawn from the pipes by its customers. The less water that is withdrawn from the mains causes an increase of the age of the water (in the mains) as it travels from the supply (water tower) to the customer. Unlike wine, the quality of the water in the mains degrades with age as disinfectants lose their effectiveness and the natural chemical constituents in potable water have an increased opportunity for transformation.

All water systems in the United States including OAWS are monitored by the USEPA and seek to achieve regulatory requirements for water quality by minimizing the age of the water in the mains. In rural systems like OAWS this results in smaller mains because demand for water (i.e. the withdrawal of water from the mains) is much, much lower than that of its municipal counterparts.

8112 Orange Grove Road **Chapel Hill, NC 27516** **(919)270-6462**

michael m. hughes, p.e.

Civil Engineer

Municipal systems with greater water demands intrinsically have larger diameter mains and the larger diameter pipes also provide adequate supply for fire hydrants; whereas the smaller diameter water mains in the rural systems (by design for water quality purposes) are at a disadvantage where fire protection via hydrants is concerned.

In the case of Harts Mill since the water main in Frazier Road is 6" and pressure is regulated by the elevated storage tank on US70, all designed for water quality, there is no benefit to upsizing the water system within the Village to 8" pipes for the provision of adequate fire flow at the hydrants. The constraint is the network providing the water to the village. The fire flow capacity at the hydrants in the village will be the same with either 6" pipes or 8" pipes as the backbone for the residents.

To the contrary, if 8" water line were installed in the village the residents of Harts Mill would experience a degradation of water quality until the community is fully built out because they will not withdraw enough water from the system to keep the age of the water in the pipes to a minimum.

For these reasons, inasmuch as OAWS has indicated that they do not have plans to upgrade the water mains in US-70 or Frazier Road, the most appropriate pipe size for the backbone of the water system in Harts Mill Village is 6". The permit drawings we submitted show that those pipe sizes drop to 4" when the aggregate number of residence withdrawing water diminishes further into the project; again for water quality purposes.

The volunteer fire department has indicated that the 6" mains with hydrants will be acceptable to them, knowing the amount of water that they would expect from the hydrants is limited. They have indicated that their primary supply of firefighting water will be the onsite pond which is how they operate in this fire district.

The fire hydrants that the volunteer fire department requested are only there as a backup to the pond, and they indicated that they have the means and methods to utilize those hydrants, even with their limited capacity, as needed.

We hope that this clarifies the considerations in the design of the water system for Harts Mill, please feel free to call or e-mail if additional information or clarification is required.

Very truly yours,

Michael M. Hughes, PE

8112 Orange Grove Road **Chapel Hill, NC 27516** **(919)270-6462**

michael m. hughes, p.e.

Civil Engineers

July 31, 2015

Michael D. Harvey AICP, CFO, CZO
Current Planning Supervisor – Planner III
Orange County Planning Department

Re: Harts Mill Sewer System Design

Dear Mr. Harvey:

Some questions have been raised about wastewater disposal for the Harts Mill Village and they are centered about four general areas.

These questions are addressed in the paragraphs below.

1) ***What is the appropriate solution for Harts Mill, a single large field for the entire community or smaller, either individual or clustered fields?***

The answer is tightly coupled to the overall site design objectives and goals. Either answer could be correct depending on several factors. The Harts Mill Village by design is pedestrian centric, with dwelling units in close proximity to each other, maximizing open space, with an emphasis on low impact development.

These goals create a design concept which condenses the overall footprint of the community leaving the greater area of the parent tract for conservation and passive activities. The manifestation of this design is that the provision of individual or clustered septic fields and the associated tanks becomes a spatially challenged, if not impracticable and costly exercise.

The better solution for a tightly-clustered village like the current design for Harts Mill is a centralized sewage collection system resulting in a single larger diameter sewer pipe for the village. In contrast, individual or clustered septic fields if utilized would require a web of individual sewer pipes, which out of necessity would be side-by-side, difficult to access and maintain, with cleanouts at each bend, ultimately radiating from the village boundary to the smaller scale septic fields.

Individual or clustered fields would also introduce other issues that are inconsistent with the goals of the community. First, the location of the septic tanks, with appropriate access for cleanout by heavy trucks, becomes problematic considering setback requirements if they are located close to the home, and potential solids deposition in pipes if they are located further away from the homes. Secondly, the footprint of the community would have to be larger with either individual or clustered systems with more space between the homes for piping and tankage.

8112 Orange Grove Road **Chapel Hill, NC 27516** **(919)270-6462**

michael m. hughes, p.e.

Civil Engineers

In conclusion, the single large field for the entire community negates these challenges and is most appropriate because of how it fulfils, and is in harmony with, the overall site design and community goals.

2) ***What are the risks of failure?***

The risk of failure for any of the alternatives is measureable without appropriate monitoring and maintenance. The advantage to the single larger system for the entire community is that not only will it be required by State permit to be monitored monthly by a certified operator, but also the liquid dosing of the array of fields is sequenced by an automated control system minimizing the risk of failure, and evenly distributing the septic tank filtered waste water over the entire disposal area. This is not the case with individual systems. The larger system for the entire community will by design have an overall lower risk of failure for these reasons.

3) ***How would repair areas be managed?***

Drawing on the challenges discussed in the first question for individual or clustered systems, the repair areas are much more difficult to arrange and access for these systems. The footprint of the community out of necessity would have to be larger with either individual or clustered systems with the primary and repair septic areas much more proximal to the homes.

In contrast the repair area of the large community based system is much easier to access with piping and effluent distribution systems and, as a result, less costly. With individual or clustered systems, the maintenance (pumping) is not overseen by a licensed operator and they are more likely to need repair sooner than the community system. When they fail the process of repairing the individual systems is much more invasive and problematic for the community. The centralized solution in this instance negates these challenges.

4) ***Which is less expensive?***

The capital cost of the community system is expensive inasmuch as it all needs to be constructed upfront, and because of the State regulatory requirement to be monitored monthly by a certified operator, it is more expensive to operate. However, because of economies of scale, the cost per individual household is less for the larger community system taking into account of the aggregate costs of individual tanks and fields, and the additional piping and land area required because of the need to expand the footprint of the community for the individual or community systems.

We hope that this clarifies the considerations in the design of the waste water system for Harts Mill, please feel free to call or e-mail if additional information or clarification is required

Very truly yours,

Michael M. Hughes, PE

8112 Orange Grove Road **Chapel Hill, NC 27516** **(919)270-6462**

Michael Harvey

From: Jason Shepherd
Sent: Wednesday, August 05, 2015 8:14 AM
To: Michael Harvey; Craig Benedict; Howard W. Fleming; Kevin Murphy (kevin@newphirebuilding.com); James Groves; Alan Clapp; Deputy Chief Pete Hallenbeck
Cc: John Roberts; James Bryan; Anne Marie Tosco; Dan Bruce; David Sykes; Elizabeth Gregory; Jason Shepherd
Subject: RE: Response from Harts Mill on water line and wastewater disposal concerns

Michael,

Comments are on the water system design:

1. What I read in this document was the Orange Alamance Water System (OAWS) was never designed or constructed for fire protection. My question to the engineer/OAWS, If that was the intent of the design, why would you install a fire hydrant on the system in the first place and subsequently install additional hydrants?
2. Why didn't the engineer reach out to the Fire Marshal for comment and review for fire protection needs in Orange County?
3. NC Fire Code is specific and requires there to be an approved water supply capable of supplying the required fire flow for fire protection of buildings constructed or moved into within the jurisdiction. This requirement is applicable to the OAWS and any construction that expands from their water system is required to meet the fire flow requirements to protect those buildings. The insurance service office (ISO) is the grading/rating that fire departments categorize for their capability and resources. A majority of that grade is the water supply in the fire district and the capability of that department to meet fire flow requirements of structures within their jurisdiction. If this water system is "not designed" as indicated in the letter from Michael M. Hughes, P.E., I would like to know how that statement meets the intent of the code? My interpretation is that it does not and I would like to see a plan of action for infrastructure design to meet the intent of the code for purposes of fire protection. The link below has on page 3, code requirements for the water system to be maintained in an operative condition at all times and shall be repaired where defective, section 507.5.2. My understanding from the letter is that it doesn't meet that code requirement and again, I'd like to see a plan of improvement.
4. Permit drawings were mentioned as being submitted as indicated in paragraph 10. The Harts Mill water system is required per the fire code in chapter one (1) to be permitted, reviewed, approved and inspected from the Fire Marshal when there is an installation of a private fire service main. I haven't seen any construction submittals from this project. The permitting takes place at the building inspections department, 131 W. Margaret Lane, Hillsborough, NC 27278. The review will be conducted utilizing NC Fire Code and applicable NFPA Standard, 24 and (NFPA 1142 for the installation of the dry pipe for the static water source).
5. Please have OAWS provide the Fire Marshal Division (attention Jason B. Shepherd, Fire Marshal) with documentation of the most recent water supply test of the water supply system as indicated in Section 507.4 of the NC Fire Code. See link page 3 for reference http://ecodes.biz/ecodes_support/free_resources/2012NorthCarolina/Fire/PDFs/Chapter%205%20-%20Fire%20Service%20Features.pdf

If there is any other question, follow up or future discussion regarding the OAWS, please include the fire marshal in those discussions.

Thank you for the opportunity to comment on this subject.

Michael Harvey

From: Katy Ansardi <katy@resultworks.com>
Sent: Wednesday, August 05, 2015 9:25 AM
To: Michael Harvey
Cc: Hughes Michael
Subject: Re: Response from Harts Mill on water line and wastewater disposal concerns

We will review these comments. Are we confirmed for a meeting at your office tomorrow at 2:30p?

Katy

Sent from my iPhone

On Aug 5, 2015, at 8:55 AM, Michael Harvey <mharvey@orangecountync.gov> wrote:

> Mike/Katy: here are some follow up questions from the fire marshal. Without putting words in his mouth I believe the issue is not **if** a 6 inch line could provide adequate fire suppression but such a determination cannot be made until construction drawings are submitted for review for compliance with applicable code.
>
> Jason and Emergency Services is fully aware of our processes and what approval of the rezoning petition would mean. Having said that both he and I believe there are questions you can provide responses to as we move forward with the review of this project. Both the County Fire Marshal and I are aware that some of the attached questions are best addressed by OAWS, which I will assume responsibility for getting answers to.
>
> Thanks.
>
> Michael D. Harvey AICP, CFM, CZO
> Current Planning Supervisor – Planner III
> Orange County Planning Department
> 131 West Margaret Lane
> PO Box 8181
> (919) 245-2597 (phone)
> (919) 644-3002 (fax)
>
> Pursuant to North Carolina General Statute 132, correspondence sent and received from this account is a public record and may be disclosed to third parties.
>
> ---
>
> **From:** Jason Shepherd
> **Sent:** Wednesday, August 05, 2015 8:14 AM
> **To:** Michael Harvey; Craig Benedict; Howard W. Fleming; Kevin Murphy (kevin@newphirebuilding.com); James Groves; Alan Clapp; Deputy Chief Pete Hallenbeck
> **Cc:** John Roberts; James Bryan; Anne Marie Tosco; Dan Bruce; David Sykes; Elizabeth Gregory; Jason Shepherd
> **Subject:** RE: Response from Harts Mill on water line and wastewater disposal concerns
>
> Michael,
>
> Comments are on the water system design:

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5. Please have OAWS provide the Fire Marshal Division (attention Jason B. Shepherd, Fire Marshal) with documentation of the most recent water supply test of the water supply system as indicated in Section 507.4 of the NC Fire Code. See link page 3 for reference http://ecodes.biz/ecodes_support/free_resources/2012NorthCarolina/Fire/PDFs/Chapter%205%20-%20Fire%20Service%20Features.pdf

If there is any other question, follow up or future discussion regarding the OAWS, please include the fire marshal in those discussions.

Thank you for the opportunity to comment on this subject.

Jason

Jason B. Shepherd
Orange County Fire Marshal
Orange County Emergency Services
Fire Marshal Division
510 Meadowlands Drive, Hillsborough NC 27278
P.O. Box 8181, Hillsborough NC 27278
Office (919) 245-6151
Cellular (919) 257-8316
Fax (919) 732-8137
jshepherd@orangecountync.gov

Michael Harvey

From: Deputy Chief Pete Hallenbeck
Sent: Tuesday, August 04, 2015 9:46 AM
To: Michael Harvey
Cc: Jason Shepherd; James Groves
Subject: Re: Response from Harts Mill on water line and wastewater disposal concerns

Regarding the wast water system: There is so much open space land that should a field fail, there are other areas that could be utilized. Other than that comment, what Mr. Hughes wrote works for me (with the understanding that this is not an area of expertise for me).

Regarding the water pipe size for the development, I see no value to an 8" pipe. The 6" pipe will be fine. As long as there is a hydrant just before the drop from 6" to 4" Efland FD is good with 6". A hydrant location by the pond and hydrants close to the structures and at least every 1000' on a 6" line will be sufficient.

Comments on Mr Hughes comments:

With regard to the statement of the departments choice of a hydrant or pond as the primary water supply:

In the event of a fire, Efland will most likely use the hydrant 1st due to the quicker set-up times. The on-site pond would be used if there was a need for a substantial amount of water at greater than 300 GPM rate. As many Firefighters know, you are either going to get a fire put out in a few minutes with two hand held hose lines at less than 300 GPM or you are going to be there a while and flow a lot of water.

With regard to the OAWS system being used for fire supression:

There has been an ongoing "discussion" between Efland FD and OAWS regarding the role of OAWS. OAWS indeed has claimed that they are not in the business of providing water for fire protection. Yet a 12" main on US 70 was installed, which is larger than needed if the goal was just providing drinking water. The initial system was purchased with a government grant. Subsequent expansion was funded by OAWS, and typically 6" lines where installed for economic reasons. This has resulted in a bit of a "Whack-a-Mole" funding scenario where OAWS saves money installing water lines, but Efland FD has to purchase an additional engine to flow the low flow hydrants on those 6" lines.

The benefit of a water system that can support fire suppression is clear, and the Habitat for Humanity subdivisions are all hydrated and sprinklered. The Ashwick subdivision developers chose to install an 8" line so that the hydrants in the subdivision would have a usable flow rate. Both Ashwick and the Habitat developments had water systems funded by the developer and not OAWS, and it is likely that this trend will continue. The recent Tinnan Road Habitat system looped back into Richmond Hills to boost the hydrant flow, which was just barely useable for fire supression. A well designed (but more expensive) system helps with the fire departments ISO rating which in turn saves homeowners money on their insurance. Another cost "Whack-a-Mole" scenario- a cheaper water bill but more expensive insurance bill.

Since water lines bring development it is not unreasonable to see a time when the older 6" lines are upgraded to a larger pipe as the growth that accompanies water systems continues. This future growth will most likely occur with the expectation that subdivisions should have hydrants, which we are already seeing. As such, a 6" for Harts Mill will provide all the flow needed to protect the planned subdivision in the future should the Frazier Rd water line be upgraded. And for now, it will provide low-flow hydrants which still have value due to the ease of use and reduced time to connect up to a pumper critical in the initial phase of fire suppression activities.

- pete

Pete Hallenbeck
Deputy Chief
Efland Volunteer Fire Dept

On Aug 4, 2015, at 8:30 AM, Michael Harvey <mharvey@orangecountync.gov> wrote:

Please review and respond, in writing, with any additional comments/concerns by Wednesday noon August 12, 2015.

Thank you

Michael D. Harvey AICP, CFM, CZO
Current Planning Supervisor – Planner III
Orange County Planning Department
131 West Margaret Lane
PO Box 8181
(919) 245-2597 (phone)
(919) 644-3002 (fax)

Pursuant to North Carolina General Statute 132, correspondence sent and received from this account is a public record and may be disclosed to third parties.

<Harts Mill Wastewater System Memo 2015-07-31.pdf><Harts Mill Water System Memo 2015-07-31.pdf>

PLANNING & INSPECTIONS DEPARTMENT
Craig N. Benedict, AICP, Director

Engineering / Erosion Control / Stormwater
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov

ORANGE COUNTY
NORTH CAROLINA

131 W. Margaret Lane
Suite 201
P. O. Box 8181
Hillsborough, NC 27278

MEMORANDUM

TO: Michael Harvey
COPY TO: Patrick Mallett, Jason Shepherd, Craig Benedict & Kevin Lindley, PE
FROM: Howard W. Fleming, Jr., PE, Engineering/Stormwater Supervisor
DATE: 08/18/15
PROJECT: **Harts Mill: Major Subdivision**
SUBJECT: **Rezoning to Major Planning Development (MPD-CZ)**
DAC-Review, 05/07/15
Proposed On-Site Water System / Adequacy for Fire Protection

ENGINEERING COMMENTS:
Stormwater review was covered in a separate memorandum dated 05/12/15.

Engineering has reviewed the subject project for adequacy of the fire protection infrastructure and spoken with the Orange County Fire Marshal, Jason Shepherd. It is our understanding from plans submitted, dated 05/13/15, that the project proposes a 6" on-site private water line, supplying three (3) on-site fire hydrants. This water system must comply with the NC State Fire Code, adopted and published jointly by The North Carolina Building Code Council and The North Carolina Department of Insurance. In that code it references compliance with National Fire Protection Association (NFPA) Standard 24 for the design of on-site fire protection systems.

From http://www.nfpa.org/about-nfpa: *Founded in 1896, NFPA is a global, nonprofit organization devoted to eliminating death, injury, property and economic loss due to fire, electrical and related hazards. The association delivers information and knowledge through more than 300 consensus codes and standards, research, training, education, outreach and advocacy; and by partnering with others who share an interest in furthering the NFPA mission.*

NFPA 24 does not currently require a line size greater than 6" for private service mains supplying private fire hydrants. There is a proposed pending revision (First Revision No. 15-NFPA 24-2013 [Chapter 5]) that would modify paragraph 5.2.1 to read as follows: *Hydraulic calculations shall show that the main is able to supply the total demand at the appropriate pressure for systems with multiple fire hydrants.* Orange County Engineering concurs with this pending revision and looks forward to its adoption. **It is the general recommendation of the Orange County Engineering staff that on-site private service mains supplying multiple fire hydrants be no less than 8" in diameter, unless engineering calculations can demonstrate otherwise.** Such an engineering standard is not yet part of the Orange County Unified Development Ordinance.

The adoption of consensus standards and integration into State codes is impossible to predict but it is fair to say it could be years before the mentioned revision to NFPA 24 paragraph 5.2.1 is adopted or even if it will be adopted as proposed.

Engineering has been assured by the Orange County Fire Marshal that, at the appropriate time, his office will require fire-flow testing and hydraulic calculations to demonstrate adequate flow at appropriate pressure for on-site private water mains supplying more than one fire hydrant. While NFPA 24 doesn't require a line size greater than 6" for private fire service mains supplying private fire hydrants, as the authority having jurisdiction, the Fire Marshal has in place construction standards that require the contractor to apply for a construction permit for private fire hydrant installation. Such construction documents must be submitted to the Fire Marshal's office for review per section 105.7.11 of the NC Fire Code. The Fire Marshal's office will look at the proposed installation, analyze current fire flow data from the existing system and compare water flow data with the projected installation and see if it can meet the intended fire flow requirements of the structure(s) serving the private property. If the current and designed system water flows are adequate for the fire flow needs of the property being protected and it is supplied with a 6" line, there is no need to require an 8" main. If the design does not meet the fire flow needs and that need can only be provided by the water system, an increase in the size of fire protection main servicing the private property would be required.

Engineering has reviewed the 07/31/15 letter from Michael M. Hughes, P.E. addressing the recommendation by this division to provide an 8" main at least to the on-site first fire hydrant. This division will continue to investigate, along with the Orange County Fire Marshal, as to how Orange Alamance Water System (OWAS) can continue to add fire hydrants to its system and yet claim that its' principal mission is the provision of high-quality potable water (only). That being said and having received assurances that our concerns as to adequate fire flow and pressure will be enforced by the Orange County Fire Marshal's office, we have no objection to the subject property being rezoned to Major Planning Development (MPD-CZ), as proposed.

Michael Harvey

From: Alan Clapp
Sent: Wednesday, August 05, 2015 5:22 PM
To: Michael Harvey
Cc: John Kase; David Ward; John R. Davis
Subject: RE: Response from Harts Mill on water line and wastewater disposal concerns

Michael,

We are fine if they want to pursue either a large system or a cluster of smaller systems.

The criteria for a large subsurface septic system (Design flow > 3000 gpd) is linked. http://ehs.ncpublichealth.com/oswp/docs/ind/LargeSubsurfaceProcedures-2013Update.pdf. If they wish to pursue a large surface discharge system then NCDENR Division of Water Resources will be the permitting agency. Their requirements are located at: http://portal.ncdenr.org/web/wq/swp.

Typically a large system has to have all components completely installed before the system can be placed into operation. The advantage to specific use or cluster systems is that you can build as you go. NCDENR Division of Water Resources does not require repair area for their systems. NC DHHS systems via the local health department do require repair area.

We will evaluate the soil/site conditions if they choose to go the subsurface system route.

Alan

Alan Clapp
Environmental Health Director
Phone: 919.245.2360 / Fax: 919.644.3006
Website: http://www.co.orange.nc.us/envhlth/index.asp
Email: aclapp@orangecountync.gov

ORANGE COUNTY HEALTH DEPARTMENT
Improving health. Inspiring change.

Please tell us how we are doing by taking this very quick survey. We appreciate your comments.

https://www.surveymonkey.com/s/ehsurvey2014-2015

From: Michael Harvey
Sent: Tuesday, August 04, 2015 8:31 AM
To: Craig Benedict; Howard W. Fleming; Kevin Murphy (kevin@newphirebuilding.com); James Groves; Jason Shepherd; Alan Clapp; Deputy Chief Pete Hallenbeck
Cc: John Roberts; James Bryan; Anne Marie Tosco
Subject: Response from Harts Mill on water line and wastewater disposal concerns

Please review and respond, in writing, with any additional comments/concerns by Wednesday noon August 12, 2015.

Thank you

Michael D. Harvey AICP, CFM, CZO
Current Planning Supervisor – Planner III
Orange County Planning Department
131 West Margaret Lane
PO Box 8181
(919) 245-2597 (phone)
(919) 644-3002 (fax)

Pursuant to North Carolina General Statute 132, correspondence sent and received from this account is a public record and may be disclosed to third parties.

Approved 8/5/15

Attachment 4

MINUTES
ORANGE COUNTY PLANNING BOARD
JULY 1, 2015
REGULAR MEETING

MEMBERS PRESENT: Peter Hallenbeck (Chair), Cheeks Township Representative; Lydia Wegman-At-Large Chapel Hill Township (Vice Chair); Tony Blake, Bingham Township Representative; Paul Guthrie, At-Large Chapel Hill Township; Buddy Hartley, Little River Township Representative; Laura Nicholson, Eno Township Representative; Lisa Stuckey, Chapel Hill Township Representative; Maxecine Mitchell, At-Large Bingham Township; Herman Staats, At-Large, Cedar Grove Township; Andrea Rohrbacher, At-Large Chapel Hill Township;

MEMBERS ABSENT: Bryant Warren, Hillsborough Township Representative; James Lea, Cedar Grove Township Representative;

STAFF PRESENT: Craig Benedict, Planning Director; Michael Harvey, Current Planning Supervisor; Perdita Holtz, Planning Systems Coordinator; Ashley Moncado, Special Projects Planner; Patrick Mallett, Planner II.

AGENDA ITEM 9: ZONING ATLAS AMENDMENT (CONDITIONAL ZONING DISTRICT): To begin review of a request to rezone 112 acres of property from Rural Residential (R-1), Upper Eno Protected Watershed Protection Overlay District to Master Planned Development Conditional Zoning (MPD-CZ), Upper Eno Protected Watershed Protection Overlay District in order to allow for the development of Hart's Mill Village within the Cheeks Township. This item was heard at the May 26, 2015 quarterly public hearing.

Presenter: Michael Harvey, Current Planning Supervisor

Michael Harvey: Reviewed abstract.

Paul Guthrie: Is it a common sewage disposal system or individual?

Michael Harvey: Common septic system with about 6 acres devoted to supporting a septic area.

Paul Guthrie: They need to carefully structure the ownership model as to who is responsible.

Buddy Hartley: If this is done like condominiums, the sewer is basically handled by the state, permitted, it could be checked, they should have an association which pays homeowners dues that takes care of the streets, etc.

Michael Harvey: I am asking you for questions or comments in the next couple of weeks, email me by July 17, 2015. This will come back to you. My goal is to bring this back at the September meeting.

Lydia Wegman: Is there any different impact when you have however many people living there in 34 units and running a farm.

Michael Harvey: They enjoy the same rights as any 112 acre parcel of property owner that lives on the property. If they are engaging in an activity otherwise, they would have to go through the appropriate review and approval process.

Maxecine Mitchell: I want to encourage us to not to knock against it. It is really neat. I was hearing all the concerns. I was thinking about neighborhoods. Let's embrace them and help them out.

Tony Blake: I agree, but this is a hybrid between a condominium and farm. There are different rules.

Pete Hallenbeck: Everyone is for this. Whatever they do, since they are creating their own zoning district, so whatever they do, they have to go back and modify that.

Buddy Hartley: Would there be any private security?

Michael Harvey: Here is my list of additional questions for the applicant. You would like to see the promotional materials and have a better understanding of how they are marketing this vision, this board would like the applicant to consider the future and additional uses they may want to include, request for a breakdown of farm uses and what they would like to do, and have you thought about security concerns or thought about security services.

Lisa Stuckey: If they use irrigation will they have enough water

Michael Harvey: Site plan shows irrigation and a pond.

Pete Hallenbeck: Email any additional questions to Michael.

August 19, 2015

To: Michael Harvey
Orange County Planning Department

From: Katherine Ansardi
Hart's Mill, LLC

RE: Hart's Mill MPD-CZ Application

The following memo and addenda are provided in response to recent comments and questions from the Orange County Planning Board.

MARKETING MATERIALS

At this point, our primary marketing vehicle is our website, which can be found at *www.hartsmill.org*. We also produce brochures to hand out at informational meetings and venues such as farmers markets and festivals. An example of a typical brochure is attached.

RECREATION

The large amount of open space in the site plan provides many opportunities for active and passive recreational activities. An extensive trail system has already been substantially completed through volunteer efforts (see attachment). In addition, the pedestrian street provides a paved surface for walking, running and biking, as well as for casual outdoor games and play activities, in a more closely supervised space.

A pier is planned for the pond to accommodate kayaks and canoes, and for fishing.

The open field just north of the pond has been designated as an active recreation area for informal playing of team games such as soccer and softball in the daytime. The village green to the immediate east of the common house will also be available for recreational activities. We will also incorporate residential-scale play equipment such as swings, a playhouse and basketball goal in common areas. There is a desire to include a small swimming pool as part of the amenities if the budget allows.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

Crime prevention through environmental design (CPTED) calls for the altering of the physical design of a community in which humans reside and congregate in order to deter crime. Design elements range from the small-scale, such as the strategic use of shrubbery and other

vegetation, to the incorporation of 'global' design of a neighborhood to maximize the ability of residents to have 'eyes on the street'.

The concept is not just landscaping but relies on the overall design of the community. Such strategies typically rely upon the ability to influence a potential offender decisions to engage in a criminal act by increasing the perceived risk of being caught.

First and foremost it is our contention that a primary goal of any residential development project is to ensure the security and safety of the residents who will be residing there. This can be accomplished through the implementation of many different individual mechanisms such as the installation of street lights, fencing, development of appropriate roadways and pedestrian pathways to allow for internal movement of residents and vehicular traffic, etc.

Generally speaking, most implementations of CPTED occur within urbanized environments. Hart's Mill is not only a small rural development, but also has many unique features which promote safety and crime prevention even though they may not strictly adhere to some of the specific recommendations in the CPTED literature.

From our standpoint, we are incorporating the concept of crime prevention through environmental design in the following manner:

1. The project has a central entrance way requiring all residents, visitors, and guests to enter and exit the project from a central roadway.

2. Individual residences are accessible only through a restricted pedestrian street and pathways. As a result, vehicular traffic in and around them is limited, thereby reducing crimes of opportunity.

3. This will be a pedestrian oriented community where walking and bicycles will be the preferred method of travel to and from individual homes and the common house. Residences are proposed to be closely clustered along the pedestrian street and will have ample windows and porches opening onto the street. This is intended not only to create a village atmosphere, but also to provide heightened visibility of residences by neighbors,

4. Some residents are expected to have home-based occupations such as telecommuting, writing, and arts and crafts; and some will be retirees. The community is being designed to encourage on-site socializing, recreation, work and hobbies rather than as a commuter neighborhood that is largely empty during the day.

5. Adjacent parking areas are proposed to be designed with low berms and shrubs that will block headlights from shining into homes while being low enough to allow clear visibility of people and larger vehicles. Outdoor lighting in and around the parking areas (as well as the rest of the village) is proposed to be strategically located to provide security and allow residents to see 'what is going on'. This lighting shall comply with County regulations and be fully shielded to reduce glare while providing visibility for safety.

Coincidentally, the current land owner of the Hart's Mill site is a retired police chief and security consultant who has previously implemented CPTED in urban and college campus environments. She concurs that our proposed approach is appropriate for this project.

We hope this addresses the concern and demonstrates our adherence to the principal.

WATER USE IN THE LANDSCAPE

Efficiently and effectively managing water in the landscape is a core principle of the permaculture theory and practice that will guide landscaping, agriculture and forestry at Hart's Mill. We are also keenly aware of the likelihood of increased frequency and intensity of drought in our area.

Hart's Mill proposes to incorporate landscape design and management strategies derived from permaculture, low impact development (LID) and xeriscaping. A brief summary of those follows, and a more detailed description is attached, along with list of drought resistant plant materials recommended for our area.

Permaculture and low impact development utilize a systems approach that emulates natural processes with distributed small-scale practices throughout the landscape. The emphasis is on simple, nonstructural, low-tech, and low-cost methods which retain rainfall in the landscape as close to where it hits the ground as possible. These include:

- bioretention areas ("rain gardens")
- vegetated swales, buffers, and strips
- rain barrels and cisterns
- permeable pavers
- impervious surface reduction

Combining water conservation techniques with landscaping is a concept known as Xeriscape or dry landscape. Xeriscape is a term coined in a Denver, Colorado program designed to promote water conservation in the landscape. While the idea began in the western United States where landscapes can be truly dry, the same water-saving principles apply to the Southeast.

Xeriscaping combines sound horticultural practices to conserve water while maintaining a beautiful landscape. The seven basic Xeriscape principles are:

1) Careful planning and design
   Take into consideration topography, drainage, microclimates, and hydrozones; limit irrigated areas

2) Appropriate, smaller lawn areas

   Utilize low-maintenance, drought-tolerant grass species in smaller areas; limit or eliminate lawn irrigation

3) Thorough soil preparation
   Amend soils with organic matter to ensure that they retain water and nutrients while also draining freely
4) Appropriate use of plant materials
   Utilize native and well-adapted species of plants, and place them appropriately in the landscape in an environment similar to their native habitat; select drought-tolerant species for unirrigated areas
5) Effective and efficient watering methods
   Where irrigation is used, employ drip, micro-sprinkler, soaker hose and/or subsurface systems which minimize water use, reduce runoff and evaporation, and provide water directly to the root zone of plants
6) Use of mulch on trees, shrubs, and flower beds
   Reduce evaporation and runoff, increase water-holding capacity of soil, improve soil structure, and moderate soil temperatures with organic mulches
7) Proper landscape maintenance
   Careful timing and implementation of tasks such as fertilizing, watering, mulching, mowing, and pruning can drastically reduce time, effort, and resource use while improving the health and beauty of the landscape

It should be noted that in addition to capturing rainwater in the landscape and utilizing other permaculture methods, a separate well will be drilled for farm related irrigation, washing and animal drinking water.

FARM ACTIVITIES

The primary purposes of the farm at Hart's Mill are to: a) provide food and fiber for residents, and the community as capacity allows; b) model sustainable forestry and agriculture practices which are in harmony with conservation goals; and c) provide livelihood for one or more farmers on the land.

Our farming practices will be based on permaculture principles and will incorporate a mixture of small scale activities including:

Vegetables: intensively managed beds and hoop houses

Fruits & Berries: integrated orchards and hedgerows

Honey Bees: we have planted pollinator species and our first two hives are already in place!

Animals: a small number of pasture-raised chickens, sheep, goats and cattle in rotational grazing to maintain a healthy ecosystem

Forestry: manage forest resources for conservation, recreation, timber, woodcraft materials, mushrooms, herbs, etc.

Attachments:

- *Trail system plan*
- *Landscape plan detail concept*
- *Pedestrian street cross-section concept*
- *Design and management for resilient landscapes*
- *Drought-tolerant plant list*

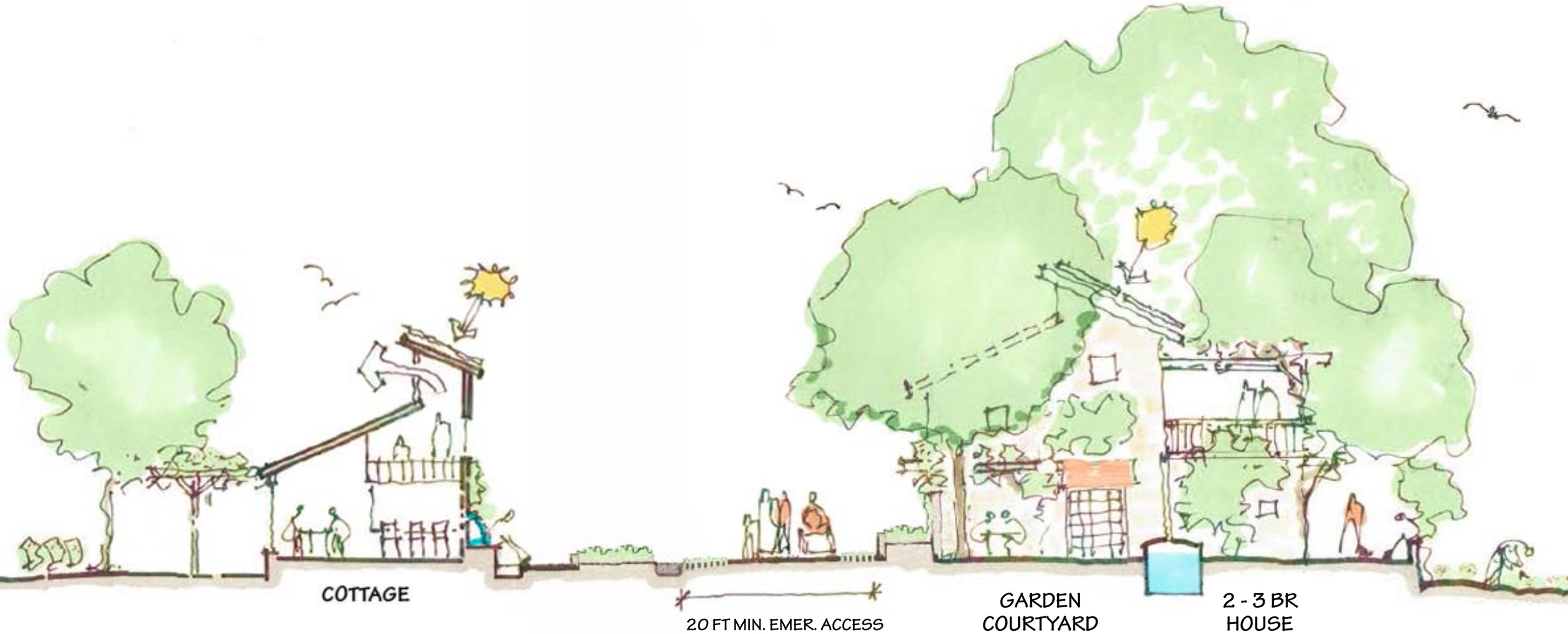
HART'S MILL TRAIL NETWORK 5/13

MEADOW
WOODS
FIELD

TRAIL
TRAIL in PROGRESS
FUTURE TRAIL

MASTER PLAN DEVELOPMENT
CONDITIONAL ZONING PERMIT (MPD-CZ)
PROPOSED SITE PLAN FOR THE

HARTS MILL VILLAGE AND FARM



PEDESTRIAN STREET

TYPICAL CROSS SECTION

DESIGN & MANAGEMENT FOR RESILIENT LANDSCAPES

LOW-IMPACT STORMWATER MANAGEMENT

Low Impact Development (LID) uses micro-scale techniques to manage precipitation as close to where it hits the ground as possible. LID is grounded in a core set of principles based on the paradigm that stormwater management should not be seen as simply disposal and that numerous opportunities exist within the developed landscape to control stormwater runoff close to the source. Underlying these principles is an understanding of natural systems and a commitment to work within their limits.

LID uses a systems approach that emulates natural processes with distributed small-scale practices throughout the landscape. The emphasis is on simple, nonstructural, low-tech, and low-cost methods. A near limitless universe of runoff control strategies, combined with common sense and good housekeeping practices, are the essence of a LID strategy.

Bioretention provides a good example of how LID management practices work. What looks like a nicely landscaped area is in fact an engineered system that facilitates depression storage, infiltration, and biological removal of pollutants. Runoff is directed to these low-tech treatment systems instead of conventional stormwater infrastructure. Bioretention areas use plants and soil to trap and treat petroleum products, metals, nutrients, and sediments. Bioretention areas, also known as "rain gardens," are relatively inexpensive to build, easy to maintain, and can add aesthetic value to a site, without consuming large amounts of land.

Other common LID practices include:

1. Vegetated Swales, Buffers, and Strips
2. Rain Barrels and Cisterns
3. Permeable Pavers
4. Soil Amendments (to improve water absorption and retention)
5. Impervious Surface Reduction

XERISCAPING

Combining water conservation techniques with landscaping is a concept known as Xeriscape or dry landscape. Xeriscape is a term coined in a Denver, Colorado program designed to promote water conservation in the landscape. While the idea began in the western United States where landscapes can be truly dry, the same water-saving principles apply to the Southeast. Xeriscaping combines sound horticultural practices to conserve water while maintaining a beautiful landscape. The seven basic Xeriscape principles are:

1) Careful planning and design
2) Appropriate, smaller lawn areas
3) Thorough soil preparation
4) Appropriate use of plant materials
5) Effective and efficient watering methods
6) Use of mulch on trees, shrubs, and flower beds
7) Proper landscape maintenance

Microclimates

Microclimates are areas within the design that have environmental conditions that differ from adjacent areas, such as the cool, shady north side of a building. Other microclimates would include the hottest places in full sun on the south side of a building. Areas that receive more water, such as rainfall runoff from the roof or low spots that collect water, should also be noted. Microclimates influence plant selection. For example, cooler, shady areas on the north side of buildings are a good environment for shade-loving plants. Some plants thrive in the cool morning sun of an eastern exposure, but wilt in the hot afternoon sun of a west-facing exposure.

Hydrozones

To achieve the greatest water efficiency, the landscape plan can incorporate “hydrozones” – areas within a design that receive either low, moderate or high amounts of water. All plants within a zone have similar water requirements and can be watered as a group. Plants groups in this way make the most efficient use of irrigation water. For example, certain planting areas may be designated low-water zones and would contain plants with low water requirements. These areas receive little or no extra water after plants are established.

Appropriate Lawn Areas

The concept of appropriate lawn areas is a key principle when designing Xeriscapes. Irrigated turf areas should be limited to the highest impact locations in the landscape. Lawn areas usually receive more water and require more maintenance than any other area in the landscape. Grasses should be carefully selected depending on location, use and desired maintenance programs.

Common Bermuda grass is among the best grass choices for very low irrigation regimes. This grass is an excellent choice for many Xeriscape designs. Several other warm-season grasses become dormant and may wilt or become brown during severe water shortages if they are not irrigated, but they will often "green-up" as soon as rains return. These non-irrigated turf areas provide useful control of erosion and provide play areas without wasting valuable water.

Soil Preparation

A basic life-support system of the landscape, soil is the medium for root growth and a reservoir for water and nutrients. Properly conditioned soil is of vital importance to the health or landscapes. Creating a good soil environment from the start will bring great dividends in the future.

A good soil is porous and will drain freely, yet retains water and nutrients in a form available to plants. Soils that are hard and compacted do not allow water and air to penetrate to the root zone, and irrigation water is often wasted as runoff. Sandy soils dry out quickly, and water and nutrients usually drain away before plants can use them. However, it is important to note that not all soils need amending. Many soils in the Southeast are already suitable for plant installation.

Addition or organic matter to the soil is the single most important method of improving soil structure. Organic matter increases water and nutrient-holding capacity, aeration, and drainage. Plants establish more rapidly when planted in well- prepared soils. They are healthier and more vigorous, and they have greater disease and drought resistance.

Types of organic matter for soil amendment include pine bark, decomposed wood chips, and composted materials. One of the most common mistakes in amending the soil is failure to incorporate sufficient organic matter. As a rule of thumb, a minimum or four inches of organic matter should be tilled into the planting bed to a depth of 12". It is important to amend the entire shrub or flower bed, not just the individual planting hole, so that plants can more easily form extensive root systems and achieve greater drought tolerance.

Trees and lawn areas, in general, do not receive as extensive amendment as shrub and flower beds; however, lawns establish more rapidly and grow stronger root systems when some attention is given to improving the soil. The type of tree to be planted dictates the level of soil improvement; for example, many flowering trees, such as dogwood, prefer a "richer" soil than pine trees, which can usually grow well with no soil improvement.

Plant Selection

Lush, green landscapes and seasonal color provided by a variety of plants are a hallmark of the Southeast. Xeriscapes can achieve this beauty while reducing water consumption. Xeriscaping does not require that landscapes become cactus gardens. However, careful planning and plant selection are important to insure the investment and longevity of landscape plants in a Xeriscape.

Any plant is a candidate for use in a Xeriscape; the key to success is how the plant is used. In general, the greatest success is achieved when plants are placed in an environment most similar to the plant's native habitat. However, many plants are adaptable and will perform equally well in different situations. River birch (Betula nigra) and bald cypress (Taxodium distichum) are

examples of trees native to low, wet areas that grow perfectly well on high ground. Determining a plant's adaptability often requires research into its cultural requirements, which must be compatible with the plant's placement in the landscape plan.

The Southeast is fortunate to have a large number of native plant species that are naturally well-adapted to our climate. Many of our most popular landscape plants are from similar temperate climates around the world and perform very well in the Southeast. Together these sources provide a large palate of plant materials from which to design a land- scape. The key to water efficiency is using these plants properly in the design, placing the plants where 1hey will perform their best without excess water.

A plant's candidacy for a Xeriscape hinges on its placement in the landscape. By combining proper plant selection with the other basic principles of Xeriscape such as improving the soil, mulching, and appropriate maintenance, water efficiency is maximized.

Note: A list of some suggested drought resistant plants for the Southeast from Clemson University is attached.

Watering Methods

The use of efficient irrigation systems is a technique inherent to Xeriscape planning. Irrigation systems should provide appropriate amounts of water at critical times. The irrigation system must be designed to correlate directly to the planting zones.

Drip and micro-sprinkler irrigation systems have many advantages.

1) They are precise

2) They keep the foliage dry, reducing fungus and mildew

3) They are simple to install and be used almost anywhere

4) They reduce water loss due to evaporation, runoff, and erosion

5) They reduce or prevent mildew and decay because water does not hit house siding

6) They supply water slowly so that puddling is not a problem

7) Because water is placed directly at the root zone, the plant's water requirements are met by using much less water than conventional methods

A soaker hose is also an economical choice for an irrigation system. The hose is small and esay for the homeowner to handle. Installation is relatively simple and the hose works well in small shrub or flower beds.

Subsurface irrigation system are both effective and economical. Evidence suggests that they create as much as a 60 percent savings in water use, and because the water is placed directly at the root zone, wet/dry cycles are reduced, resulting in deeper root growth.

Drip systems, soaker hoses, and subsurface systems have a low profile in the landscape, so vandalism is almost completely eliminated. These systems use much less water than conventional irrigation systems and create lush, green Xeriscape landscapes and gardens.

Mulching

As much as 75 percent of the rainfall landing on bare ground is lost due to evaporation and runoff. This loss can be enormously reduced when the proper mulch is utilized. Mulch helps to insure plant survival and is an important component of Xeriscapes.

The best mulches are usually fine-textured and non-matting organic materials. An organic mulch should decompose slowly, be free of weed seed, and should not be easily washed away by rainfall.

Woody landscape plants need an application of three to five inches of a good mulch. This should be applied under the plant and at least out to the drip line.

Organic mulches have many benefits in the landscape because they:

1) increase water-holding capacity of the soil
2) reduce the amount of water lost by runoff
3) moderate extreme soil temperature fluctuations
4) reduce weed competition
5) reduce the incidence of soil-nelated diseases
6) prevent soil erosion
7) reduce soil compaction, improve soil structure, and add nutrients and humus to the soil
8) create an aesthetically pleasing design feature
9) prevent mechanical damage to trees and shrubs caused by mowers and weedeaters
10) prevent splash-back and staining of house foundations and siding

Mulching increases the water-holding capacity of the soil. Soil moisture can be increased 5 to 25 percent or more above that of a non-mulched area. The amount of water lost by runoff can be reduced significantly. Fine-textured mulches conserve water by allowing water to percolate down into the soil instead of being lost to runoff.

One of the important qualities of mulching is that it moderates extreme soil temperature fluctuations. The temperature of the soil surface and that of the soil directly beneath the mulch are partially controlled. Summer heat is dissipated by the mulch and the soil is insulated from the winter cold. Therefore, plant roots are kept cooler in the summer and warmer in the winter. When plant roots are not stressed, they use less water.

Landscape Maintenance

Xeriscape designs that implement all seven principles have been shown to reduce maintenance by as much as 50 percent. There are nine main reasons for reduced maintenance. Xeriscape designs:

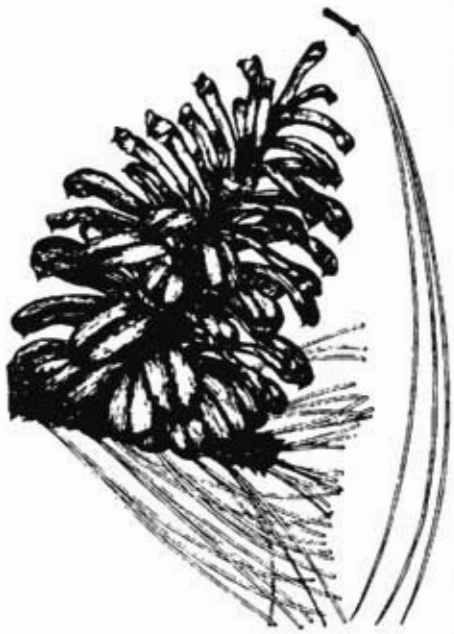
1) reduce water loss and soil erosion through careful planning, design, and implementation
2) reduce mowing by limiting lawn areas and utilizing proper fertilization techniques
3) reduce fertilization through soil preparation
4) reduce pruning of trees and shrubs through proper plant selection and through restricted applications of water and fertilizer
5) reduce replacement plants through proper watering methods and soil preparation
6) reduce weeds through proper mulching
7) reduce disease and pest problems by creating less stress on plants through the methods listed above
8) reduce irrigation through proper maintenance and selection of plants with healthier root systems
9) reduce costly damage to house/structures and foundations through proper selection, placement, and minimum watering near the house

SOURCES

Xeriscape: Landscape Water Conservation in the South, Cooperative Extension Service, Clemson University

Low Impact Development Center

Stormwater Strategies, Ch. 12 Low Impact Development, NRDC



DROUGHT-RESISTANT PLANT MATERIALS

LARGE TREES

Acer buergeranum	Trident Maple
Acer negundo	Boxelder
Alnus glutinosa	Black Alder
Betula nigra	River Birch
Carya illinoiensis	Pecan
Catalpa bignonioides	Southern Catalpa
Cedrus deodara	Deodar Cedar
Celtis laevigata	Sugar Hackberry
Celtis occidentalis	Hackberry
X Cupressocyparis leylandii *	Leyland Cypress
Fraxinus americana	White Ash
Fraxinus pennsylvanica	Green Ash
Ginkgo biloba	Ginkgo
Gymnocladus dioicus	Kentucky Coffeetree
Ilex opaca	American Holly
Juniperus virginiana*	Eastern Redcedar
Koelreuteria bipinnata*	Chinese Flame Tree
Koelreuteria paniculata*	Golden Raintree
Liquidambar styraciflua*	Sweetgum
Magnolia grandiflora*	Southern Magnolia
Pinus sp.*	Pines
Pistacia chinensis	Chinese Pistache
Populus sp.	Poplars
Pyrus calleryana 'Bradford'*	Bradford Pear
Quercus sp.*	Oaks
Sabal palmetto*	Cabbage Palm
Sapindus drummondii	Western Soapberry
Sapium sebiferum	Chinese Tallow
Sophora japonica	Japanese Pagodatree
Taxodium distichum	Bald Cypress
Trachycarpus fortunei *	Windmill Palm
Ulmus alata	Winged Elm
Ulmus carpinifolia	Smoothleaf Elm
Ulmus parvifolia	Chinese Elm
Zelkova serrata	Japanese Zelkova

SMALL TREES

Albizia julibrissin	Mimosa
Amelanchier arborea	Serviceberry
Cercis canadensis	Redbud
Cornus florida	Flowering Dogwood
Cotinus coggygria	Smoketree
Eriobotrya japonica	Loquat
Hamamelis virginiana	Witchhazel
Hibiscus syriacus*	Rose of Sharon
Ilex cassine*	Dahoon Holly
Ilex x attenuata 'Foster #2'*	Foster Holly
Ilex x attenuata 'Savannah'*	Savannah Holly
Ilex x attenuata 'Hume' *	Hume Holly
Ilex x attenuata 'East Palatka'*	East Palatka Holly
Lagerstroemia indica*	Crape Myrtle
Malus sp.	Crabapples
Osmanthus fragrans*	Tea Olive
Ostrya virginiana	Hophornbeam
Oxydendron arboreum	Sourwood
Prunus caroliniana*	Cherry Laurel
Rhus copallina	Flameleaf Sumac
Rhus typhina	Staghorn Sumac

* Plants which have been found to do well in plantings very near the coast.

SHRUBS (6-12')

Buddleia davidii	Butterfly Bush
Callicarpa americana	Beauty-Berry
Chimonanthus praecox	Wintersweet
Elaeagnus angustifolia*	Russian Olive
Elaeagnus pungens*	Thorny Elaeagnus
Exochorda racemosa	Pearl Bush
Fatsia japonica*	Fatsia
Ilex cornuta*	Burford Holly
Ilex decidua*	Possumhaw Holly
Ilex vomitoria*	Yaupon Holly
Juniperus chinensis cultivars*	Chinese Junipers
Kolkwitzia amabilis	Beauty Bush
Ligustrum japonicum*	Japanese Privet
Ligustrum x vicaryi*	Golden Privet
Loropetalum chinense	Loropetalum
Myrica cerifera*	Waxmyrtle
Osmanthus x fortunei*	Fortune's Osmanthus
Osmanthus heterophyllus*	Holly Osmanthus
Photinia glabra*	Photinia
Pittosporum tobira*	Japanese Pittosporum
Podocarpus macrophyllus*	Podocarpus
Punica granatum*	Pomegranate
Pyracantha coccinea*	Scarlet Firethorn
Pyracantha koidzumii *	Formosa Firethorn
Rhus glabra	Smooth Sumac
Sabal minor*	Dwarf Palmetto
Spirea x vanhouttei*	Vanhoutte Spirea
Viburnum plicatum tomentosum	Doublefile Viburnum
Vitex agnus-castus*	Chaste Tree
Yucca aloifolia*	Spanish Bayonet
Yucca gloriosa*	Spanish Dagger

Many of the shrubs in the 6-12' category are also pruned to grow as small trees.

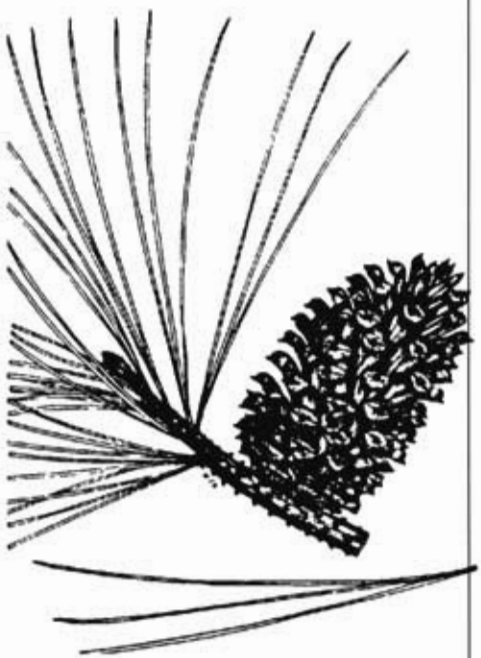
SHRUBS (4-6')

Aucuba japonica*	Aucuba
Berberis species*	Barberries
Buxus microphylla*	Japanese Boxwood
Chaenomeles speciosa*	Flowering Quince
Chamaecyparis obtusa 'Nana Gracilis'*	Dwarf Hinoki Cypress
Cytisus scoparius*	Scotch Broom
Forsythia x intermedia*	Border Forsythia
Gardenia jasminoides *	Gardenia
Hamamelis vernalis	Witch Hazel
Juniperus chinensis cultivars*	Chinese Junipers
Lantana camara*	Common Lantana
Leucophyllum frutescens*	Texas Sage
Ligustrum sinense 'Variegatum' *	Chinese Privet
Nandina domestica*	Nandina
Raphiolepis indica*	Indian Hawthorn
Raphiolepis umbellata*	Yeddo Hawthorn
Rhus aromatica	Fragrant Sumac
Rosa sp.	Rugosa Rose, Carolina Rose Cherokee Rose, Japanese Rose
Spirea thunbergii *	Thunberg Spirea

SHRUBS (1-4')

Abelia x grandiflora*	Abelia
Berberis verruculosa*	Warty Barberry
Callicarpa dichotoma	Purple Beautyberry
Ilex cornuta 'Rotunda'*	Chinese Holly

* Plants which have been found to do well in plantings very near the coast.



Ilex cornuta 'Carissa'*	Carissa Holly
Ilex vomitoria 'Nana'*	Dwarf Yaupon
Jasminum nudiflorum	Winter Jasmine
Juniperus chinensis cultivars*	Chinese Junipers
Juniperus conferta*	Shore Juniper
Pittosporum tobira 'Wheeler's Dwarf'*	Dwarf Pittosporum
Sabal etonia*	Scrub Palmetto
Salvia greggi	Sage
Yucca filamentosa*	Adams Needle Yucca

GROUND COVERS

Euonymus fortunei	Wintercreeper Euonymus
Juniperus conferta cultivars*	Shore Junipers
Juniperus horizontalis cultivars*	Creeping Junipers
Juniperus procumbens cultivars*	Japgarden Juniper
Liriope muscari *	Liriope
Liriope spicata*	Lilyturf Liriope
Ophiopogon japonicus*	Mondo Grass
Sarcococca hookerana humilis	Himalayan Sarcococca
Vinca minor	Periwinkle

VINE-LIKE PLANTS

Akebia quinata	Fiveleaf Akebia
Campsis radicans*	Trumpet vine
Clematis paniculata	Sweet Autumn Clematis
Cocculus laurifolius*	Snail Seed
X Fatshedera lizei*	Tree Ivy
Ficus pumila*	Creeping Fig
Gelsemium sempervirens*	Carolina Jessamine
Parthenocissus quinquefolia*	Virginia Creeper
Parthenocissus tricuspidata	Boston Ivy
Rosa banksiae	Lady Bank's Rose
Trachelospermum asiaticum*	Yellow Star Jasmine
Wisteria floribunda	Japanese Wisteria
Wisteria sinensis	Chinese Wisteria
Lonicera sempervirens	Trumpet Honeysuckle

HERBACEOUS PLANTS (Annuals and Perennials)

Achillea millefolium*	Yarrow
Ageratum species	Flossflowers
Anthemis species	Dog Fennels
Artemisia species	Wormwoods
Asclepias tuberosa	Butterfly Weed
Aspidistra elatior *	Cast Iron Plant
Aster x Frikartii *	Frikarti Aster
Baptista species	False Indigos
Calendula species*	Calendula
Caryopteris x clandonensis	Blue Mist Caryopteris
Catharanthus roseus*	Madagascar Periwinkle
Chrysanthemum species*	Mums
Coreopsis species*	Coreopsis
Echinacea angustifolia*	Purple Coneflower
Echinops species	Globe Thistles
Epimedium species	Epimedium
Eschscholzia californica*	California Poppy
Eustoma grandiflora*	Lisianthus
Gaillardia species*	Blanket Flower
Gaura lindheimeri	Gaura
Gazania species*	Gazanias

* Plants which have been found to do well in plantings very near the coast.

Hemerocallis cultivars*	Daylily
Hosta cultivars	Hostas
Iberis sempervirens	Candytuft
Lantana camara*	Common Lantana
Lantana montevidensis *	Trailing Lantana
Lathyrus species	Sweet Peas
Lavandula species*	Lavenders
Liatris spicata*	Spike Gayfeather
Limonium species	Sea Lavenders
Linum species	Flaxes
Lychnis species	Campions
Melampodium paludosum*	Melampodium
Oenothera species	Sundrops
Phlox species*	Phlox
Portulaca grandiflora*	Rose Moss
Rosmarinus officinalis*	Rosemary
Rudbeckia x Goldstrum*	Goldstrum Rudbeckia
Salvia species*	Sages
Santolina chamaecyparissus*	Lavender Cotton
Santolina virens*	Green Santolina
Sedum x 'Autumn Joy'*	Autumn Joy Sedum
Solidago altissima	Goldenrod
Tagetes species*	Marigolds
Thymus species	Thymes
Verbena canadensis*	Clump Verbena
Verbena tenuisecta*	Moss Verbena
Veronica species	Speedwells
Zinnia species	Zinnias

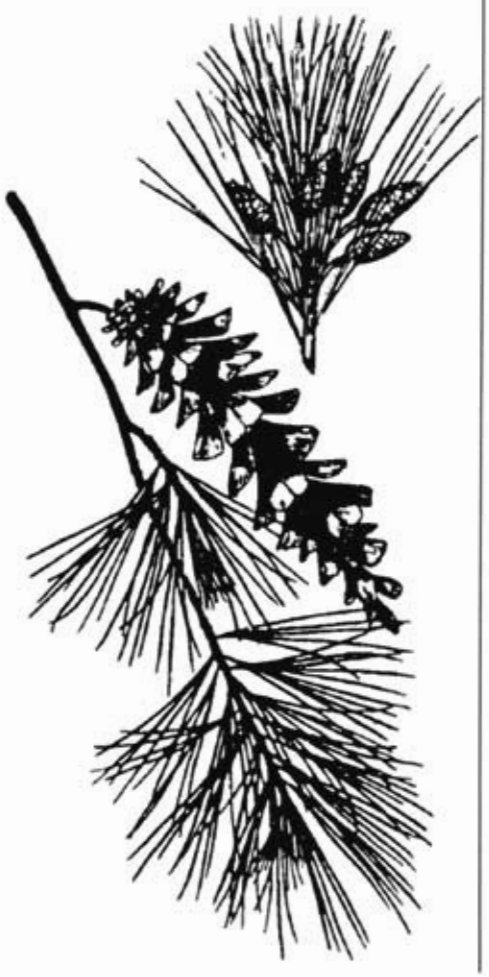
TURFGRASSES

Cynodon dactylon*	Bermuda Grass
Eremochloa ophriuroides*	Centipede Grass
Zoysia japonica*	Zoysia Grass

GRASS-LIKE ORNAMENTALS

Arundo donax*	Giant Reed
Cortaderia selloana*	Pampas Grass
Eragrostis curvula	Weeping Lovegrass
Miscanthus sinensis	Japanese Silvergrass, Eulalia
Miscanthus gracillimus	Maiden Grass
Miscanthus sinensis variegatus	Silvergrass
Miscanthus sinensis zebrinus	Zebra Grass
Panicum amarum*	Bitter Panicum
Pennisetum alopecuroides	Fountain Grass
Uniola paniculata*	Sea Oats

* Plants which have been found to do well in plantings very near the coast.



HART'S MILL
VILLAGE & FARM

HART'S MILL

Grist mill. Site of key Regulator meeting, 1766, and skirmish in 1781 that boosted the Patriot cause. Stood 1/5 mile N.

A New Farming Community
Self-Developed by Local Residents

1023 Frazier Rd, Mebane, NC

For Further Information, Please Contact

Katy Ansardi, katy@resultworks.com (919-747-3750)
Anthony Weston, weston@elon.edu (919-810-9580)
Paul Voss, paul_voss@unc.edu (919-357-7519)

Who We Are

Hart's Mill is being self-developed by a group of local people who will live here. We range in age from 20's to 70's. What we have in common is a desire to live simply in an old-fashioned neighborhood where people actually know each other and do things together. We also value self-reliance and want to raise some of our food on the land.

The Land

The property is currently owned by Alana (Settle) Ennis; it has been in her family for more than 60 years. When we started talking with Alana about building here, she told us how important it is to her for the most of the land to remain in farming, timber and conservation. That's one of the reasons that our homes will be clustered on a small area of the land. About 85% of the land will be permanently left in open space.

The Village

Most of our homes will be small privately-owned single family and duplex houses ranging in size from about 600 sf to 1800 sf. We will also have a common house for activities, as well as one or two shared homes for those who want to downsize at different stages of life. At most, there will be 30 housing units in the village.

A unique feature of Hart's Mill is that there will be no traffic on our main street! Except for moving vans and emergency vehicles, the street will be used only for walking, strolling, running, playing, and socializing. Traffic and parking will be kept to the northern edge of the village.

Here are a few other facts about Hart's Mill:

- No houses or farm operations will be visible from Frazier Rd
- Solar panels will be used to produce electricity (also not visible from the street)
- Many of us plan to work from home or on the land, reducing the need to drive
- There will be small arts and crafts studios for use by residents

The Farm & Woodlands

We plan a mix of fruit/nut trees, berries and vegetables along with a small number of pastured cows and sheep…and of course, some chickens. We expect to partner with one or more local farmers to help us manage the operation. Most of the food produced will be for our own use. There will be no sales of farm products on site.

Farm structures will include a barn, garage, workshop, greenhouse, and sheds. We are also allowing for up to two farmhouse residences separate from the village, as well as a future building for an office, workshops and meetings.

As those of you who have been down to McGowan Creek know, this place is beaver heaven! The streambeds and most of the woodlands will be permanently protected conservation areas with hiking trails.

Attachment 6

MINUTES
PLANNING BOARD
SEPTEMBER 2, 2015
REGULAR MEETING

MEMBERS PRESENT: Peter Hallenbeck (Chair), Cheeks Township Representative; Tony Blake, Bingham Township Representative; Buddy Hartley, Little River Township Representative; Laura Nicholson, Eno Township Representative; Lisa Stuckey, Chapel Hill Township Representative; Herman Staats, At-Large, Cedar Grove Township; James Lea, Cedar Grove Township Representative; Andrea Rohrbacher, At-Large Chapel Hill Township; Paul Guthrie, At-Large Chapel Hill Township;

MEMBERS ABSENT: Lydia Wegman-At-Large Chapel Hill Township (Vice Chair); Maxecine Mitchell, At-Large Bingham Township; Paul Guthrie, At-Large Chapel Hill Township;

STAFF PRESENT: Michael Harvey, Current Planning Supervisor; Ashley Moncado, Special Projects Planner;

OTHERS PRESENT: Katherine Ansardi

AGENDA ITEM 7: ZONING ATLAS AMENDMENT (CONDITIONAL ZONING DISTRICT) – To make a recommendation on a request to rezone 112 acres of property from Rural Residential (R-1), Upper Eno Protected Watershed Protection Overlay District to Master Planned Development Conditional Zoning (MPD-CZ), Upper Eno Protected Watershed Protection Overlay District in order to allow for the development of Hart's Mill Village within the Cheeks Township. This item was heard at the May 26, 2015 quarterly public hearing and was reviewed at the July 1, 2015 Planning Board meeting.

Presenter: Michael Harvey, Current Planning Supervisor

Michael Harvey: Reviewed abstract.

Michael Harvey: On page 59 there is a condition stating the community house will be limited to 3,000 square feet. The applicant is asking for that to be doubled to a maximum of 6,000 square feet so they are not limited in the future. Staff has no concerns with doubling the square footage. If there is a motion tonight to recommend approval it will need to be done as amended addressing this request.

Tony Blake: The six inch water line is adequate for service and firefighting?

Michael Harvey: The project engineer is saying the six inch line should suffice in providing water for firefighting and service. There is a pond on site for auxiliary firefighting capabilities. Jason [Fire Marshal] agreed that ultimately the size of the line will be determined at the construction drawing phase and concerns will be addressed at that time with the existing line.

Lisa Stuckey: If there are more developments along Fazier Road would that trigger a need for a larger line?

Pete Hallenbeck: It could, if someone came in and wanted to do a large development.

Lisa Stuckey: Every owner will own 1/50th share. So people will not own the unit at all?

Katherine Ansardi: We would like to do a housing cooperative and we are speaking with attorneys to understand the law in North Carolina and implications of that model. At the end of the day we might end up with a condo legal structure that is organized to operate as close to housing cooperative as possible. The land itself will not be

individually owned and if we go with the condo model people will own the interior of the units. However, with the cooperative model every member is an equal shareholder that owns all the land and buildings which provides the option for a long term lease of their unit.

Lisa Stuckey: So everyone has to be an equal owner?

Katherine Ansardi: They have to have an equal voting share.

James Lea: Can you sublease the unit?

Katherine Ansardi: We are discussing that and trying to determine that.

James Lea: What happens when someone dies?

Katherine Ansardi: You are getting into details that I don't have all the answers to. My understanding is that when someone buys into the coop they have an economic interest in the community that may be passed onto kin after they pass which they can sell. Their heir would not be automatically a member of their coop, but they would have the right to their share to be sold. The cooperative may buy that unit back.

Lisa Stuckey: Our approval doesn't relate to how they set up their ownership?

Pete Hallenbeck: Our next step is the statement of consistency which does not directly relate to ownership.

Michael Harvey: The ownership model was a concern at the public hearing because Board members wanted information of how this would be set up and the applicant is still figuring that out. They have provided additional information on page 17 and 18.

Michael Harvey reviewed the recommendation.

MOTION made by Lisa Stuckey to recommend approval of the statement of consistency. Buddy Hartley seconded.
VOTE: Unanimous

MOTION made by Lisa Stuckey to approve the ordinance of approval as amended. Laura Nicholson seconded.
VOTE: Unanimous

Attachment 7

STATEMENT OF CONSISTENCY OF PROPOSED ZONING ATLAS AMENDMENTS WITH THE 2030 COMPREHENSIVE PLAN AND/OR OTHER ADOPTED COUNTY PLANS

Hart's Mill LLC and Ms. Alana Ennis, owners of a 112 acre parcel of property within Orange County, have initiated an amendment to the Orange County Zoning Atlas, as established in Section 1.2 of the Orange County Unified Development Ordinance (UDO) to rezone property:

From: Rural Residential (R-1), Upper Eno Protected Watershed Protection Overlay District, Special Flood Hazard Area (SFHA) Overlay District.

To: Master Plan Development Conditional Zoning (MPD-CZ), Upper Eno Protected Watershed Protection Overlay District, Special Flood Hazard Area (SFHA) Overlay District.

allowing for the development of a village style residential community. The parcel, further identified utilizing Orange County Parcel Identification Number (PIN) 9835-74-8573, is located along Frazier Road (SR 1310) approximately 2,900 feet south of the intersection of Frazier and Lebanon Road (SR 1306) hereafter referred to as 'the property'.

The Planning Board finds:

- The requirements of Section 2.8 of the Unified Development Ordinance (UDO) have been deemed complete, and
- Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds documentation within the record denoting that the rezoning **is consistent** with the adopted 2030 Comprehensive Plan and/or other adopted County plans.

The amendment is consistent with applicable plans because it:

- Supports the following 2030 Comprehensive Plan goals and objectives including:
    1. Land Use Overarching Goal: *Coordination of the amount, location, pattern and designation of future land uses, with availability of County services and facilities sufficient to meet the needs of Orange County's population and economy consistent with other Comprehensive Plan element goals and objectives.*
    2. Land Use Goal 2: *Land uses that are appropriate to on-site environmental conditions and features, and that protect natural resources, cultural resources, and community character.*
    3. Objective LU-1.1: *Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available.*

4. Objective LU-3.5: *Recognize the right to farm and discourage the location of new non-farm development, particularly more intensive residential development, within farming areas to minimum the incidence of complaints and nuisance suits against farm operations.*

5. Objective LU-3.9: *Create new zoning district(s) which allow for a mixing of commercial and residential uses, a mixing of housing types, and creates a more pedestrian friendly development pattern. New districts should be applied in areas where public services exist or are planned for in the future, in areas that promote higher intensity and high density uses on the Future Land Use map.*

The amendments are reasonable and in the public interest because:

a. The amendment allows the development of a project achieving a reasonable balance of protecting existing natural area and land uses (i.e. farming operations) while allowing for an appropriate level of residential development at a density of 1 unit for every 3 acres.

   The current zoning designation allows development at a potential density of 1 unit for every 40,000 sq. ft. of land area with no guarantee existing farmland or mature forest would be preserved.

b. The amendment allows for the development of a pedestrian friendly community with different housing options for residents.

   The project requires vehicles to be parked in designated areas prohibiting access to individual residential structures, which shall be access via a proposed pedestrian trail system.

c. The project will not result in traffic impacts deemed to be detrimental to existing roadways due to the proposed density.

d. The proposed amendments promote public health, safety, and general welfare by furthering the goals and objectives of the 2030 Comprehensive Plan.

The Planning Board hereby recommends that the Orange County Board of County Commissioners consider adoption of the proposed Zoning Atlas amendments.

Pete Hallenbeck, Chair

Sept 2, 2015

Date

Attachment 8

STATEMENT OF CONSISTENCY
OF PROPOSED ZONING ATLAS AMENDMENTS WITH THE 2030 COMPREHENSIVE PLAN AND/OR OTHER ADOPTED COUNTY PLANS

Hart's Mill LLC and Ms. Alana Ennis, owners of a 112 acre parcel of property within Orange County, have initiated an amendment to the Orange County Zoning Atlas, as established in Section 1.2 of the Orange County Unified Development Ordinance (UDO) to rezone property:

From: Rural Residential (R-1), Upper Eno Protected Watershed Protection Overlay District, Special Flood Hazard Area (SFHA) Overlay District.

To: Master Plan Development Conditional Zoning (MPD-CZ), Upper Eno Protected Watershed Protection Overlay District, Special Flood Hazard Area (SFHA) Overlay District.

allowing for the development of a village style residential community. The parcel, further identified utilizing Orange County Parcel Identification Number (PIN) 9835-74-8573, is located along Frazier Road (SR 1310) approximately 2,900 feet south of the intersection of Frazier and Lebanon Road (SR 1306) hereafter referred to as 'the property'.

<u>The BOCC finds</u>:

- The requirements of Section 2.8 of the Unified Development Ordinance (UDO) have been deemed complete, and
- Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds documentation within the record denoting that the rezoning **is consistent** with the adopted 2030 Comprehensive Plan and/or other adopted County plans.

<u>The amendment is consistent with applicable plans because it</u>:

- Supports the following 2030 Comprehensive Plan goals and objectives including:
    1. <u>Land Use Overarching Goal</u>: *Coordination of the amount, location, pattern and designation of future land uses, with availability of County services and facilities sufficient to meet the needs of Orange County's population and economy consistent with other Comprehensive Plan element goals and objectives*.
    2. <u>Land Use Goal 2</u>: *Land uses that are appropriate to on-site environmental conditions and features, and that protect natural resources, cultural resources, and community character.*
    3. <u>Objective LU-1.1</u>: *Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure (i.e., water and sewer, high-speed internet access, streets, and sidewalks), while avoiding areas with protected natural and cultural resources. This could be achieved by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available*.

4. Objective LU-3.5: *Recognize the right to farm and discourage the location of new non-farm development, particularly more intensive residential development, within farming areas to minimum the incidence of complaints and nuisance suits against farm operations.*
5. Objective LU-3.9: *Create new zoning district(s) which allow for a mixing of commercial and residential uses, a mixing of housing types, and creates a more pedestrian friendly development pattern. New districts should be applied in areas where public services exist or are planned for in the future, in areas that promote higher intensity and high density uses on the Future Land Use map.*

The amendments are reasonable and in the public interest because:

a. The amendment allows the development of a project achieving a reasonable balance of protecting existing natural area and land uses (i.e. farming operations) while allowing for an appropriate level of residential development at a density of 1 unit for every 3 acres.

   The current zoning designation allows development at a potential density of 1 unit for every 40,000 sq. ft. of land area with no guarantee existing farmland or mature forest would be preserved.

b. The amendment allows for the development of a pedestrian friendly community with different housing options for residents.

   The project requires vehicles to be parked in designated areas prohibiting access to individual residential structures, which shall be access via a proposed pedestrian trail system.

c. The project will not result in traffic impacts deemed to be detrimental to existing roadways due to the proposed density.

d. The proposed amendments promote public health, safety, and general welfare by furthering the goals and objectives of the 2030 Comprehensive Plan.

The Board of County Commissioners hereby adopts this Statement of Consistency and findings expressed herein.

_____ _____

Earl McKee, Chair Date

Ordinance #:ORD-2015-030

AN ORDINANCE AMENDING
THE ORANGE COUNTY ZONING ATLAS

WHEREAS, Orange County has received and processed a petition submitted by Hart's Mill LLC and Ms. Alana Ennis seeking to amend the Orange County Zoning Atlas, as established in Section 1.2 of the Orange County Unified Development Ordinance (UDO), and

WHEREAS, This petition seeks to rezone a 112 acre parcel of property, further identified utilizing Orange County Parcel Identification Number (PIN) 9835-74-8573, to Master Plan Development Conditional Zoning District (MPD-CZD) for the purpose of developing the Hart's Mill Hart's Mill Village, a 34 unit residential farm community.

WHEREAS, The applicant has voluntarily chosen to establish development and land use limitations on the project to ensure residential and farm activities do not conflict with one another.

WHEREAS, This petition has been submitted in concert with a formal site plan in accordance with the provisions of Section 2.9.2 (C) of the UDO, and

WHEREAS, the requirements of Section 2.8 and 2.9.2 of the UDO have been deemed complete, and

WHEREAS, the Board has found the proposed zoning atlas amendment to be reasonably necessary to promote the public health, safety, and general welfare.

BE IT ORDAINED by the Board of Commissioners of Orange County that the Orange County Zoning Atlas is hereby amended to rezone the 112 acre portion of the aforementioned parcel to Master Plan Development Conditional Zoning (MPD-CZ) and allow development of the Hart's Mill Village as detailed on the submitted site plan.

BE IT FURTHER ORDAINED THAT in accordance with Section 2.9.2 (F) of the UDO the approval of this Conditional Zoning applicant is subject to the following mutually agreed to conditions:

1. The property shall be utilized only as a village oriented residential/farming community as denoted on the submitted site plan.
2. County staff shall prepare a 'Declaration of Development Restrictions and Requirements' outlining all conditions and development limitations associated with this project that the applicant shall record within the Orange County Registrar of Deeds office within 180 days of approval.
3. In accordance with the submitted application and site plan, development of the project shall be limited as follows:
    a. Permitted residential density for project shall be limited to 1 dwelling unit for every 3 acres of property with an overall limit of 34 dwelling units constructed on the property.
    b. Allowable Land Uses for the project shall include:

i. Farm operations (i.e. animal husbandry, forestry activities, crop production, processing, etc.)

ii. Accessory farm structures including, but not limited to:

a. A maximum of 4 houses

b. A maximum of 4 garages/barns for farm equipment/vehicle maintenance and storage, farm product processing and storage, etc.

c. Woodworking shop

d. Produce processing center (washing/packing area)

e. Pottery studio with kiln.

iii. Single-family and two-family (i.e. duplex) residential units.

iv. Community House, limited to a total square footage of 6,000 sq. ft., with common facilities including, but not limited to: laundry facilities, mail room, activity room, and community kitchen.

v. Administrative office including meeting facilities for local residents.

vi. Accessory uses including:

a. Customary accessory uses for individual residential units

b. Maximum of 2 art/hobby studios for use by local residents not to exceed a total square footage of 1,000 sq. ft. per building

c. Minor home occupations shall be allowed for each residential dwelling unit. Such uses shall be reviewed and acted upon in accordance with the UDO

d. Parking area/garages

e. Electric car/golf cart charging stations.

vii. Solar Array – Large Facility to be reviewed and acted upon in accordance with the provisions of Section(s) 2.7 and 5.9.6 of the UDO.

viii. Recreational land uses – recreation uses for local residents shall be allowed including:

a. Walking trails/paths

b. Multi-purpose athletic fields, as shown on the approved site plan, supporting such activities. No infrastructure (i.e. outdoor field lights, buildings, etc.) shall be permitted

c. Individual recreational uses for residences treated as customary accessory land uses.

c. Setbacks:

i. No residential structure shall be located within 100 ft. of the perimeter of the property line.

ii. No farm structure housing animals shall be located within 40 ft. of the perimeter property line.

iii. All residential structures shall observe the following setbacks from identified residential spaces:

a. Front Yard: 5 ft

b. Side Yard: 5 ft

c. Rear Yard: 5 ft

d. All structures shall comply with minimum spacing requirements established within NC State Building Code for separation between structures.

d. Ratio standards:

a. Minimum Percentage of Open Space for project: 80% or 89 acres. Farm/pasture operations, roadways and parking areas, as well as off-site septic areas shall be allowed within this open space area

b. Maximum Allowable Floor Area Ratio (i.e. the cumulative amount of floor area for the project): 0.10

c. Required Recreation Space Ratio, minimum: 0.031.

e. Landscaping shall be installed on every individual residential space in accordance with the following standards:

i. Preferred Plant Species - For landscaping purposes in the village, the Hart's Mill Land Use Committee (hereafter 'Committee') will develop a list of preferred species that will be founded on principles of being native, drought tolerant, and well adapted to Orange County, and also support shading, screening, solar access, and aesthetic enhancement goals. It will also include edible landscaping species.

This list will synthesize planting recommendations from the Cooperative Extension Service, NC Botanical Gardens, NC Native Plant Society, and other sources identified by the Committee that are consistent with the vision, missions, and goals of Hart's Mill Village.

ii. Prohibited Plants - Invasive species recognized by the North Carolina Invasive Plants Council for the Piedmont shall be prohibited.

iii. Location and Width of Land Use Buffers - Except at the property entrance, land use buffers shall be 20 ft. wide. The buffer at the project entrance street shall be 10 ft. in width along the northern property line on the narrow portion of the site beginning at Frazier Road and continuing approximately 1000 linear feet to the point at which the property widens. At that point, the buffer will transition to 20 ft. in width.

iv. Preservation of Natural Buffers:

1. If there is existing, healthy, natural vegetation in the area of a required buffer, it must be preserved. If the vegetation is removed for any reason, other than in accordance with an

approved landscape and tree preservation plan, the number of required plantings shall be increased 50%.

2. The critical root zones of trees within the buffer must be protected if the applicant seeks credit for preservation of existing trees.

3. If necessary, a natural buffer will be supplemented with additional plantings in order to meet the Constructed Buffers standards established herein.

v. Constructed Buffers:

1. If existing vegetation is not sufficient to meet the buffer standards established within the conditions of approval for the project or within the UDO, additional plantings shall be installed consistent with the Type A land use buffer standards detailed within Section 6.8.6 (F) of the UDO.

vi. Fences and Walls:

1. Fences and walls shall be compatible with building architecture as determined by the Committee.

2. Fences and walls shall be setback a minimum of ten feet from any property line adjoining a road right-of-way, either public or private, to ensure adequate site visibility.

3. Fences shall not exceed 12 feet in height.

4. Chain link fencing is not permitted in areas visible from adjacent residences, parking areas, street or pedestrian walkways unless it is screened through use of evergreen shrubs or vines.

vii. Credit for Other Landscaping - Plant material in project boundary buffers may be counted towards the planting requirements of this section when located to serve both functions.

f. Provision of wastewater disposal services: Wastewater shall be disposed of via a shared septic area, as denoted on the approved site plan, as approved by the Orange County Health Department and the State of North Carolina.

In cases where an individual septic system is required for a land use located within the farmstead portion of the project, this system shall be reviewed and approved by the Orange County Health Department.

g. Water service to individual buildings shall be through a water system served by Orange Alamance Water System.

Individual wells shall be limited to those developed in support of agricultural operations or for residences located within the farmstead portion of the project as denoted on the approved site plan.

In the event water service cannot be provided by Orange Alamance Water System, utilizing the existing infrastructure, to meet the applicable water quality and/or pressure standards, individual wells or a community well shall be permitted if approved by the appropriate agency.

h. Access: access to the project shall be through a single access point on Frazier Road. No additional vehicular access points shall be developed.

i. Parking: all vehicles shall be parked in designated areas as identified on the site plan. A total of 70 parking spaces shall be provided for residents and their guests.

4. The applicant shall be required to obtain final approval for the proposed dumpster pad location from Orange County Solid Waste prior to the commencement of earth disturbing activity.

5. The applicant shall be required to obtain stormwater and erosion control permits from Orange County Erosion Control prior to the commencement of earth disturbing activity.

6. The applicant shall be required to obtain a driveway permit from the North Carolina Department of Transportation prior to the commencement of earth disturbing activity.

   The applicant shall provide the Orange County Planning Department with a copy of this permit.

7. The applicant shall be required to obtain final approval for the location and access of a central mail kiosk providing mail service to local residents by the Postmaster General in consultation with the North Carolina Department of Transportation and County Planning staff.

   The applicant shall provide the Orange County Planning Department with a copy of any documentation from the Postmaster General and/or the Department of Transportation of this approval.

8. The applicant shall be required to obtain building permits from the Orange County Inspections Department prior to the commencement of construction activity.

9. The applicant shall be required to obtain sign permits from the Orange County Planning Department in accordance with the provisions of the Orange County Unified Development Ordinance.

10. The Orange County Fire Marshal shall review and give final approval to road layout and construction methodology prior to the initiation of land disturbing activities. The Fire Marshal shall also review and approve the final location of the emergency fire access roadway and location of the proposed stand-pipe prior to installation.

11. The Orange County Fire Marshal shall review and give final approval to proposed water lines prior to the initiation of land disturbing activity. The ultimate required size of said lines serving the project shall be based on the results of the application, which shall include water flow test data for the project.

12. The applicant shall be required to maintain all required land use buffers in perpetuity in accordance with the requirements of Section 6.8 of the Orange County Unified Development Ordinance.

13. Required landscaping for residences located within the village area of the project, as denoted on the approved site plan, shall be installed prior to the issuance of a Certificate of Occupancy for each individual residential structure or the proposed common house.

14. The applicant shall coordinate with Orange Alamance Water System, Orange County Emergency Services, and the Efland Volunteer Fire Department to hold a fire-flow test for the proposed fire hydrants. The test shall be certified by the various parties as complying with applicable State Fire Code standards with respect to necessary water flow.

BE IT FURTHER ORDAINED THAT this ordinance be placed in the book of published ordinances and that this ordinance is effective upon its adoption.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing ordinance was adopted this _____ day of _____, 2015.

I, Donna S. Baker, Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on _____, 2015 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2015.

SEAL

_____
Clerk to the Board of Commissioners

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 5-e

SUBJECT: Unified Development Ordinance Text Amendment – Public Hearing Process Revisions - Closure of Public Hearing and Action (No Additional Comments Accepted)

DEPARTMENT: Planning and Inspections **PUBLIC HEARING: (Y/N)** Yes

ATTACHMENT(S):

1. Comprehensive Plan/UDO Amendment Outline Form
2. Statement of Consistency
3. Proposed Ordinance
4. Excerpt of September 8, 2015 Draft Quarterly Public Hearing Minutes
5. Excerpt of October 7, 2015 Draft Planning Board Minutes and Signed Statement of Consistency
6. Timeline Examples

INFORMATION CONTACT:

Perdita Holtz, Planning, 245-2578
Craig Benedict, Planning, 245-2592

PURPOSE: To receive the Planning Board recommendation, close the public hearing, and make a decision on text amendments to the Unified Development Ordinance (UDO) initiated by the Planning Director to revise the existing public hearing process for UDO-, Comprehensive Plan-, and Zoning Atlas-related items.

BACKGROUND: The "Amendment Outline Form" (Attachment 1) for these amendments was approved by the BOCC at its June 2, 2015 regular meeting, after discussion of the topic at the May 12, 2015 BOCC work session. Please see Section B of Attachment 1 for background and analysis, including information on three objectives at the top of page 4 of the Amendment Outline Form.

The amendment was presented at the September 8, 2015 Quarterly Public Hearing. Agenda materials from that meeting are available at http://www.orangecountync.gov/document_center/BOCCAgendaMinutes/150908.pdf. The video for the public hearing is available for viewing at: http://orange-nc.granicus.com/MediaPlayer.php?view_id=2&clip_id=958 and an excerpt of the draft minutes are included in Attachment 4.

As a result of comments made at the public hearing, the following modifications have been made to the amendment materials (depicted in orange text in Attachment 3):

- The newspaper legal advertisement for Special Use Permits will be retained. Staff will work on language to be included in the legal ads to clarify who may testify in quasi-judicial matters since the general public does not have standing in quasi-judicial matters, but may attend the hearing.
- The notice distance requirement for all types of amendments or projects that require mailed notification is proposed to be increased from 500 feet to 1,000 feet. Staff is proposing that notices be mailed via first class mail instead of certified mail, as is currently done, to keep costs and staff time lower.
    - The Planning Board has recommended that the outside of envelopes or postcards be marked with "Notice of Public Hearing" so that recipients are more aware of the contents of the notification. This recommendation has been included (in green text) in the amendment package in Attachment 3.

The BOCC requested input from the Planning Board on whether a quorum of Planning Board members should be necessary in order to hold a Quarterly Public Hearing. This topic was discussed at the October 7, 2015 Planning Board meeting and an excerpt of the draft minutes are included in Attachment 5. The majority of Planning Board members felt that, while the Planning Board should be expected to attend the quarterly public hearings, a quorum of Planning Board members should not be required in order to proceed with holding a public hearing.

The Planning Board also suggested the addition of language to the Planning Board Policies and Procedures to provide clarity for members regarding attendance at quarterly public hearings. The language of the text amendments in Attachment 3 does not require a quorum of Planning Board members in order to hold a quarterly public hearing and additional language has been added to the Planning Board Policies and Procedures (in green text) to clarify attendance expectations.

Timeline examples for the revised processes are included in Attachment 6. Review timeframes for Comprehensive Plan actions, UDO text amendments, and general use zoning district amendments could be shortened to as little as eight (8) weeks from application submittal deadlines if the revised processes are adopted. The current timeframe for these types of actions is approximately four (4) months. For Class A Special Use Permits and conditional districts, the review timeframe could be shortened to as little as ten (10) weeks from application submittal deadlines if the revised processes are adopted. The current timeframe for these types of actions is approximately 4-5 months. The ability to have additional review time when warranted is retained in the proposed processes.

The Ordinance in Attachment 3 includes the following clauses:

- The effective date of the Ordinance is January 1, 2016. If adopted, the revised process would begin on this date (e.g., items proposed for February 2016 Quarterly Public Hearing would be the first items processed under the revised procedure).
- A review of the revised process will be conducted after one year to ascertain if the revised process is working as expected/desired. A report will be made to the BOCC in early 2017.

Procedural Information: In accordance with Section 2.8.8 of the UDO, any evidence not presented at the public hearing must be submitted in writing prior to the Planning Board's recommendation. Additional oral evidence may be considered by the Planning Board only if it is for the purpose of presenting information also submitted in writing. The public hearing is held

open to a date certain for the purpose of the BOCC receiving the Planning Board's recommendation and any submitted written comments.

Planning Director's Recommendation: The Planning Director recommends **approval** of the Statement of Consistency, indicating the amendments are reasonable and in the public interest, contained in Attachment 2 and Ordinance contained in Attachment 3.

Planning Board Recommendation: At its October 7, 2015 meeting, the Board voted 9 to 2 to recommend **approval** of the Statement of Consistency. An excerpt of draft minutes of the Planning Board meeting are included in Attachment 5.

The Planning Board voted 9 to 2 to recommend **approval** of the proposed amendment package, with revisions suggested by the Planning Board indicated in green text within Attachment 3.

The Planning Board's signed Statement of Consistency is included within Attachment 5. Agenda materials from the October 7, 2015 Planning Board meeting can be viewed at: http://www.orangecountync.gov/Full_Agenda_Packet___PB_10_7_15.pdf.

FINANCIAL IMPACT: Existing staff will complete the necessary work required for this project. Adoption of the proposed revisions is not expected to cause significant financial impacts (negative or positive).

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals is applicable to this agenda item:

- **GOAL: Enable Full Civic Participation**
  Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

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

1. Receive the Planning Board's recommendation;
2. Close the public hearing;
3. Deliberate as necessary on the proposed amendments; and
4. Decide accordingly and/or adopt the Statement of Consistency, contained within Attachment 2, and the Ordinance amending the UDO and Planning Board Policies and Procedures contained within Attachment 3, as recommended by the Planning Board and staff.

COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2015-09

Revisions to Public Hearing Process

A. AMENDMENT TYPE

Map Amendments

☐ Land Use Element Map:
From: - - -
To: - - -

☐ Zoning Map:
From: - - -
To: - - -

☐ Other:

Text Amendments

☐ Comprehensive Plan Text:
Section(s):

☒ UDO Text:
☐ UDO General Text Changes
☐ UDO Development Standards
☒ UDO Development Approval Processes
Section(s): 1.6.2, 2.1, 2.2, 2.3, 2.7, 2.8, 2.9, 2.11.6 (correct typo), 2.12.6, and 5.10.2.

☒ Other: Planning Board Rules of Procedure to: 1) require that the Planning Board Chair (or Vice-Chair in Chair's absence) attend quarterly public hearings and BOCC meetings at which a decision is scheduled for items on which the Planning Board has made a recommendation; 2) clarify attendance expectations of Planning Board members at quarterly public hearings; and 3) encourage Planning Board members to attend Neighborhood Information Meetings (NIMs) for Class A Special Use Permits and Conditional Zoning Districts and to address procedures for notification regarding NIMs.

B. RATIONALE

1. Purpose/Mission

To consider revisions to the current public hearing process for Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas amendments.

County staff and elected officials received comments during development of the Comprehensive Plan (2008) and Unified Development Ordinance (2011) about the perceived need to streamline and speed up decisions on applications.

2. Analysis

This topic was discussed extensively in 2014, after being heard at the September 2014 quarterly public hearing. The public hearing for the amendments, as proposed in 2014, was closed in November 2014 when it became apparent that the proposal would change significantly enough to require another public hearing. The topic was recently discussed at the May 12, 2015 BOCC work session. Work session materials include links to prior materials and are available at: http://www.orangecountync.gov/150512.pdf.

The Ordinance Review Committee (ORC), a function of the Planning Board, reviewed draft language in July and August 2015. At the time, internal staff/attorney review was ongoing and the materials to be presented at public hearing have been modified from the versions the ORC reviewed. ORC agenda materials and meeting notes are available at:
http://www.orangecountync.gov/ORC_Agenda_Packet_July_2015.pdf
http://www.orangecountync.gov/7_1_15_ORC_Notes.pdf
http://www.orangecountync.gov/ORC_Agenda_Package___Aug_2015.pdf
http://www.orangecountync.gov/8_5_15_ORC_Notes.pdf

Proposed Revisions

The following revisions are being proposed:

- Planning Board review/recommendation would occur prior to the public hearing for both legislative and quasi-judicial (Class A Special Use Permit) items. (The existing process is for Planning Board review/recommendation to occur after the public hearing).
    - Notification of the Planning Board meeting would be mailed/posted for items requiring such notice (e.g., map amendments or development projects) and the public would be able to address the Planning Board at its meeting. The proposed process would allow for public notification and involvement earlier than the existing process.
- No longer require a quorum of Planning Board members in order to hold a quarterly public hearing. Planning Board members would still be expected to attend the hearing but a quorum of members would not be necessary in order for the hearing to be held. This revision would mean that the quarterly public hearings would no longer be considered joint BOCC/Planning Board hearings since, without a quorum requirement, the Planning Board could not be considered an official board in attendance.
    - Revise the Planning Board Policies and Procedures to require that the

Planning Board Chair, or Vice-Chair in the Chair's absence, attend the quarterly public hearings and also the BOCC meetings at which a decision is scheduled for items on which the Planning Board has made a recommendation.

- Allow Comprehensive Plan amendments to be heard at any quarterly public hearing. Existing language that states "principal" Comprehensive Plan amendments are "generally" considered only once per year at the quarterly public hearing in February is proposed for deletion (Section 2.3.7). Additionally, language that classifies Comprehensive Plan amendments into "principal" and "secondary" amendments (Section 2.3.4) is proposed for deletion because it is relevant only in conjunction with Section 2.3.7.
- Legal advertisement of quasi-judicial hearing items: due to comments made at the September 8, 2015 public hearing, staff is suggesting that the newspaper legal advertisement for Special Use Permits will be retained and that staff work on language to be included in the legal ads to clarify who may testify in quasi-judicial matters. [Within the materials presented at the public hearing, the Attorney's office had suggested that Special Use Permit applications (both Class A and Class B) no longer be included in legal advertisements since the general public does not have standing to participate in quasi-judicial hearings.]
- Mailed Notification Distances: Due to comments made at the September 8, 2015 public hearing, the notice distance requirement for all types of amendments or projects that require mailed notification is proposed to be increased from 500-feet to 1,000-feet. Staff is proposing that notices be mailed via first class mail instead of certified mail, as is currently done, to keep costs and staff time lower.
- Closure of public hearings: Modifications in Section 2.3.11, 2.7.9, and 2.8.9 would mean that the BOCC would close the public hearing the night of the hearing. At that time, the BOCC could defer a decision to a later BOCC meeting date; make a decision; or, as a procedural right for legislative items not included in the text of the UDO, send an application back to the Planning Board for further review. If the BOCC chooses to defer a decision to a later meeting date, legislative items could be listed on the future BOCC agenda as "Regular Agenda" items and additional public comment could be accepted. The existing requirement for only written comments after the quarterly public hearing is proposed for deletion.
    - In order to meet legal sufficiency requirements, hearings for quasi-judicial items (Class A Special Use Permits) would be continued to a date/time certain if additional evidence is requested at the quasi-judicial hearing. The date/time certain could be a regular BOCC meeting (e.g., not necessarily the next quarterly public hearing). Written evidence after the quasi-judicial hearing would no longer be permitted.
        - The BOCC may wish to consider adding an additional heading to its agendas: Quasi-Judicial Hearings, along with a note explaining that only persons with legal standing can participate in quasi-judicial hearings. Quasi-judicial items deferred for decision to a later meeting date or for which the hearing was continued in order to receive additional evidence would be listed on the

BOCC agenda under this new heading.

As has been discussed in the past, the bases for some of the proposed revisions are as follows:

1. Allow the public to make comments at the end of the process.
2. Do not require a quorum of Planning Board members in order to hold a public hearing.
3. Streamline and speed up the review/decision process when possible.

The proposed revisions are expected to achieve these objectives. When the BOCC discussed this topic at its May 12, 2015 work session members indicated that if the process were revised it should be evaluated after one year to ensure it was working as intended and satisfactorily. If the proposed revisions are adopted, an evaluation can be scheduled for a year later. Any future revisions to the UDO would need to be brought forward to a future public hearing.

3. Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)

Land Use Goal 6: A land use planning process that is transparent, fair, open, efficient, and responsive.

4. New Statutes and Rules

N/A

C. PROCESS

1. TIMEFRAME/MILESTONES/DEADLINES

a. BOCC Authorization to Proceed

June 2, 2015

b. Quarterly Public Hearing

September 8, 2015

c. BOCC Updates/Checkpoints

May 12, 2015 – work session
July 1, 2015 – Planning Board ORC (agenda materials are available to all interested persons)
August 5, 2015 – Continuation of Planning Board ORC (agenda materials are available to all interested persons)
November 5, 2015 – receive Planning Board recommendation and make decision

d. Other

2. PUBLIC INVOLVEMENT PROGRAM

Mission/Scope: Public Hearing process consistent with NC State Statutes and

Orange County ordinance requirements**.**

a. Planning Board Review:

Amendments proposed in 2014 were discussed extensively by the Planning Board in October, November, and December 2014. This discussion informs the 2015 proposed amendments.

July 1, 2015 – ORC (Ordinance Review Committee)
August 5, 2015 – ORC (continued from July 1)
October 7, 2015 - recommendation

b. Advisory Boards:

c. Local Government Review:

Proposed text amendments were sent to JPA partners (Towns of Chapel Hill and Carrboro) on August 7, 2015 in accordance with the JPA Agreement since any project in the Rural Buffer requiring a public hearing would be subject to a revised process. To date, no comments have been received from the JPA partners.

d. Notice Requirements

Consistent with NC State Statutes – legal ad prior to public hearing

e. Outreach:

- ☐ General Public:
- ☐ Small Area Plan Workgroup:
- ☐ Other:

3. FISCAL IMPACT

Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement will be paid from FY2015-16 Departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

D. AMENDMENT IMPLICATIONS

If adopted, the amendments would revise the existing process used by Orange County to review Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas amendments.

E. SPECIFIC AMENDMENT LANGUAGE

See Attachment 3.

Primary Staff Contact:
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Planning Department

919-245-2578

pholtz@orangecountync.gov

Attachment 2

STATEMENT OF CONSISTENCY
OF A PROPOSED UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT
WITH THE ADOPTED ORANGE COUNTY 2030 COMPREHENSIVE PLAN

Orange County has initiated an amendment to the Unified Development Ordinance (UDO) to revise the existing public hearing process.

The Board of County Commissioners finds:

a. The requirements of Section 2.8 of the UDO have been deemed complete; and,

b. Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds sufficient documentation within the record denoting that the amendment **is consistent** with the adopted 2030 Comprehensive Plan.

   1. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plan goals and objectives:

      Land Use Goal 6: A land use planning process that is transparent, fair, open, efficient, and responsive.

c. The amendment is reasonable and in the public interest because it:

   1. Allows public participation and comments earlier in the review process than the existing process.
   2. Streamlines and speeds up the review and decision process for low controversy applications while retaining the potential for additional review time when warranted.
   3. Allows the public to offer comments to elected and appointed officials throughout the legislative process.
   4. Provides a greater level of legal sufficiency for applications reviewed under the quasi-judicial process (e.g., Special Use Permits).

The Board of County Commissioners hereby adopts this Statement of Consistency and findings expressed herein.

_____ _____

Earl McKee, Chair Date

Attachment 3

Ordinance #__ORD-2015-031_____

AN ORDINANCE AMENDING THE
UNIFIED DEVELOPMENT ORDINANCE OF ORANGE COUNTY
and the PLANNING BOARD POLICIES AND PROCEDURES

Whereas, Orange County has initiated amendments to its Unified Development Ordinance to make desired revisions to the existing public hearing process for review of UDO-, Comprehensive Plan-, and Zoning Atlas-related items, and

Whereas, Orange County has initiated amendments to the Planning Board Policies and Procedures, and

Whereas, the requirements of Section 2.8 of the Unified Development Ordinance have been deemed complete, and

Whereas, the County has held the required public hearing and has found the proposed text amendments are consistent with the goals and policies of the adopted Comprehensive Plan, and

Whereas, the County shall review the revised public hearing process after one year and staff is hereby directed to provide a report to the Board of County Commissioners in early 2017.

Be it ordained by the Board of Commissioners of Orange County that the Unified Development Ordinance of Orange County and the Planning Board Policies and Procedures are hereby amended as depicted in the attached pages.

Be it further ordained that this ordinance be placed in the book of published ordinances and that this ordinance is effective on January 1, 2016.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing ordinance was adopted this _____ day of _____, 2015.

I, Donna S. Baker, Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on _____, 2015 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2015.

SEAL _____

Clerk to the Board of Commissioners

Amendment Package to Revise the Existing Public Hearing Process

Notes

The pages that follow contain the amendments necessary to the Unified Development Ordinance (UDO) text to revise the existing public hearing process for Comprehensive Plan- and Unified Development Ordinance-related hearing items. This proposal would revise the existing cadence and have the Planning Board make its recommendation before the public hearing. See Section B of the Amendment Outline Form (Attachment 1 of agenda item materials) for a more detailed analysis of the proposed revisions.

Additions/changes proposed as part of the September 8, 2015 quarterly public hearing materials are depicted in red. Revisions made after the public hearing but before the October 7th Planning Board meeting are shown in orange text. Revisions made in response to discussion at the October 7th Planning Board meeting are shown in green text. Some of the proposed changes utilize footnotes to provide a brief explanation as to rationale. Users are reminded that these excerpts are part of a much larger document (the UDO) that regulates land use and development in Orange County. The full UDO is available online at: http://orangecountync.gov/planning/Ordinances.asp

Please note that the page numbers in this amendment packet may or may not necessarily correspond to the page numbers in the adopted UDO because adding text may shift all of the text/sections downward.

Some text on the following pages has a large "X" through it to denote that these sections are not part of the amendments under consideration. The text is shown only because in the full UDO it is on the same page as text proposed for amendment. Text with a large "X" is not proposed for deletion; proposed deletions are shown in ~~red strikethrough~~ or ~~orange strikethrough~~ text.

Proposed modifications to the Planning Board Policies and Procedures are also part of this amendment package.

(C) Each Township within the County shall be represented in the membership of the Board by at least one resident.

(D) The Board of County Commissioners may by resolution establish rules related to the requirements for volunteer service on the Planning Board, appointment and removal of Planning Board members, and rules of procedure.

(E) In establishing the Planning Board and its program, the Board of Commissioners intends that the Planning Board be guided by the following principle:

(1) The Comprehensive Plan, and any ordinances or other measures to effectuate it, shall be made with the general purpose of guiding and accomplishing a coordinated, and harmonious development of the County which will, in accordance with present and future needs, best promote health, safety and the general welfare, as well as efficiency in the process of development; including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of populations, the promotion of good civic design, wise and efficient expenditure of public funds, and adequate provision of public utilities, services, and other public requirements, and conservation of significant natural and man-made resources within the County.

1.6.2 Tenure and Membership Expectations

(A) The tenure of office shall be three years. Members are eligible for reappointment for a second consecutive full term. After two consecutive terms a member shall be ineligible for reappointment for one year after the expiration of the previous terms.

(B) Appointments shall be made so that one-third of the terms expire in March of each calendar year.

(C) Appointments made to fill vacancies shall be for the unexpired term and shall not be counted as a term in determining eligibility for reappointment.

(D) A member whose term has expired shall continue to serve on the Board until his/her respective successor has been appointed.

(E) Attendance at the regular meetings of the Board and at quarterly public hearings[1] shall be considered a prerequisite for maintenance of membership on the Planning Board. The Board of County Commissioners may declare a vacancy on the Planning Board because of a member's non-attendance, in accordance with the Planning Board Rules of Procedure.

(F) Absence due to sickness, death of an immediate family member or similar reason shall be considered approved absences and shall not affect the member's status. In the event of long illness or other cause for prolonged absence, the member shall be replaced.

(G) The Board of County Commissioners may by resolution establish rules related to tenure and membership expectations. If the terms of such resolution, or policy created thereby, conflict with the terms of this section 1.6.1 or 1.6.2 the terms of the resolution or policy shall control.

1.6.3 Duties

As provided for in 153A-321 of the General Statutes of North Carolina, as amended, the Planning Board shall have the following general Powers and Duties:

(A) Make studies of Orange County and surrounding areas;

(B) Determine objectives to be sought in the development of Orange County;

(C) Propose and recommend plans for achieving these objectives;

[1] Proposed addition to clarify that Planning Board members are expected to attend the quarterly public hearings.

ARTICLE 2: PROCEDURES

SECTION 2.1: REVIEW AND DECISION MAKING AUTHORITY – SUMMARY TABLE

The following table provides a brief synopsis of the review and decision-making processes for development applications.

TABLE 2.1: REVIEW AND DECISION MAKING AUTHORITIES

R=REVIEW DM=DECISION MAKER PH=PUBLIC HEARING

ZONING/DEVELOPMENT REVIEW RELATED PROCEDURES	PLANNING DIRECTOR	EROSION CONTROL OFFICER	DEVELOPMENT ADVISORY COMMITTEE (DAC)	BOARD OF ADJUSTMENT	PLANNING BOARD	BOCC
Zoning Compliance Permits	R and DM	R	R			
Soil Erosion and Sedimentation Control Permits		R and DM				
Stormwater Management Plans		R and DM				
UDO Text Amendments	R		R		R [1]	DM and PH
Zoning Atlas Amendments	R		R		R [1]	DM and PH
Special Use Permits	R	R	R	DM and PH Class B	R [1] Class A	DM and PH Class A
Zoning Variances	R		R	DM and PH		
Conditional Use	R	R	R		R [1]	DM and PH
Appeals/Interpretations	R		R	DM and PH		
Comprehensive Plan Amendments	R				R [1]	DM and PH
Subdivision Related Procedures						
Exempt	R and DM					
Minor	R and DM	R	R			
Major	R	R	R		R and DM [2]	R and DM
Conditional Use	R	R	R		R [1]	R, DM, and PH
Appeal						

NOTES

[1] ~~The Planning Board attends a Joint Public Hearing with the BOCC to review all zoning related items requiring a public hearing. The Planning Board will have the item referred to it and shall have up to 90 days to comment on the application.~~ The Planning Board reviews applications and makes a recommendation prior to the public hearing held by the Board of County Commissioners. The Board of County Commissioners may choose to refer an application back to the Planning Board at the conclusion of the public hearing.

[2] The Planning Board approves the Concept Plan for a Major Subdivision and then makes a recommendation on the Preliminary Plat to the BOCC.

~~**(A)** If the Board of County Commissioners denies an application, or the application is withdrawn subsequent to notice of the public hearing thereon, no application for the same or similar amendment, affecting the same property or a portion of it, may be submitted for a period of one year. Said one year period begins on the date of denial or withdrawal, as appropriate.~~

2.2.9 Manner of Review[2]

Applications requiring a public hearing shall be reviewed using either a legislative process or a quasi-judicial process as follows:

(A) Comprehensive Plan amendments – legislative

(B) Special Use Permits – quasi-judicial

(C) Zoning Atlas and Unified Development Ordinance amendments – legislative

(D) Conditional Use District (CUD) – rezoning portion is legislative; Special Use Permit portion is quasi-judicial

(E) Conditional Zoning District (CZD) - legislative

SECTION 2.3: COMPREHENSIVE PLAN AMENDMENTS

2.3.1 Review and Approval Flow Chart

The review and approval process for Comprehensive Plan Amendments is shown in the procedure's flowchart.

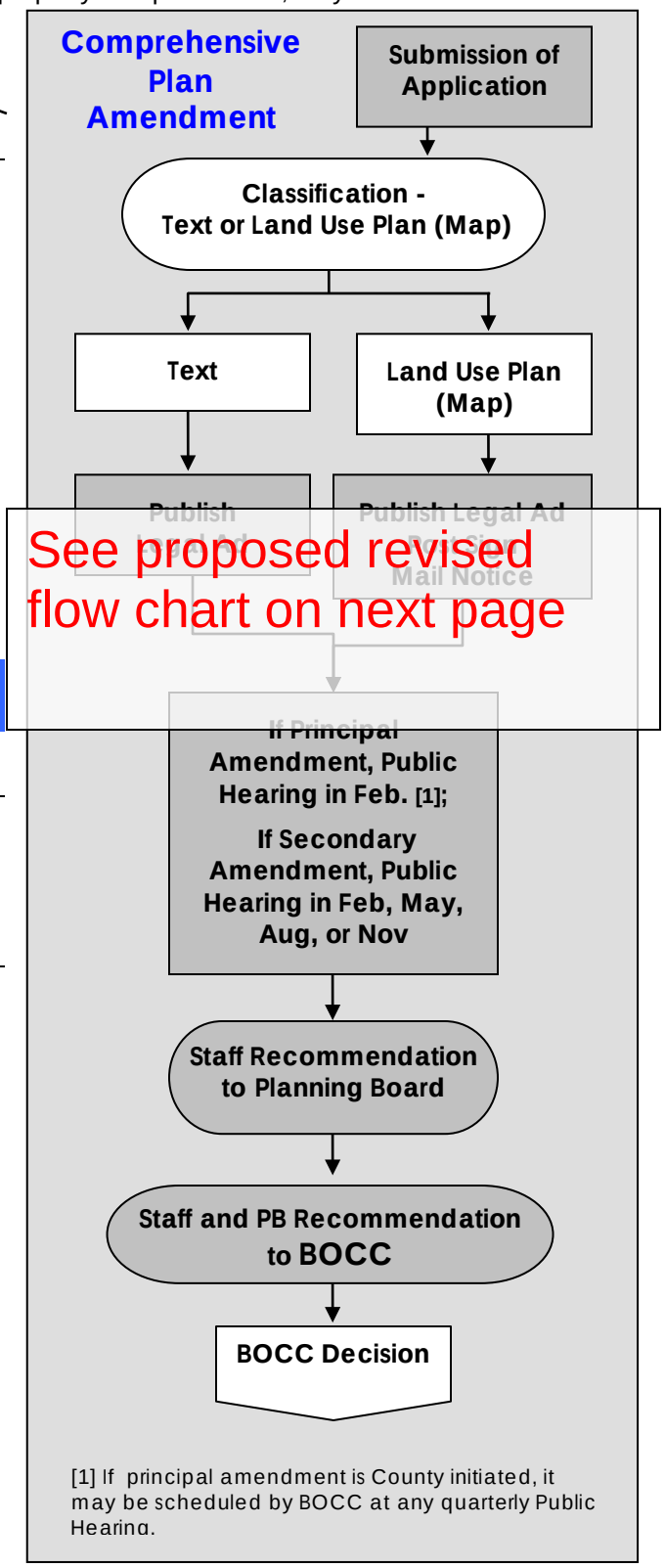
2.3.2 Generally

(A) The Comprehensive Plan shall be so prepared that all or individual elements and parts thereof may be adopted and/or amended by the Board of Commissioners.

(B) For the purpose of establishing and maintaining sound, stable, and desirable development within Orange County, the Comprehensive Plan or portion thereof shall not be amended except as follows:

(1) Because of changed or changing conditions in a particular area or areas of the County;

(2) To correct an error or omission; or



See proposed revised flow chart on next page

[2] Proposed to be added to provide clarity on which type of review process is used for the various types of applications that require a public hearing. Staff is not suggesting adding the specifics of each process in the UDO as specifics may change as case law is made or State statutes are modified.

Proposed flow chart for Section 2.3.1

(3) In response to a change in the policies, objectives, principles or standards governing the physical development of the County.

2.3.3 Initiation of Amendments

(A) An amendment to the Comprehensive Plan or portion thereof may be initiated by:

(1) The Board of Commissioners on its own motion;

(2) The Planning Board;

(3) Application, by any person or agency, which accurately and completely sets forth the reason(s) for the proposed amendment as prescribed in Section 2.3.2(B); or

(4) The Planning Director.[3]

(B) Once initiated, all amendments shall be referred to the Planning Board.[4]

~~2.3.4 Classification of Amendments~~[5]

~~Amendments to the Comprehensive Plan or portion thereof are classified as "principal" or "secondary" amendments.~~

(A) ~~**Principal Amendments Include**~~

~~**(1)** Additions to or modifications of policies, objectives, principles or standards;~~

~~**(2)** The creation of new activity nodes or additions to existing activity nodes which exceed ten acres in land area; or~~

~~**(3)** Proposals for new freestanding plan areas or additions to existing areas that exceed 100 acres in land area.~~

(B) ~~**Secondary Amendments Include**~~

~~**(1)** The expansion of an activity node where the additional area is contiguous to an existing node and does not increase its land area by more than ten acres;~~

~~**(2)** The expansion of a designated plan area where the additional area is contiguous to the existing plan designation and does not increase its land area by more than 100 acres;~~

~~**(3)** A correction of an error or omission; or~~

~~**(4)** Revisions to any factual or descriptive material.~~

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[3] (1) through (4) are currently (A) through (D). This section has been reformatted on the advice of the Staff Attorney.

[4] These proposed revisions here and on subsequent pages incorporate the discussion the Planning Board had in October, November, and December 2014 and which the BOCC discussed on May 12, 2015. The cadence of the review process would be revised to have the Planning Board make its recommendation prior to the public hearing. Notices would be mailed to nearby property owners and a sign(s) would be posted; this revision will notify nearby property owners of potential changes much earlier in the process. Although the Planning Board meeting would not be an official public hearing, the public could address the Planning Board (the existing requirement for written comments only is not proposed to continue in this revised process) and the Planning Board can take all public comments into consideration when making its recommendation.

[5] Staff proposes that this entire section (2.3.4) be deleted because it is relevant only in conjunction with Section 2.3.7. Rather than limiting "principal" amendments to being heard "generally" only once per year (as Section 2.3.7 does), staff proposes that any Comprehensive Plan amendment could be heard at any of the quarterly public hearings. Deletion of this subsection will cause the renumbering of subsequent subsections in Section 2.3.

2.3.5 Public Hearing Required

A public hearing shall be held before adoption of any proposed Comprehensive Plan amendment. The Board of County Commissioners ~~and the Planning Board~~[6] shall hear applications and receive public comment for proposed Comprehensive Plan amendments in a Quarterly Public Hearing.

2.3.6 Notice Requirements for Planning Board Meetings and Public Hearings

(A) The Planning Director shall provide notice of Planning Board meetings at which the Planning Board is to review and make a recommendation on Future Land Use Map amendments and Quarterly Public Hearings at which an amendment to the Future Land Use Map is to be reviewed. Notifications of proposed Future Land Use Map amendments shall occur as follows:

(1) Notice of the Planning Board meeting and public hearing shall be posted on the affected parcel or on an adjacent public right of way a minimum of ten days prior to the Planning Board meeting. Said notice shall contain the time and location of both the Planning Board meeting and public hearing.[7]

(a) When multiple parcels are affected, a posting on each individual parcel is not required, but sufficient notices shall be posted to provide reasonable notice to interested persons.

(2) Written notice of the Planning Board meeting and public hearing shall be sent by first-class mail to all property owners, as listed in the Orange County tax records, whose property is affected or within ~~500~~ one thousand[8] feet of the affected parcel(s). Said notice shall be mailed at least 15 days prior to the date of the Planning Board meeting and shall include the times and locations of both the Planning Board meeting and public hearing. The outside of the envelope or postcard shall be marked "Notice of Public Hearing."[9]

(B) The Planning Director shall provide public notice for any Comprehensive Plan amendment to be heard at a Quarterly Public Hearing. The notice shall include the time and location of the public hearing.[10]

(C) For all proposed amendments, ~~Notice~~ notice of the public hearing shall be given by publishing said notice at least twice in a newspaper of general circulation in the County, stating the time and place of such hearing and the substance of the proposed amendment.[11]

(1) This notice shall appear in said newspaper for two consecutive weeks with the first notice appearing not less than ten days nor more than 25 days before the date set for the public hearing. In computing the notice period, the day of publication is not to be included, but the day of the hearing is to be included.

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[6] Since a quorum of Planning Board members will no longer be necessary to hold a public hearing, the public hearing would no longer be considered a joint hearing.

[7] The Planning Board has stated that it would like the public to have notice of its meetings when it is considering amendments so the public can attend the meetings and provide comments if desired. Staff is proposing that the notice for the Planning Board meeting and the later quarterly public hearing be combined into one notice so that two notices are not required to be mailed for Comprehensive Plan amendments.

[8] As a result of comments made at the September 8, 2015 public hearing, the notification boundary is proposed to be expanded from 500 feet to 1,000 feet.

[9] At its October 7th meeting, the Planning Board indicated that since the notices would be mailed via first class mail, that the outside of the envelope should indicate the contents of the envelope to better ensure that the envelope would not be tossed out unopened by the recipient. Since some notices are mailed via postcards, staff has suggested language that is consistent with the two types of mailings that can occur.

[10] Proposed addition made by the Staff Attorney.

[11] This language is currently (A) but has been automatically re-numbered due to a new (A) and (B) being proposed for addition.

(2) The minimum published size of the notice shall be 25 square inches.[12]

(D) ~~In the case of amendments to the Land Use Plan (map), the Planning Director shall prominently post a notice of the public hearing on the site proposed for the land use change or on an adjacent public street or highway right of way not less than ten days before the date set for the public hearing.~~

~~**(1)** When multiple parcels are included within a proposed Land Use Plan (map) amendment affected, a posting on each individual parcel is not required, but the county shall post sufficient notices to provide reasonable notice to interested persons.~~

(E) ~~In the case of amendments to the Land Use Plan (map), written notice of the public hearing shall be sent by first-class mail to all property owners, as listed in the Orange County tax records, whose property is affected (property that is included in the proposed land use plan amendment) and all property owners or within 500 feet. Said notice shall be mailed at least 14 days, but not more than 25 days, prior to the date of the public hearing.~~[13]

2.3.7 Consideration of Amendments[14]

(A) ~~Principal amendments shall generally only be considered once each year at the quarterly public hearing in February. A proposed amendment may be considered at any Board of County Commissioners meeting designated as a Quarterly Public Hearing.~~

(B) ~~If a principal amendment is scheduled by the Board of County Commissioners for other than the February quarterly public hearing, it shall be scheduled during one of the quarterly public hearings held in May, August, and November .~~

(C) ~~Secondary amendments may be considered four times each year at the a quarterly joint public hearings, in February, May, August, and November.~~

(D) A proposed amendment may be considered in conjunction with a rezoning request for the same property ~~if the requests are in compliance with an adopted small area plan~~.[15]

(E) ~~Requests for a rezoning not in compliance with an adopted small area plan, conditional use district, and/or special use permit may only be considered at subsequent hearings or meetings following approval of the proposed amendment to the Comprehensive Plan.~~[16]

2.3.8 Application Requirements

(A) Generally

(1) All applications for amendments to the Comprehensive Plan shall be submitted on forms supplied by the Planning Department and shall be signed.

(2) Three copies of the application shall be submitted to the Planning Director.

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[12] (C)(1) and (C)(2) are currently (C) and (D) but have been recommended as subparagraphs by the Staff Attorney.
[13] (D) and (E) have been rewritten and combined into (A) above.
[14] Staff proposes this section be modified, in conjunction with the proposed deletion of Section 2.3.4, so that any proposed amendment to the Comprehensive Plan can be heard at any of the quarterly public hearings, rather than limiting "principal" amendments to "generally" only the February QPH. (It is noteworthy that principal amendments in recent years have been heard at hearings that were not in February, such as the land use classification change in the Efland-Mebane corridor where Morinaga's factory is now located, which was heard at a May QPH).
[15] The Staff Attorney has recommended deletion of this provision due to concerns over who determines compliance with a small area plan and how compliance is determined.
[16] The Staff Attorney has recommended deletion of this provision because of the modification made in (D). If the modification in (D) is not made, the language of (E) should be modified because of the concern that a restriction on a rezoning application has been placed in the Comprehensive Plan amendment section.

(3) Before accepting any amendment application, the Planning Director shall ensure that it contains all required information, as specified in this Ordinance. Applications which are not complete, or otherwise do not comply with the provisions of this Ordinance, shall not be accepted by the Planning Director, but shall be returned to the applicant, with a notation by the Planning Director of the deficiencies in the application.

(B) Contents of Application

Applications for amendments to the Comprehensive Plan, without limiting the right to file additional material, shall contain at least the following:

(1) For amendments to the ~~Land Use Plan (map)~~ Future Land Use Map[17] within the Land Use Element, a map at a legible scale adequately illustrating the land which would be covered by the proposed map amendment, and a complete list of Property Identification Numbers (PIN) for the properties;

(2) For amendments to the Comprehensive Plan text, a copy of the existing text provision(s) which the applicant proposes for amendment, and a written statement which describes in detail changes which the applicant proposes to make to the text of the Comprehensive Plan and the rationale for the proposed amendment consistent with the standards established in this Ordinance; and

(3) All other circumstances, factors and reasons which the applicant offers in support of the proposed Comprehensive Plan amendment.

2.3.9 Analysis and Recommendation

The Planning Director shall cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners.

2.3.10 Planning Board Review

(A) ~~Following the public hearing, all proposed amendments shall be referred to the Planning Board for consideration and recommendation.~~

(B) ~~The Board of County Commissioners may direct the Planning Board to provide a recommendation by a date certain. If the Board of County Commissioners does not so direct, the Planning Board shall make its recommendation within three regularly scheduled Planning Board meetings unless the Board of County Commissioners grants an extension.~~

(C) ~~If the Planning Board fails to make a recommendation within the time allotted in subsection (B), the application shall be forwarded to the Board of County Commissioners without a Planning Board recommendation.~~

(D) ~~Amendments initiated by Orange County shall not be subject to time limitations other than those specified by the Board of County Commissioners during the public hearing process.~~

(E) ~~Evidence not presented at the public hearing may be submitted in writing to the Planning Board for consideration prior to the Planning Board's recommendation to the Board of County Commissioners. The Planning Board may consider additional oral evidence only if it is for the purpose of presenting information also submitted in writing.~~

(A) The Planning Board shall allow public comments at its meeting and those comments shall be taken into consideration by the Planning Board in making its recommendation.

(B) The Planning Board shall review and comment on applications and shall make one of the following recommendations prior to the quarterly public hearing:

[17] The name of this map was changed in the Comprehensive Plan in 2012 and should be updated here.

(1) Recommend approval,

(2) Recommend denial,

(3) Recommend approval but with specified changes.

(4) Recommend the Planning Board be given extended time to consider the matter.

(C) Should the Planning Board fail to make a recommendation prior to the quarterly public hearing, the application shall be forwarded to the Board of County Commissioners without a Planning Board recommendation.[18]

2.3.11 Action by Board of County Commissioners

(A) The Board of County Commissioners shall ~~not consider enactment of proposed amendment until~~ hold a public hearing after the Planning Board either makes its recommendation or takes no action on the application ~~as prescribed in~~ ~~this section~~ within 30 days of its referral.[19]

(B) ~~In making its decision, the Board of Commissioners shall consider all relevant evidence presented at the public hearing and any submitted written evidence that was considered by the Planning Board in making its recommendation.~~

(C) ~~The Board of Commissioners, upon receipt of a recommended Comprehensive Plan or portion thereof from the Planning Board, shall consider such recommendations and adopt them by resolution, either unchanged or with modifications.~~

(B) After the Board of County Commissioners closes the public hearing, the Board of County Commissioners shall do one of the following:

(1) defer a decision to a later Board of County Commissioners meeting date, or

(2) make a decision.

(C) In making its decision, the Board of Commissioners shall consider comments made at the public hearing, the Planning Board's recommendation, and the Planning Director's recommendation.

SECTION 2.4: ZONING COMPLIANCE PERMITS

2.4.1 Applicability

(A) As required by this Ordinance, a Zoning Compliance Permit must be issued before any new site development, building, structure, or vehicular use area may be erected, constructed or used.

(B) Submittal and approval of a site plan (see Section 2.5) is required for issuance of a Zoning Compliance Permit except for:

(1) Single-family detached dwellings and duplexes, and accessory structures to those residential uses shall require a plot plan as detailed within Section 2.4.3 of this Ordinance.

[18] This paragraph is a slight modification from existing paragraph (C), which is proposed to be deleted. It addresses what happens in the event the Planning Board fails to make a recommendation (namely, that the process moves forward without a Planning Board recommendation).

[19] The Staff Attorney has suggested this paragraph be rephrased to make it affirmative.

~~**(3)** Accessory Structures with any dimension that is 12 feet or greater in height, width, or depth, meeting requirements of Section 6.6.1(B)(8).~~

SECTION 2.7: SPECIAL USE PERMITS

2.7.1 Generally

(A) Any use or development designated by applicable zoning district regulations contained within Article 5 as a special use, or as allowed only pursuant to a special use permit (either Class A or Class B), may be established in that district only after the use or development is authorized by a validly issued and recorded special use permit.

(B) This section sets forth required review and approval procedures for submittal, review, and approval of applications for special use permit.

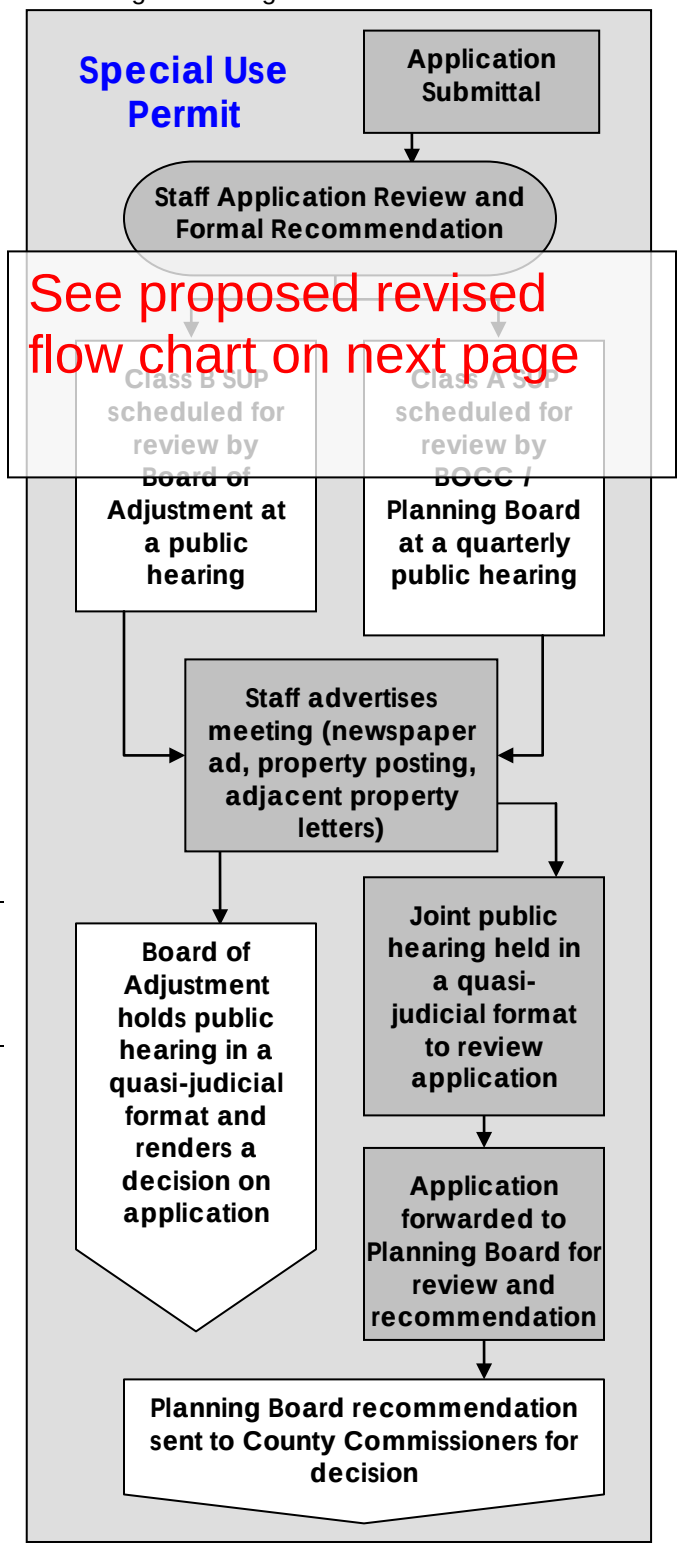
(C) A special use permit authorizes its holder to use or develop a particular parcel of land in a particular way, as specified by the terms and conditions of the special use permit.

(D) A special use permit imposes on its holder the responsibility of ensuring that the authorized use or development continues to comply with the terms and conditions of approval.

(E) Issuance of a special use permit does not relieve the holder of the special use permit of the additional responsibility of obtaining a building permit or any other permit or approval required by any other applicable law.

2.7.2 Review and Approval Flow Chart

The review and approval process for Special Use Permits is shown in the procedure's flowchart.



2.7.3 Application Requirements

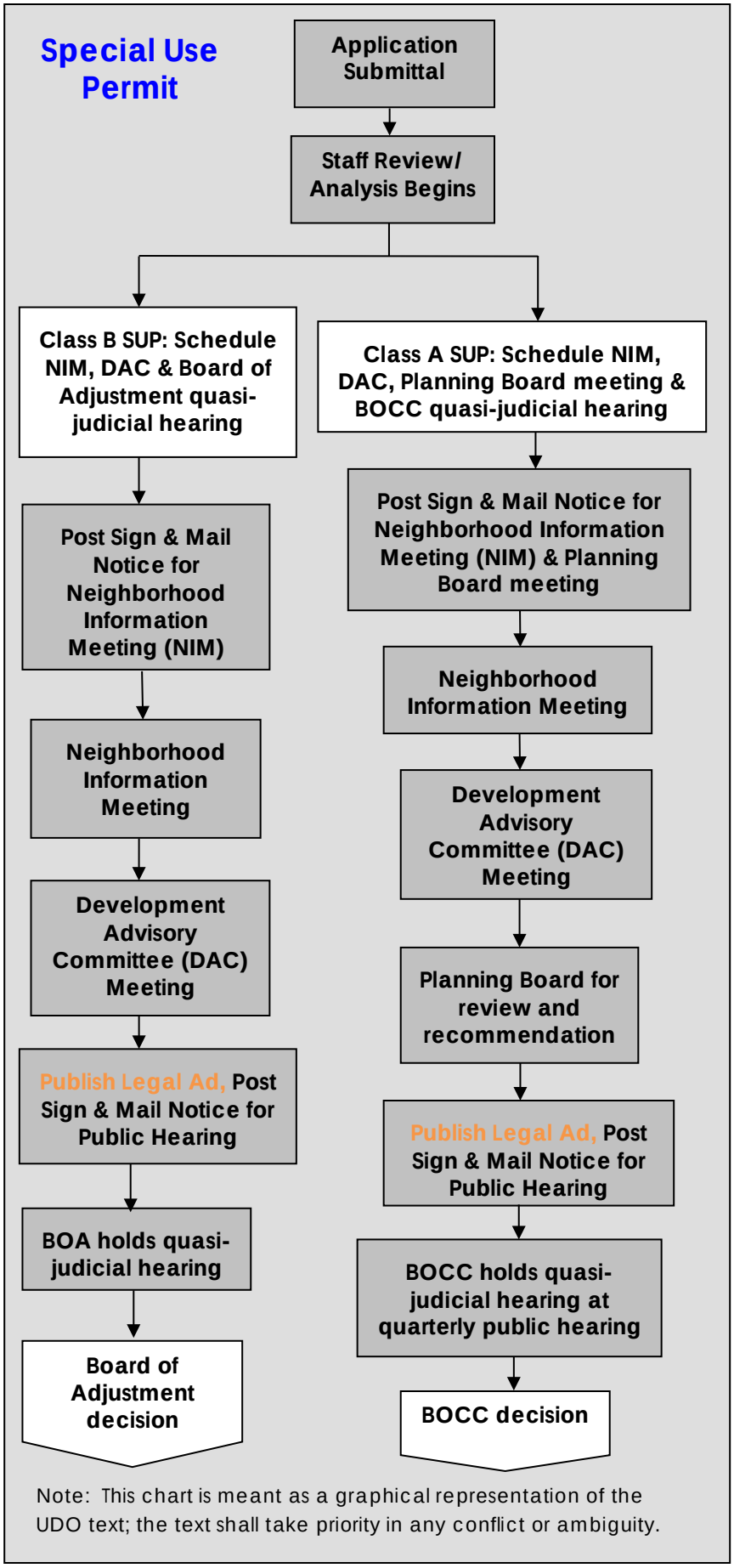
(A) Applications for a Special Use shall be submitted on forms provided by the Planning Department in accordance with Section 2.2 of this Ordinance.

(B) Applications shall include:

(1) A full and accurate description of the proposed use, including its location, appearance, and operational characteristics.

(2) The name(s) and address(es) of the owner(s) of the property involved.

Proposed flow chart for Section 2.7.1



(3) Relevant information needed to show compliance with the general and specific standards governing the Special Use (See Articles 5 and 6).

(4) For Class A Special Uses 26 copies of the site plan, and for Class B Special Uses 10 copies of the site plan, prepared by a registered North Carolina land surveyor, landscape architect, architect, or engineer, which shall contain the information listed in Section 2.5.

(5) If the application involves a Preliminary Subdivision Plat, 26 copies of the Plat prepared in accordance with Section 7.14 shall be provided.

(6) A list of all parcels located within 500 feet of the subject parcel and the name and address of each property owner, as currently listed in the Orange County tax records.

(7) Elevations of all structures proposed to be used in the development.

(8) For Class A Special Uses 26 copies and for Class B Special Uses 10 copies of the Environmental Assessment and/or Environmental Impact Statement, if required by Section 6.16.

(9) Method of disposal of trees, limbs, stumps and construction debris associated with the permitted activity, which shall be by some method other than open burning.

(10) Statement from the applicant indicating the anticipated development schedule for the build-out of the project.

(11) Statement from the applicant in justification of any request for vesting for a period of more than two years (five years maximum).

2.7.4 Staff Review

(A) The Planning Director shall cause an analysis to be made of the application by qualified representatives of the County and other agencies or officials as appropriate.

(1) Applications for agricultural support enterprise uses located within the Rural Buffer land use classification, as depicted on the Future Land Use Map of the adopted Comprehensive Plan, shall be forwarded to the County's Agricultural Preservation Board for review and comment.

(a) The Agricultural Preservation Board shall have 30 calendar days to provide comments. If comments are not received within this timeframe, the application review process shall not be delayed.

(b) For purposes of this subsection, agricultural support enterprise uses shall be defined as those permitted in the ASE-CZ zoning district, as detailed within Section 5.2.3 of this Ordinance.

(B) The Planning Director shall submit the analysis to the Board of County Commissioners and the Planning Board, in the case of Class A Special Uses, or the Board of Adjustment, in the case of Class B Special Uses.

(C) The appropriate Board reviewing the application shall receive and enter the analysis into evidence during the public hearing. The analysis shall be subject to examination by all interested parties and the Planning Director shall be subject to cross-examination regarding the analysis.

(D) ~~The Planning Director shall not make a recommendation on the general findings detailed within Section 5.3 of this Ordinance~~ [20]

[20] The Staff Attorney has suggested this language be removed. In instances where Planning staff is asked for an opinion or asked questions about the findings of fact, having this language in the UDO could be problematic because it could create a large gray area. (Section 1.4 of the UDO allows the Planning Director to designate other

2.7.5 Neighborhood Information Meeting

(A) Before a Public Hearing may be held for a Special Use the applicant is required to schedule a minimum of one neighborhood information meeting. The purpose of the meeting is to obtain surrounding property owner input and comments on the proposed development project and allow staff an opportunity to explain the review process associated with the request.

(B) The applicant shall obtain property owner mailing address information from the Orange County Planning Department, which shall utilize Orange County Land Records data, and shall mail certified notices of the meeting date and time to each property owner within ~~500~~ one thousand[21] feet of the property for which a Special Use has been requested.

(C) The applicant shall mail notice of the Neighborhood Information Meeting a minimum of 14 days prior to the date of the meeting.

(D) The applicant shall post a sign on the property advertising the date, place, and time of the meeting a minimum of 10 days prior to the date of the meeting.

(E) The meeting shall be held a minimum of 45 days prior to the date of the Public Hearing.

(F) Neighborhood information meetings for telecommunication facilities shall be held in accordance with the provisions of Section 5.10.8 (B) (2).

2.7.6 Notice Requirements for Class A Special Use Permits

(A) The Planning Director shall give notice of the date, time and place of the Planning Board meeting at which the Planning Board is scheduled to review a Special Use Permit application.

(1) Written notice shall be sent by first class mail to all adjacent property owners not less than ten days before the Planning Board meeting date. Adjacent property owners are those whose property lies within ~~five hundred~~ one thousand feet of the affected property and whose names and addresses are currently listed in the Orange County tax records. The outside of the envelope or postcard shall be marked "Notice of Planning Board Meeting."

(2) The Planning Director shall post on the affected property a notice of the Planning Board meeting at least ten days prior to the date of said meeting.

(3) Notices may be combined with notice of the Neighborhood Information Meeting required in Section 2.7.5.

(B) The Planning Director shall give ~~public~~ notice of the date, time and place of the public hearing to be held to receive ~~comments,~~ evidence in the form of[22] testimony and exhibits pertaining to the application for a Special Use.

staff members to administer, interpret, and enforce the UDO; the term Planning Director is used throughout the UDO for consistency).

[21] As a result of comments made at the September 8, 2015 public hearing, the notification boundary is proposed to be expanded from 500 feet to 1,000 feet.

[22] The Staff Attorney has suggested this language modification since SUP applications are quasi-judicial in nature and require testimony rather than comments.

(1) Written notice shall be sent by ~~certified~~ first class[23] mail to all adjacent property owners ~~not less than 15 days~~ at least ten days but not more than 25 days[24] before the hearing date. Adjacent property owners are those whose property lies within ~~five hundred~~ one thousand feet of the affected property and whose names and addresses are currently listed in the Orange County tax records. The outside of the envelope or postcard shall be marked "Notice of Public Hearing."

(2) The Planning Director shall post on the affected property a notice of the public hearing at least ten days but not more than 25 days[25] prior to the date of said hearing.[26]

(3) ~~Such notice~~ Notice of the public hearing shall be published in a newspaper of general circulation in Orange County once a week for two successive weeks, with the first notice to be published not less than ten days nor more than 25 days prior to the date of the hearing. In computing the notice period, the day of publication is not to be included, but the day of the hearing is to be included.[27]

2.7.7 Notice Requirements for Class B Special Use Permits

Notice Requirements for Class B Special Use Permits shall follow the procedures in Section 2.12.6.

2.7.8 Nature of Proceedings

(A) The review of Special Use Permit applications shall be conducted during a public hearing by the decision-making board.

(B) The review of a Special Use Permit application is a quasi-judicial process, where the Board responsible for rendering a decision acts much like a panel of judges. The Board hears factual evidence and sworn testimony presented at an evidentiary hearing, and then makes findings of fact supported by competent, substantial, and material evidence.

(C) The chair or presiding officer of the hearing shall swear all parties intending to present evidence or testimony during the hearing.

(D) The chair or presiding officer may take whatever action is necessary to limit testimony to the presentation of new factual evidence that is material to the application, to ensure fair and orderly proceedings, and to otherwise promote the efficient and effective gathering of evidence. Such actions may include:

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[23] State statutes do not require mailing via certified mail. Because of the proposed notification distance increase (from 500 feet to 1,000 feet), staff is suggesting that notices be mailed via first class mail in order to keep costs and necessary staff time lower.

[24] Language modification is being suggested to be consistent with Statutes and to ensure the outer limit of 25 days is not inadvertently missed. Because notices for the Neighborhood Information Meeting (and Planning Board meeting, if these proposed text amendments are adopted) are sent more than a month before this notice for the public hearing, notification to the public regarding proposed projects is occurring much sooner in the review process than in the past.

[25] Language modification is being suggested to be consistent with Statutes and to ensure the outer limit of 25 days is not inadvertently missed.

[26] C(1) and (2) are currently (C) and (D) in the adopted UDO but have been indented one level to flow better in this subsection.

[27] This language is currently (B) in the adopted UDO. The Staff Attorney had suggested that published newspaper advertisements for quarterly public hearings omit SUP applications since the general public does not have standing in such matters and cannot participate. At the September 8, 2015 public hearing, comments were received to continue to publish SUP notices in the legal advertisements but to add additional language to the legal ad if necessary for legal sufficiency reasons. Therefore, the language has been restored and depicted in orange colored text and has been indented one level to flow better within the subsection. Planning and Attorney staff will work together to ensure future legal ads are modified as necessary.

(1) Barring the presentation of obvious hearsay evidence,

(2) Barring the presentation of non-expert opinion,

(3) Interrupting digressions into immaterial testimony,

(4) Interrupting repetitive testimony,

(5) Reasonably limiting the time allotted each witness or cross-examination,

(6) Providing for the selection of spokespersons to represent groups of persons with common interests,

(7) Interrupting personal attacks, and/or

(8) Ordering an end to disorderly conduct.

(E) Where the Board finds compliance with the general standards, specific rules governing the specific use, and that the use complies with all required regulations and standards, the application must be approved unless the Board shall also find, in some specific manner, that:

(1) the use will not maintain or promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted.

(F) Those opposing approval of the application on the grounds that the use will not promote the public health, safety and general welfare shall have the burden of establishing, by competent material and substantial evidence, the specific manner in which the proposed use does not satisfy the requirements for approval of the application for a Special Use.

2.7.9 Review and Decision

(A) For Class A Special Use ~~permits~~Permits, the following shall apply:

(1) All applications shall be referred to the Planning Board for review and recommendation after the Neighborhood Information Meeting but prior to the public hearing.[28]

(2) The Planning Board shall make a recommendation and proposed findings of fact on the application, including the findings required in Section 5.3.2 of this Ordinance[29]. The Planning Board's action on an application shall be one of the following:

(a) Recommend approval based on proposed findings of fact,

(b) Recommend denial based on proposed findings of fact,

(c) Recommend approval based on proposed findings of fact but with specified conditions.

(3) Should the Planning Board fail to make a recommendation prior to the public hearing, the application shall be forwarded to the Board of County Commissioners without a Planning Board recommendation.

[28] The Staff Attorney has advised that a greater level of legal sufficiency is reached if the Planning Board reviews applications and makes its recommendation prior to the quasi-judicial hearing than during or after the hearing.

[29] The Planning Board has stated it wants to make a recommendation on the findings required in Section 5.3.2 (e.g., use will promote public health, safety, and welfare; use will maintain or enhance value of contiguous property; location and character of use is in harmony with the area). Staff notes that an applicant cannot be required to divulge the evidence they intend to present at the evidentiary hearing (quasi-judicial hearing). In the event an applicant chooses to withhold information until the quasi-judicial hearing, there may be cases where the Planning Board will not have access to all information at its meeting. In such cases, the Planning Board may note deficiencies in information in its recommendation.

(4) The Board of County Commissioners ~~and Planning Board~~[30] shall review the application during ~~a regularly scheduled public hearing~~ a meeting designated as a Quarterly Public Hearing.

(5) All evidence shall be submitted during the public hearing. If additional evidence is requested by the Board of County Commissioners during a hearing which must be submitted at a later date, the hearing shall be continued to a date/time certain in order to receive the additional evidence.[31]

~~**(6)** Following review at a public hearing the Special Use permit application shall be referred to the Planning Board for its consideration and recommendation.~~

~~**(7)** The Board of County Commissioners may direct the Planning Board to provide a recommendation by a date certain. If the Board of County Commissioners does not so direct, the Planning Board shall make its recommendation within three regularly scheduled meetings.~~

~~**(8)** If the Planning Board fails to make a recommendation within the time allotted within subsection (3) above, the application shall be forwarded to the Board of County Commissioners without a Planning Board recommendation.~~

(9) After ~~receipt of any Planning Board recommendation and closure of~~ closing the public hearing, the Board of County Commissioners shall ~~take action upon the application. This action shall be one of the following~~ do one of the following:

~~(a) Approval;~~

~~(b) Approval with conditions; or~~

(c) ~~Denial.~~

(a) Defer action to a later Board of County Commissioners meeting date, or

(b) Act upon the application.

(10) Board of County Commissioner action on the application shall include making appropriate findings of fact pursuant to Section 2.7.11, stating whether the board concludes each of the applicable standards have been met and one of the following:

(a) Approval;

(b) Approval but with specified conditions as provided in Section 2.7.12; or

(c) Denial.

(B) For Class B Special Use Permits, the following shall apply:

(1) The Board of Adjustment shall review the application during a regularly scheduled public hearing.

(2) The Board of Adjustment shall conduct the hearing in accordance within the provisions detailed in this Section as well as those contained within Section 2.12.

(3) After ~~completion of~~ closing the public hearing, the Board of Adjustment shall take action upon the application. This action shall ~~be~~ include making appropriate findings of fact pursuant to Section 2.7.11, stating whether the board concludes each of the applicable standards have been met and one of the following:

(a) Approval;

[30] While the Planning Board is expected to attend the public hearing, a quorum of Planning Board members will not be necessary in order to conduct the hearing.

[31] In order to meet legal requirements for quasi-judicial proceedings, staff is suggesting this proposed language. Evidence would no longer be allowed to be submitted in writing after the quasi-judicial hearing. Instead, additional evidence would have to be presented by experts at a subsequent hearing (which does not necessarily have to be a quarterly public hearing date).

(b) Approval but with specified conditions as provided in Section 2.7.12; or

(c) Denial.

2.7.10 Standards of Evaluation

The following specific standards shall be used in deciding on an application:

(A) The project meets all applicable design standards and other requirements of this Ordinance.

(B) The development can reasonably be completed within the vesting period requested, if any.

(C) Where vesting in excess of two years is requested, the project is located in an area where current issues under study do not involve potential amendments to the Comprehensive Plan and/or this Ordinance.

2.7.11 Required Findings

(A) A resolution or motion to approve the application must include the findings of fact and conclusions of law that support the decision. Any proposed conditions of approval must also be included in the resolution or motion to approve the application.

(B) A resolution or motion to deny the application must state findings of fact and conclusions of law that support the decision.

(C) If a resolution or motion to approve the application fails, the application is deemed denied. Those members voting against the resolution or motion must state which of the conclusions of law they could not reach as well as findings of fact on which their inability to reach the conclusions is based.

2.7.12 Conditions of Approval

(A) The Board of County Commissioners or the Board of Adjustment, as appropriate, may impose such reasonable conditions upon approval of a Special Use as will afford protection of the public health, safety and general welfare, ensure that substantial justice is done, and equitable treatment provided.

(B) Conditions shall run with the land and use, and shall be binding on the original applicant(s) as well as all successors, assigns and heirs.

(C) The Special Use Permit shall include a statement that if any condition of a Special Use Permit shall be held invalid or void, then the permit itself shall be void and of no effect.

(D) It shall be stated in the Special Use Permit that the Permit shall automatically expire within 12 months of the date of approval if the use has not commenced or construction has not commenced or proceeded unless a timely application for extension of this time limit is approved by the Board of County Commissioners as provided in Section 2.7.13.

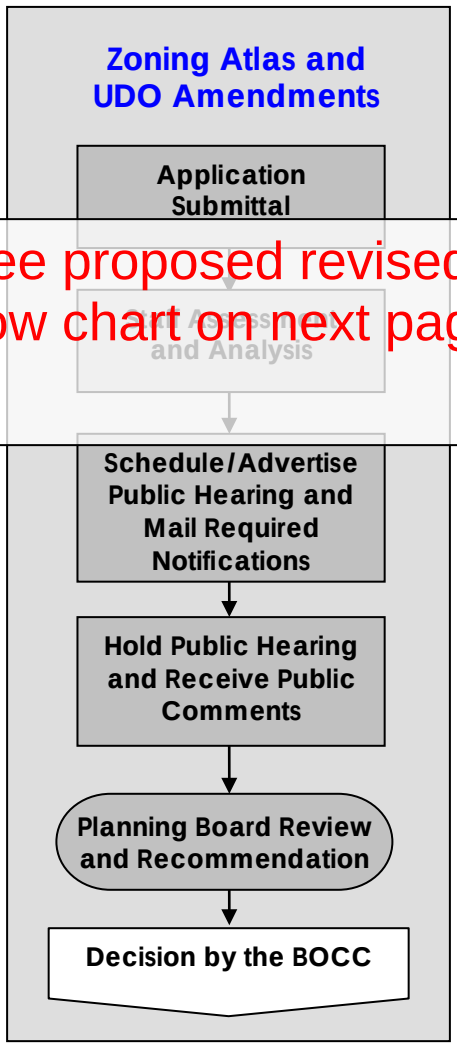
2.7.13 Notification of Board Action

(A) The Planning Director shall send a notice of the relevant Board's action on the application by certified mail to the applicant. A copy of the decision shall be filed in the Planning Department within five business days of the relevant Board's action.

(B) The Planning Director, in the case of approval or approval with conditions, shall issue the necessary permit in accord with the Board's action.

(C) The Planning Director, but not a designee, shall certify that the Special Use Permit with any imposed conditions is as approved by the Board of County Commissioners or Board of Adjustment, as appropriate, with a report provided to the County Manager.

SECTION 2.8: ZONING ATLAS AND UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS



See proposed revised flow chart on next page

2.8.1 Review and Approval Flow Chart

The review and approval process for a Zoning Atlas and Unified Development Ordinance Amendment is shown in the procedure's flowchart.

2.8.2 Amendment Initiation

(A) An amendment to this Ordinance or the Zoning Atlas may be initiated by:

(1) The Board of County Commissioners on its own motion;

(2) The Planning Board;

(3) Application, by any person or agency, or

(4) The Planning Director.

(B) If a request for consideration of an amendment proposal is submitted directly to the Board of County Commissioners, said Board may decline to consider the request or may refer the amendment proposal to the Planning Director for preparation of an amendment application.

(C) Once initiated, all amendments shall be referred to the Planning Board.[32]

2.8.3 Contents of Application

Applications shall contain the following:

(A) For amendments to the Zoning Atlas:

(1) A map at a legible scale showing the land which would be covered by the proposed amendment, and

(2) A legal description of the land.

(B) For amendments to the Unified Development Ordinance text:

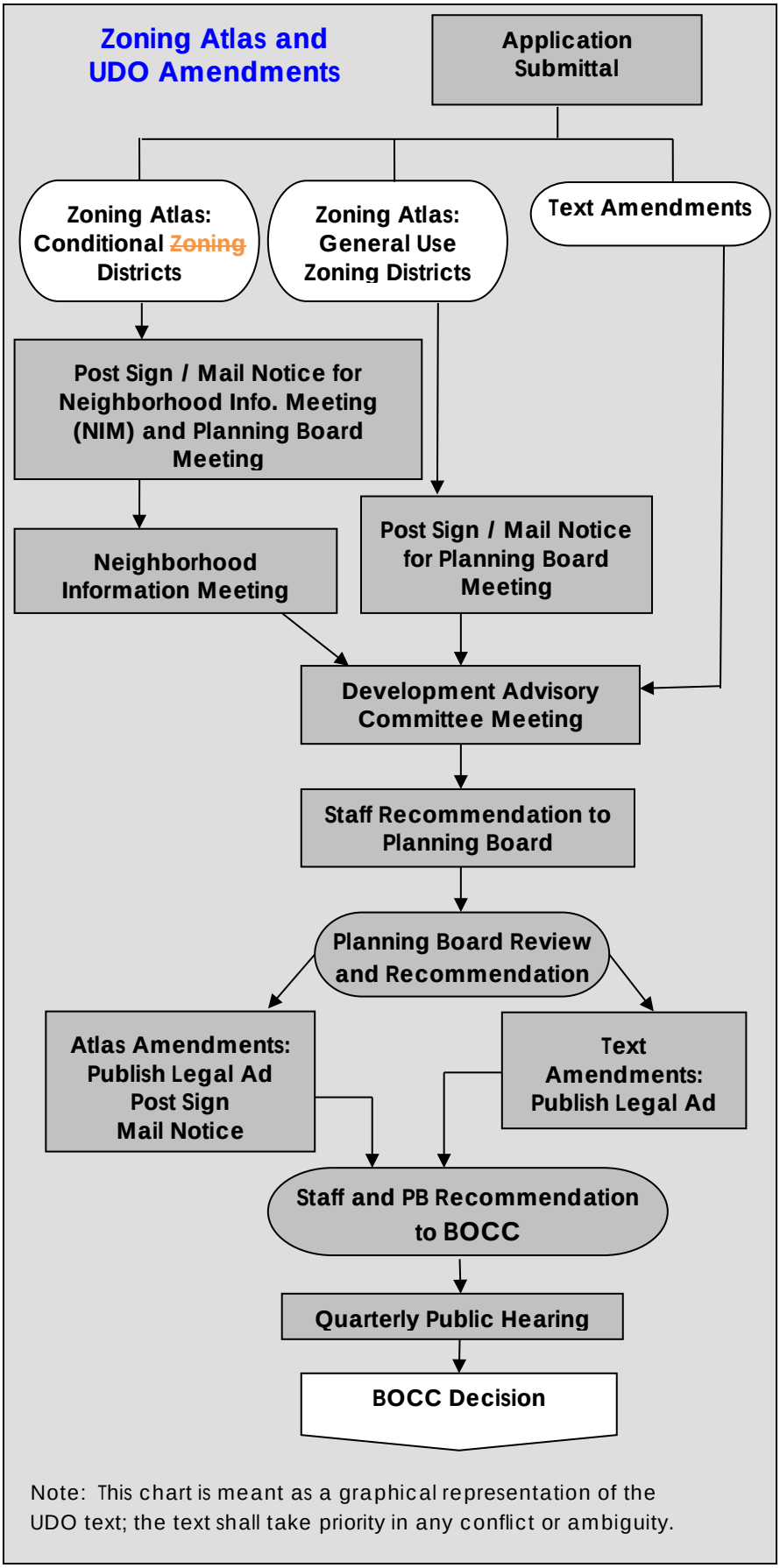
(1) A copy of the existing text provision(s) which the applicant proposes for amendment, and

(2) A written statement which describes in detail the changes the applicant proposes to make.

(C) The alleged error in the Zoning Atlas and/or Unified Development Ordinance text that would be corrected by the proposed amendment with a detailed explanation of such error

[32] These proposed revisions here and on subsequent pages incorporate the discussion the Planning Board had in October, November, and December 2014 and which the BOCC discussed on May 12, 2015. The cadence of the review process would be revised to have the Planning Board make its recommendation prior to the public hearing. Notices would be mailed to nearby property owners and a sign(s) would be posted; this revision will notify nearby property owners of potential changes much earlier in the process. Although the Planning Board meeting would not be an official public hearing, the public could address the Planning Board (the existing requirement for written comments only is not proposed to continue in this revised process) and the Planning Board can take all public comments into consideration when making its recommendation.

Proposed flow chart for Section 2.8.3



in the Zoning Atlas and/or Unified Development text and detailed reasons how the proposed amendment will correct the alleged error;

(D) The changed or changing conditions, if any, in the area or in the County generally, which makes the proposed Zoning Atlas and/or Unified Development Ordinance text amendment reasonably necessary to promote the public health, safety and general welfare;

(E) The manner in which the proposed Zoning Atlas and/or Unified Development Ordinance text amendment will carry out the intent and purpose of the adopted Comprehensive Plan or part thereof; and

(F) A traffic impact study as required by Section 6.17.

(G) For amendments to the Special Flood Hazard Area Overlay District, pertaining to a Letter of Map Amendment:

(1) An elevation certificate with either an MT-1, MT-2, or MT-EZ (forms available through FEMA), or

(2) A "No-Impact" analysis for a Letter of Map Revision.

(H) All other circumstances, factors and reasons that the applicant offers in support of the proposed Zoning Atlas and/or Unified Development Ordinance text amendment.

2.8.4 Applications for Amendment – Joint Planning Area

Applications for amendments to the Orange County Unified Development Ordinance and Zoning Atlas for the purpose of incorporating the provisions of the Chapel Hill Land Development Ordinance (and Zoning Maps) and/or the Carrboro Land Use Ordinance (and Zoning Maps) shall be processed as specified herein and as specified in the Joint Planning Agreement adopted November 2, 1987, and as amended from time to time.

Any text amendments adopted by Orange County shall be adopted by reference as though fully set forth herein. Any map amendments adopted by Orange County shall be officially denoted on the County Zoning Atlas. Where there is inconsistency between the amendment procedures contained herein and those contained in the Joint Planning Agreement, the provisions of the Joint Planning Agreement shall apply.

2.8.5 Review, Analysis and Recommendation

(A) The Planning Director shall cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners.

(B) Applications for agricultural support enterprise uses located within the Rural Buffer land use classification, as depicted on the Future Land Use Map of the adopted Comprehensive Plan, shall be forwarded to the County's Agricultural Preservation Board for review and comment.

(1) The Agricultural Preservation Board shall have 30 calendar days to provide comments. If comments are not received within this timeframe, the application review process shall not be delayed.

(2) For purposes of this subsection, agricultural support enterprise uses shall be defined as those permitted in the ASE-CZ zoning district, as detailed within Section 5.2.3 of this Ordinance.

2.8.6 Public Hearing Required

A public hearing shall be held before adoption of any proposed Zoning Atlas Amendment and/or text amendment to this Ordinance. The Board of County Commissioners ~~and the Planning~~

~~Board~~[33] shall hear applications and receive public comment for Zoning Atlas amendments and/or text amendments to this Ordinance in a Quarterly Public Hearing.

2.8.7 Notice ~~of~~ Requirements for Planning Board Meetings and Public Hearings

(A) The Planning Director shall provide notification of Planning Board meetings at which the Planning Board is to review and make a recommendation on Zoning Atlas amendments. Notifications shall be mailed and posted for the Planning Board meeting in the same manner as for the public hearing, as detailed in (C) and (D) below. The notice shall include the time and location of the Planning Board meeting.[34] The outside of the envelope or postcard shall be marked "Notice of Planning Board Meeting."

(B) The Planning Director shall cause notice ~~Notice~~ of the public hearing to review the application and receive public comment ~~shall~~ to be published at least twice in a newspaper of general circulation in the county, stating the time and place of the hearing and the substance of the proposed amendment.

(1) Said notice shall appear in said newspaper for two successive weeks with the first notice appearing not less than ten days nor more than 25 days before the date set for the public hearing. In computing the notice period, the day of publication is not to be included, but the day of the hearing is to be included.[35]

(C) ~~In the case of~~ For amendments to the ~~zoning atlas~~ Zoning Atlas, the Planning Director shall post on the affected property a notice of the public hearing at least ten days prior to the date of said hearing.

(D) ~~In the case of~~ For amendments to the Zoning Atlas, written notice shall be sent by certified mail to the affected property owner and by first class mail to[36] all adjacent property owners at least 15 days, but not more than 25 days, before the public hearing date. Adjacent property owners are those whose names and addresses are currently listed in the Orange County tax records and whose property lies within ~~500~~ one thousand[37] feet of the affected property. The outside of the envelope or postcard shall be marked "Notice of Public Hearing."

(1) ~~If amendments to the Zoning Atlas are proposed by the County, notice shall be sent by first class mail to all affected property owners and to all adjacent property owners within 500 feet as provided in (D) above.~~[38]

(E) The Planning Director shall certify the mailing of all notices to the Board of County Commissioners.

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[33] Since a quorum of Planning Board members will no longer be necessary to hold a public hearing, the public hearing would no longer be considered a joint hearing.

[34] The Planning Board has stated that it would like the public to have notice of its meetings when it is considering amendments so the public can attend the meetings and provide comments if desired. This will result in two mailed notifications/sign postings for Zoning Atlas amendments in order to meet statutory requirements for public hearings (mailed/posted at least 10 days but not more than 25 days prior to the public hearing)

[35] This paragraph has been indented one level to better reflect the cadence of ordinance structure.

[36] State statutes do not require mailing via certified mail to adjacent property owners. Because of the proposed notification distance increase (from 500 feet to 1,000 feet), staff is suggesting that notices be mailed via first class mail in order to keep costs and necessary staff time lower.

[37] As a result of comments made at the September 8, 2015 public hearing, the notification boundary is proposed to be expanded from 500 feet to 1,000 feet.

[38] This paragraph is suggested for deletion because of the proposed modifications in (D) which will allow all notices (both applicant-initiated and government-initiated) to be sent via first class mail. If the modification in (D) is not adopted, the language in (D)(1) should not be deleted and the notification distance should be increased from 500 feet to 1,000 feet.

2.8.8 Planning Board Review[39]

(A) ~~Following the public hearing, all proposed amendments shall be referred to the Planning Board for consideration and recommendation.~~

(B) ~~The Board of County Commissioners may direct the Planning Board to provide a recommendation by a date certain. If the Board of County Commissioners does not so direct, the Planning Board shall make its recommendation within three regularly scheduled Planning Board meetings.~~

(C) ~~If the Planning Board fails to make a recommendation within the time allotted in subsection (B) above, the application shall be forwarded to the Board of County Commissioners without a Planning Board recommendation.~~

(D) ~~Amendments initiated by Orange County shall not be subject to time limitations other than those specified by the Board of County Commissioners during the public hearing process.~~

(E) ~~Evidence not presented at the public hearing may be submitted in writing to the Planning Board for consideration prior to the Planning Board's recommendation to the Board of County Commissioners. The Planning Board may consider additional oral evidence only if it is for the purpose of presenting information also submitted in writing.~~

(A) The Planning Board shall allow public comments at its meeting and those comments shall be taken into consideration by the Planning Board in making its recommendation.

(B) The Planning Board's action on an application shall be one of the following:

(1) Recommend approval,

(2) Recommend denial,

(3) Recommend approval but with specified changes, or

(4) Recommend the Planning Board be given extended time to consider the matter.

(C) In making its recommendation, the Planning Board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan or any other officially adopted plan that is applicable, and briefly explain why the board considers the action taken to be reasonable and in the public interest.[40]

(D) Should the Planning Board fail to make a recommendation prior to the quarterly public hearing, the application shall be forwarded to the Board of County Commissioners without a Planning Board recommendation.[41]

2.8.9 Action by Board of County Commissioners

(A) The Board of County Commissioners shall ~~not consider enactment of the proposed amendment until~~ hold a public hearing after the Planning Board either makes its

[39] These proposed revisions incorporate the discussion the Planning Board had in October, November, and December 2014 and which the BOCC discussed on May 12, 2015. The cadence of the review process would be revised to have the Planning Board make its recommendation prior to the public hearing. Notices would be mailed to nearby property owners and a sign(s) would be posted; this revision will notify nearby property owners of potential changes much earlier in the process. Although the Planning Board meeting would not be an official public hearing, interested persons could address the Planning Board (the existing requirement for written comments only is not proposed to continue in this revised process) and the Planning Board can take all public comments into consideration when making its recommendation.

[40] Required by NCGS 160A-383.

[41] This paragraph is a slight modification from existing paragraph (C), which is proposed to be deleted. It addresses what happens in the event the Planning Board fails to make a recommendation (namely, that the process moves forward without a Planning Board recommendation).

recommendation or takes no action on the application ~~as prescribed in Section 2.8.8(C)~~ within 30 days if its referral.

(B) ~~In making its decision, the Board of Commissioners shall consider all relevant evidence presented at the public hearing and any submitted written evidence that was considered by the Planning Board in making its recommendation.~~

(C) After the Board of County Commissioners closes the public hearing, the Board of County Commissioners shall do one of the following:

(1) defer a decision to a later Board of County Commissioners meeting date, or

(2) make a decision.

(D) In making its decision, the Board of County Commissioners shall consider adopted plans, comments made at the public hearing, the Planning Board's recommendation, and the Planning Director's recommendation. The Board of County Commissioners shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan or any other officially adopted plan that is applicable, and briefly explain why the board considers the action taken to be reasonable and in the public interest.[42]

2.8.10 Text Revisions Pertaining to Soil Erosion and Sedimentation Control Provisions

(A) The Erosion Control Officer shall review all of the North Carolina Sedimentation Control Commission's revisions to the State's Model Soil Erosions and Sedimentation Control Ordinance and, within 90 days of receipt of the recommended revisions, submit draft amendments to the North Carolina Sedimentation Control Commission for its consideration and comments.

(B) Within 150 days after receipt of the North Carolina Sedimentation Control Commission's comments, Orange County shall formally consider proposed amendments and, to the extent deemed necessary by the Board of County Commissioners, incorporate the amendments into this Ordinance.

(C) Text amendments to this Ordinance for soil erosion and sedimentation control provisions shall comply with the requirements in effect for any other text amendment.

2.8.11 Text Revisions Pertaining to Stormwater Provisions

(A) The Erosion Control Officer shall review all of the State Environmental Management Commission's revisions to the State's Model Stormwater Ordinance and, within 90 days of receipt of the recommended revisions, submit draft amendments to the State Environmental Management Commission for its consideration and comments.

(B) Within 150 days after receipt of the State Environmental Management Commission's comments, Orange County shall formally consider proposed amendments and, to the extent deemed necessary by the Board of County Commissioners, incorporate the amendments into this Ordinance.

(C) Text amendments to this Ordinance for stormwater provisions shall comply with the requirements in effect for any other text amendment.

SECTION 2.9: CONDITIONAL DISTRICTS

2.9.1 Conditional Use District (CUD)

(A) **Generally**

(1) Any use permitted under the CUD process shall conform to all applicable development regulations for the corresponding general use zoning district as well as any specific development standards outlined within this Ordinance.

[42] Required by NCGS 160A-383.

There are no revisions proposed on this page - it is provided for context.

(2) The Board of County Commissioners, in reviewing a CUD application, may impose such reasonable conditions upon approval of a CUD request as will afford protection of the public health, safety, and general welfare, ensure that substantial justice is done, and ensure equitable treatment.

(3) Only those conditions mutually agreed to by the applicant and the Board of County Commissioners may be imposed on a CUD application.

(4) Within the Economic Development Districts (EDDs), there are specific uses that require approval of a CUD. These uses are noted on the Table of Permitted Uses – Economic Development Districts (Section 5.2).

(B) Applications

Applications to establish a CUD shall be submitted to the Planning Director and shall be processed in accordance with the procedure(s) for:

(1) Zoning Atlas amendment (Section 2.8),

(2) Class A Special Use Permit (Section 2.7), and

(3) The provisions of this Section.

(C) Submittal Requirements

(1) In addition to the CUD application form, an applicant shall also submit the following information:

(a) A site plan prepared in accordance with the provisions of Section 2.5 including the following:

(i) A detailed description of the proposed use of property including an outline of the proposed operational characteristics of the proposed development,

(ii) A detailed traffic survey, regardless of the estimated number of trips per day, prepared in accordance with all applicable North Carolina Department of Transportation (NC DOT) requirements or standards as well as Section 6.17 of this Ordinance,

(iii) The appropriate environmental document prepared in accordance with Section 6.16; and

(iv) A landscape plan showing the location of on-site significant trees; proposed screening, buffers, and landscaping; and any proposed treatment of any existing natural features.

(b) A summary of utility services, including processing of wastewater.

(c) A schedule of construction of all elements of the proposal; and

(d) Any other information identified during the pre-application conference deemed essential to demonstrate the project's compliance with these regulations.

(2) 26 copies of the application package required in (1) above shall be submitted by the applicant.

(3) The Planning Board and/or Board of County Commissioners may request additional information in order to evaluate and properly process the application for a CUD.

(D) Neighborhood Information Meeting

(1) Before a Public Hearing may be held on an accepted application for a CUD, the applicant is required to schedule, with the assistance of the Planning Department, a minimum of one neighborhood information meeting. The purpose of this meeting is to obtain surrounding property owner input and comments on the proposed development project.

(2) The applicant shall obtain property owner mailing address information from the Orange County Planning Department and shall mail certified notices of the meeting date and time to each property owner within ~~500~~ one thousand feet of the property for which a CUD has been requested.[43]

(3) The notices shall be mailed a minimum of 14 days prior to the date of the proposed Neighborhood Information Meeting.

(4) The applicant shall post a sign on the property advertising the date, place, and time of the meeting a minimum of 10 days prior to the date of the meeting.

(5) The Neighborhood Information Meeting shall be held a minimum of 45 days prior to the date of the Public Hearing where the application is scheduled for review and public comment.

(E) Review and Evaluation of Application

(1) All CUD applications shall be reviewed and acted upon in accordance with the review procedures for Class A Special Use Permits (Section 2.7).

(2) The following shall be considered when evaluating an application for a CUD:

(a) The policies and objectives of the Orange County Comprehensive Plan, particularly in relation to the use, proposed site, and surrounding area;

(b) The policies and objectives of any adopted Small Area Plan(s) relating to the area; and

(c) The potential impacts to the surrounding area including, but not limited, to: traffic, storm water drainage, compatibility of land use activities, and land values.

(3) The Board of County Commissioners may attach reasonable and appropriate conditions to the location, nature, and extent of the proposed use. Such conditions may address the following:

(a) The characteristics of the proposed use and its relationship to surrounding property and existing land uses,

(b) The proposed support facilities, such as parking, screening and buffer areas,

(c) The timing of the proposed development,

(d) Architectural review and controls,

(e) The Permitted and Special Uses allowed under the existing zoning classification, and,

(f) Other matters that the BOCC may find appropriate or the applicant may propose.

(F) Approval and Conditions

[43] This section had not been proposed for modification at the September 8, 2015 public hearing. However, as a result of comments made at the public hearing, the notification boundary is proposed to be expanded from 500 feet to 1,000 feet for other types of actions so staff is suggesting the increase in this section as well so that notification distances will be consistent.

There are no revisions proposed on the page - it is provided for context.

(3) A minor change is one that will not:

(a) Alter the basic relationship of the proposed development to adjacent property,

(b) Alter the approved land uses,

(c) Increase the density or intensity of development, and/or

(d) Decrease the off-street parking ratio or reduce the buffer yards provided at the boundary of the site.

2.9.2 Conditional Zoning District (CZD)

(A) Generally

Only those uses listed on the Table of Permitted Uses in Section 5.2 for a specific Conditional Zoning District and detailed in Section 3.8 of this Ordinance shall be developed.

(B) Applications

Applications to rezone property to a CZD shall be submitted to the Planning Director and shall be processed in accordance with the procedure(s) for:

(1) Zoning Atlas amendment (Section 2.8),

(2) Site plans (Section 2.5) for CZDs that require a site plan, and

(3) The provisions of this Section.

(C) Submittal Requirements

(1) In addition to the CZD application form, an applicant shall also submit the following information:

(a) A site plan prepared in accordance with the provisions of Section 2.5 of this Ordinance, except for MPD-CZ applications (see (C)(2) below).

(b) A detailed description of the proposed use of property including an outline of the proposed development.

(c) A detailed traffic survey, regardless of the estimated number of trips per day, prepared in accordance with all applicable North Carolina Department of Transportation (NC DOT) requirements or standards as well as Section 6.17 of this Ordinance.

(d) The appropriate Environmental Document prepared in accordance with Section 6.16.

(e) A landscape plan showing the location of on-site significant trees; proposed screening, buffers, and landscaping; and any proposed treatment of any existing natural features.

(f) A summary of utility services, including processing of wastewater.

(g) A schedule of construction of all elements of the proposal.

(h) Any other information identified during the pre-application conference deemed essential to demonstrate the project's compliance with these regulations.

(2) In lieu of the requirements in (1)(a) above, an application for a Master Plan Development (MPD) CZD shall include the requirements in Section 6.7. The requirements of (1)(b) through (1)(h) above are applicable for MPD-CZ applications.

(3) 26 copies of the application package required in (1) and (2) above shall be submitted by the applicant.

(4) The Planning Board and/or Board of County Commissioners may request additional information in order to evaluate and properly process the application for a CZD.

(D) Neighborhood Information Meeting

(1) Before a Public Hearing may be held on an accepted application for a CZD, the applicant is required to schedule, with the assistance of the Planning Department, a minimum of one neighborhood information meeting. The purpose of this meeting is to obtain surrounding property owner input and comments on the proposed development project.

(2) The applicant shall obtain property owner mailing address information from the Orange County Planning Department and shall mail certified notices of the meeting date and time to each property owner within ~~500~~ one thousand feet of the property for which a CZD has been requested.[44]

(3) The notices shall be mailed a minimum of 14 days prior to the date of the proposed Neighborhood Information Meeting.

(4) The applicant shall post a sign on the property advertising the date, place, and time of the meeting a minimum of 10 days prior to the date of the meeting.

(5) The Neighborhood Information Meeting shall be held a minimum of 14 days prior to the date of the Public Hearing where the application is scheduled for review and public comment.

(E) Review and Evaluation of Application

The review, processing, and evaluation of a CZD application is a legislative process subject to judicial review using the same procedures and standards of review that apply to general use district zoning decisions.

(F) Approval and Conditions

(1) The Board of County Commissioners shall take action on the application to rezone the property in accordance with the procedures outlined within Section 2.8.

(2) The applicant or the County may recommend that reasonable and appropriate conditions be attached to the approval of the application

(3) Conditions and site-specific standards shall be limited to those that address the conformance of the development to County ordinances, the adopted Comprehensive Plan, or any other relevant plans that address the impacts reasonably expected to be generated by the proposed development. Any such conditions may address:

(a) The compatibility of the proposed development with surrounding property,

(b) Proposed support facilities (i.e. roadways and access points, parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, storm water drainage, the provision of open space, etc), and/or

(c) All other matters the County may find appropriate or the petitioner may propose.

[44] This section had not been proposed for modification at the September 8, 2015 public hearing. However, as a result of comments made at the public hearing, the notification boundary is proposed to be expanded from 500 feet to 1,000 feet for other types of actions so staff is suggesting the increase in this section as well so that notification distances will be consistent. Mailing notices via first class mail rather than via certified mail is being suggested in order to keep costs lower.

2.11.4 Review Procedures

(A) Applications for an appeal of an interpretation shall be reviewed and acted upon by the Board of Adjustment in accordance with the procedures contained in Section 2.12 of this Ordinance.

(B) The conduct of the hearing shall be consistent with the provisions of Section 2.12 of this Ordinance.

(C) The Planning Director shall complete an assessment of the application and provide a recommendation on the disposition of the application. The assessment shall include all relevant facts utilized in rendering the disputed decision and the rationale for the interpretation made by the Planning Director.

(D) The assessment shall be introduced at the hearing and become part of the record.

(E) Upon hearing all evidence associated with the application, the Board of Adjustment shall close the hearing and render a decision on the matter to affirm, modify, or reverse the decision of the Planning Director.

2.11.5 Findings of Fact

The Board of Adjustment shall provide a detailed rationale for its decision in the form of an order to affirm, modify, or reverse the decision of the Planning Director. This order shall provide the necessary justification for the Board's action based on the testimony and evidence entered into the record during the hearing.

2.11.6 Notice Requirements

Notice requirements shall follow Section 2.12.6(A). Other subsections of Section ~~2.2.6~~ 2.12.6[45] are not applicable to applications for an appeal of an interpretation.

SECTION 2.12: BOARD OF ADJUSTMENT

2.12.1 General Provisions

(A) The Board shall act on all applications before it.

(B) The Board shall act on any appeal of a Stop Work Order issued by the Planning Director at its next regularly scheduled meeting or at a special meeting called for that purpose.

2.12.2 Quasi-Judicial Proceedings

(A) The Board of Adjustment acts in a quasi-judicial capacity. However, it is not intended that its proceedings be conducted as formally as those before courts.

(B) The rules of procedure and evidence set forth in this Ordinance shall be followed to protect the interests of all parties and the public.

(C) The presiding officer shall administer oaths to all witnesses and shall make rulings necessary to preserve fairness, order, or proper decorum in any matter before the Board of Adjustment. Any person who, while under oath during a proceeding before the Board, willfully swears falsely is guilty of a Class I misdemeanor.

(D) Any member of the Board of Adjustment or any interested party may object to, and the presiding officer may exclude, any evidence, testimony, or statement that is deemed incompetent, irrelevant, immaterial, or unduly repetitious and therefore fails to reasonably address the issues before the Board of Adjustment.

2.12.3 Evidence and Testimony

(A) Interested Party

[45] Typographical error that staff recommends correcting as part of this amendment package.

(1) Any interested party may present evidence or testimony, cross-examine witnesses, inspect documents, and offer evidence or testimony in explanation or rebuttal.

(2) Any member of the Board of Adjustment may question any interested party.

(3) Persons other than interested parties may make competent, relevant, and material comments.

(B) Subpoenas

(1) The Board of Adjustment may subpoena witnesses and compel the production of evidence.

(2) To request issuance of a subpoena, persons with standing as detailed under NCGS 160A-939(d), shall make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas in those cases where testimony or evidence is deemed to be relevant, reasonable in nature and scope, and not oppressive.

(3) The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be appealed to the full Board.

(4) If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the Board of Adjustment, or the party seeking the subpoena, may apply to the General Court of Justice for an order requiring that its order be obeyed, and the Court will have jurisdiction to issue those orders after notice to all proper parties.

(5) No testimony of any witness before the Board of Adjustment, pursuant to a subpoena issued in exercise of the power conferred by this subsection, may be used against the witness in any civil or criminal action, other than a prosecution for false swearing committed on the examination.

(6) Anyone who, while under oath during a proceeding before the Board of Adjustment, willfully swears falsely, is guilty of a Class 1 misdemeanor.

2.12.4 Quorum and Vote Required

(A) A quorum of the Board is necessary to conduct any business and shall consist of four members.

(B) The affirmative vote of four of the members of the Board shall be necessary in order to effect any variation in this Ordinance.

(C) A majority of the members shall be required to decide on the issuance of a Class B Special Use Permit or an appeal application.

2.12.5 Notification of Board Action

(A) Within five working days after Board action, the Planning Director shall have available in the Planning Department's office a notice of decision of the Board's action.

(B) The Planning Director shall notify the parties to an application or appeal of the Board's disposition. This includes the applicant, the property owner if different from the applicant, or any individual who has submitted a written request for a copy prior to the date the decision becomes effective. This notice shall be made by registered or certified mail within five working days of the Board's actions.

(C) The Planning Director shall keep a copy of the Board's action on file.

2.12.6 Notice Requirements for Matters Before the Board

(A) The Board shall give notice of matters coming before it by causing notice to be placed in a newspaper of general circulation in Orange County. The notice shall appear once a

week for two consecutive weeks, the first insertion to be not less than ten days nor more than 25 days prior to the meeting date. In computing the notice period, the day of publication is not to be included, but the day of the hearing is to be included. [46]

(B) In the case of application for a Class B Special Use permit or variance the Planning Director shall give written notice by ~~certified~~ first class mail to adjacent property owners. This notice shall be ~~given not less than 15 days~~ mailed at least ten days but not more than 25 days prior to the meeting date. Adjacent property owners are those whose property lies within ~~500~~ one thousand feet of the affected property and whom are currently listed as property owners in the Orange County tax records.[47] The outside of the envelope or postcard shall be marked "Notice of Public Hearing."

(C) The Planning Director shall post on the affected property a notice of the Board meeting at least ten days but not more than 25 days[48] prior to the meeting date.

(D) In the case of an appeal of a Stop Work Order issued by the Planning Director, the Planning Director shall give written notice by certified mail to the property owner, and/or person(s) engaged in the alleged violation. Notification of adjacent property owners, posting of property, and publication of a hearing notice is not required.

SECTION 2.13: EXEMPT SUBDIVISIONS

2.13.1 Generally

(A) Persons proposing divisions of land that do not constitute a subdivision must request a determination of an exempt subdivision status with the Planning Director. Activities that do not constitute a subdivision are found in Section 7.2.1.

(B) One copy of the final mylar plat and three paper copies of the plat shall be submitted with the request for a determination for an exempt subdivision.

(C) Exempt subdivisions shall comply with all applicable non-plat requirements of this Ordinance.

2.13.2 Review and Action

(A) Following receipt of a request for a determination of an exempt subdivision status, the Planning Director shall make a determination of the land division's exempt or nonexempt status.

(B) If the Planning Director determines that the proposed land division does not constitute a subdivision, the Planning Director shall certify the proposed land division as exempt and include the necessary statement on the plat certifying same.

[46] The Staff Attorney had suggested language modifications in (A) that would result in the omission of public hearings for SUPs from legal advertisements since the general public does not have standing in such matters and cannot participate. However, at the September 8, 2015 public hearing, comments were received to continue to publish SUP notices in the legal advertisements but to add additional language to the legal ad if necessary for legal sufficiency reasons. Therefore, existing language in (A) has been restored and is no longer suggested for modification. Planning and Attorney staff will work together to ensure future legal ads are modified as necessary.

[47] Language modification suggested to be consistent with Statutes and to ensure that the outer limit of 25 days in not inadvertently missed. State statutes do not require mailing via certified mail. Because of the proposed notification distance increase (from 500 feet to 1,000 feet), staff is suggesting that notices be mailed via first class mail in order to keep costs and necessary staff time lower. Because notices for the Neighborhood Information Meeting are sent more than a month before this notice for the public hearing, notification to the public regarding proposed projects is occurring much sooner in the review process than in the past.

[48] Language modification suggested to be consistent with Statutes and to ensure that the outer limit of 25 days in not inadvertently missed.

(4) Historic properties,

(5) Scenic corridors,

(6) Known bird migratory patterns through the County,

(7) Voluntary Agricultural Districts, and

(8) Publicly-owned or quasi-public lands.

(C) In order to participate in the Plan, all owner(s), or their legally binding representatives, shall submit an application on a form prepared by the Planning Department requesting inclusion.

(D) All telecommunication providers who elect to construct facilities on properties in the Plan shall provide all necessary and requested information to the County's telecommunications consultant.

(E) Modification of the Plan may be considered annually at the ~~February~~ first Quarterly Public Hearing of the calendar year, normally held in February. Any applicant requesting modification of the Plan shall make application to the Planning Director on or before December 1st of each year. The fee for modifying the Plan shall be that as set forth in the Orange County Schedule of Fees.

(F) Withdrawal from the Plan is permitted if any owner submits, to the Planning Director, a notarized statement requesting same. Upon receipt of the request, including any fee for modifying the Plan as set forth in the Orange County Schedule of Fees, the Planning Director shall inform interested parties that the property has been withdrawn from consideration. Removal of the property from the Plan shall be processed as a modification as detailed herein.

5.10.3 Annual Telecommunications Projection Meeting (ATPM)

(A) Purpose and Outcome

(1) The purpose of the ATPM meeting is to allow for a complete review of collocation opportunities, address coverage issues, and discuss the location of needed telecommunication support structures with providers who intent on submitting development applications for action by the County. The intended outcome of the meeting is to allow the County and interested parties to develop a plan for facility deployment within the County that provides reasonable coverage based on the needs of the County and its residents, while minimizing the total number of needed telecommunication support facilities, including minimizing the intrusiveness of such facilities, and encouraging the development of a more efficient telecommunication network.

(2) The intended outcome of the meeting is an understanding amongst the Planning Director and providers on areas of the County where telecommunication support facilities are needed and application request for the year should be focused.

(B) Applicability

(1) By December 31st of each calendar year, telecommunication providers shall submit to the Planning Director a plan indicating proposed search rings for anticipated telecommunication support structures. This plan shall identify areas where providers are looking to locate facilities, as well as identify those areas of the County that are underserved by existing facilities.

(2) As of the effective date of this Ordinance amendment any pending applications that have not received a zoning compliance permit or a special use permit shall meet all requirements of this Ordinance, including, but not limited to submission deadlines, application standards and processing, excluding the ATPM requirement.

(C) Meeting Specifics

PROPOSED AMENDMENTS TO THE PLANNING BOARD POLICIES AND PROCEDURES

APPROVED 11/8/2012

PLANNING BOARD POLICIES AND PROCEDURES

SECTION I: SCOPE

A. Purpose
   1. To establish a policy and procedures whereby the Orange County Board of Commissioners will establish the specific policies and procedures governing the Planning Board.
   2. The Orange County Board of Commissioners may appoint an advisory board whose duty is to serve in an advisory capacity to Orange County Board of Commissioners.

B. Authority
   1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards.
   2. The Orange County Advisory Board Policy serves as the underlying policy document to which the Planning Board, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as “Exhibit A”.
   3. In the event that there is a conflict between the Orange County Advisory Board Policy and this Policies and Procedures document this Policies and Procedures document shall control.

C. Charge
   1. The charge of the Planning Board is contained in Section 1.6.3 of the Orange County Unified Development Ordinance.

      The purpose for which the Planning Board was formed: to serve in an advisory capacity to the Orange County Board of Commissioners in regards to planning, zoning, and subdivision matters, as provided in Section 1.6.3 of the Orange County Unified Development Ordinance.

SECTION II: GOALS AND OBJECTIVES

A. Goals
   1. The Planning Board shall carry out the duties contained in Section 1.6.3 of the Orange County Unified Development Ordinance to the best of its ability.

B. Objectives
   1. Acting under the directives of the Board of County Commissioners and with County staff, the Planning Board shall pursue the duties contained in Section 1.6.3 of the Orange County Unified Development Ordinance.

SECTION III: MEMBERSHIP

A. Authority
   1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.

B. Composition
   1. Planning Board composition is detailed in Section 1.6.1 of the Orange County Unified Development Ordinance. Additional membership requirements are listed in said Section of the UDO.
   2. The Planning Board does not have alternate members.

C. Chair, Vice Chair, and Secretary
   1. The Planning Board shall elect by majority vote a Chair and Vice Chair from among its members at the regular meeting in January of each year.
   2. Chair and Vice Chair terms of office shall correspond to the requirements of the Orange County Advisory Board Policy.
   3. The Secretary of the Planning Board shall be the Planning Director or his/her designee.
   4. The Chair and Secretary shall ensure that each Planning Board member is presented with a copy of the Planning Board's charge, scope of authority, membership responsibilities, and code of conduct when the Planning Board member is appointed to the Planning Board.
   5. The Planning Board Chair, or Vice Chair in the Chair's absence, shall attend quarterly public hearings and Board of County Commissioners meetings at which a decision is scheduled for items on which the Planning Board has made a recommendation.[1]

SECTION IV.MEETINGS

A. Staffing
   1. The Planning Director shall perform the duties set forth in Section 1.6.4 of the Orange County Unified Development Ordinance.

B. Agendas
   1. Items for agendas shall be approved by the Planning Board Chair and staff.

[1] The new requirement was suggested at the May 12, 2015 BOCC work session when the BOCC discussed the public hearing process.

2. The designated staff will develop and distribute to each member an agenda listing the matters to be considered at upcoming advisory board meetings. The regular meeting agenda and materials shall be distributed at least seven (7) calendar days before the regular meeting

C. Date, Time, and Location of Regular Meetings

1. Regular Meetings of the Planning Board shall be held on the first Wednesday of each month. The start time and location of the meeting shall be included on the agenda and shall typically be 7:00 p.m. at the Orange County West Campus Office Building located at 131 West Margaret Lane, Hillsborough. The Planning Board Chair, in consultation with staff, shall have the authority to change the start time and location of a regular meeting to meet any special circumstances, provided the information is included on the distributed agenda.

D. Notice of Meetings

1. Notice of regular Planning Board meetings and agendas shall be made available to all members and interested parties, and to any person who requests such notice, at least seven (7) days in advance of the meeting by e-mail and by posting on the Orange County government website.
2. Notice of public hearings shall conform to the notice requirements of Section 2.3.6 and/or 2.8.7, as applicable, of the Orange County Unified Development Ordinance.
3. Agenda materials for public hearings shall be distributed to Planning Board members and posted on the Orange County government website for interested parties a minimum of ten (10) calendar days prior to the public hearing.

E. Quarterly Public Hearings[2]

1. Planning Board members are expected to attend the quarterly public hearings held by the Board of County Commissioners. The dates of said hearings are established each calendar year by the Board of County Commissioners.
2. Failure to attend at least two quarterly public hearings per calendar year may result in removal from the Planning Board, as detailed in Section III.H of the Orange County Board of County Commissioners Advisory Board Policy.

F. Neighborhood Information Meetings[3]

[2] At its October 7th meeting, the Planning Board suggested that language be added to clarify attendance expectations at quarterly public hearings.

1. Planning Board members shall be encouraged to attend Neighborhood Information Meetings (NIMs) for Class A Special Use Permits and Conditional Zoning Districts. At-Large members and members representing the Township in which a particular development project is proposed are specifically encouraged to attend the NIM.
2. Planning Department staff shall keep Planning Board members informed of upcoming Class A Special Use Permit and Conditional Zoning District NIMs via e-mailed messages. Said e-mail messages shall be sent to Planning Board members on the same date, or shortly after, the notifications are mailed to adjacent property owners.

SECTION V. ORIENTATION

A. Attendance
   1. Each member shall attend an orientation presented by the Orange County Staff to familiarize the advisory board members with the operation of County government, the Planning Department rules, and the operating procedures of the advisory board.
   2. Each voting member will be encouraged to complete the orientation within six weeks of his or her appointment and participate in at least one meeting with the staff.

SECTION VI.BY-LAWS

A. By-Laws
   1. Any Bylaws adopted by the Planning Board are void and no further bylaws shall be adopted. Procedure shall be governed solely by this policy document and the General Advisory Board Policy Document.
   2. Should the Planning Board determine modifications to policies and procedures are necessary the Planning Board may petition the Board of County Commissioners for such modifications.

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[3] This new procedure is in response to Planning Board members expressing the desire to be kept informed of upcoming NIMs for projects on which the Planning Board will make a recommendation so they may attend the meetings.

Excerpt of Draft Minutes

Attachment 4

DRAFT

MINUTES
ORANGE COUNTY BOARD OF COMMISSIONERS
QUARTERLY PUBLIC HEARING
September 8, 2015
7:00 P.M.

The Orange County Board of Commissioners met with the Orange County Planning Board for a Quarterly Public Hearing on September 8, 2015 at 7:00 p.m. at the Whitted Building, in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Earl McKee and Commissioners Barry Jacobs, Mia Burroughs, Mark Dorosin, Bernadette Pelissier, Renee Price and Penny Rich
COUNTY COMMISSIONERS ABSENT:
COUNTY ATTORNEY PRESENT: James Bryan (Staff Attorney)
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below)
PLANNING BOARD MEMBERS PRESENT: Chair Pete Hallenbeck and Planning Board members Lisa Stuckey, Herman Staats, Paul Guthrie, Laura Nicholson, Andrea Rohrbacher, Maxecine Mitchell, H.T. "Buddy" Hartley, James Lea, Tony Blake
PLANNING BOARD MEMBERS ABSENT: Lydia Wegman

Chair McKee called the meeting to order at 7:03 p.m.

****

C. PUBLIC HEARING ITEMS

2. Unified Development Ordinance (UDO) Text Amendment - To review government-initiated amendments to the text of the UDO to revise the existing public hearing process for Comprehensive Plan-, UDO-, and Zoning Atlas-related items/amendments.

Perdita Holtz presented the following background and PowerPoint slides:

The purpose of this text amendment is to consider revisions to the current public hearing process for Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas amendments. County staff and elected officials received comments during development of the Comprehensive Plan (2008) and Unified Development Ordinance (2011) about the perceived need to streamline and speed up decisions on applications.

This topic was discussed extensively in 2014 after being heard at the September 2014 quarterly public hearing. The public hearing for the amendments, as proposed in 2014, was closed in November 2014 when it became apparent that the proposal would change significantly enough to require another public hearing. The topic was recently discussed at the May 12, 2015 BOCC work session.

The Ordinance Review Committee (ORC), a function of the Planning Board, reviewed draft language in July and August 2015. At the time, internal staff/attorney review was ongoing and the materials to be presented at public hearing have been modified from the versions the ORC reviewed.

The following revisions are being proposed:

- Planning Board review/recommendation would occur prior to the public hearing for both legislative and quasi-judicial (Class A Special Use Permit) items. (The existing process is for Planning Board review/recommendation to occur after the public hearing).

- Notification of the Planning Board meeting would be mailed/posted for items requiring such notice (e.g., map amendments or development projects) and the public would be able to address the Planning Board at its meeting. The proposed process would allow for public notification and involvement earlier than the existing process.

- No longer require a quorum of Planning Board members in order to hold a quarterly public hearing. Planning Board members would still be expected to attend the hearing but a quorum of members would not be necessary in order for the hearing to be held. This revision would mean that the quarterly public hearings would no longer be considered joint BOCC/Planning Board hearings since, without a quorum requirement, the Planning Board could not be considered an official board in attendance.

- Revise the Planning Board Policies and Procedures to require that the Planning Board Chair, or Vice-Chair in the Chair's absence, attend the quarterly public hearings and also the BOCC meetings at which a decision is scheduled for items on which the Planning Board has made a recommendation.

- Allow Comprehensive Plan amendments to be heard at any quarterly public hearing (QPH). Existing language that states "principal" Comprehensive Plan amendments are "generally" considered only once per year at the quarterly public hearing in February is proposed for deletion (Section 2.3.7). Additionally, language that classifies Comprehensive Plan amendments into "principal" and "secondary" amendments (Section 2.3.4) is proposed for deletion because it is relevant only in conjunction with Section 2.3.7.

- Legal advertisement of quasi-judicial hearing items: the Attorney's office has suggested that Special Use Permit applications (both Class A and Class B) no longer be included in legal advertisements since the general public does not have standing to participate in quasi-judicial hearings. Language modifications in Sections 2.7.6 and 2.12.6 reflect this suggestion.

- Closure of public hearings: Modifications in Section 2.3.11, 2.7.9, and 2.8.9 would mean that the BOCC would close the public hearing the night of the hearing. At that time, the BOCC could defer a decision to a later BOCC meeting date; make a decision; or, as a procedural right not included in the text of the UDO, send an application back to the Planning Board for further review. If the BOCC chooses to defer a decision to a later meeting date, legislative items could be listed on the future BOCC agenda as "Regular Agenda" items and additional public comment could be accepted. The existing requirement for only written comments after the quarterly public hearing is proposed for deletion.

- In order to meet legal sufficiency text of the UDO, send an application back to the Planning Board for further review. If the BOCC chooses to defer a decision to a later meeting date, legislative items could be listed on the future BOCC agenda as "Regular

Agenda" items and additional public comment could be accepted. The existing requirement for only written comments after the quarterly public hearing, is proposed for deletion.

- The BOCC may wish to consider adding an additional heading to its agendas: Quasi-Judicial Hearings, along with a note explaining that only persons with legal standing can participate in quasi-judicial hearings. Quasi-judicial items deferred for decision to a later meeting date or for which the hearing was continued in order to receive additional evidence would be listed on the BOCC agenda under this new heading.

As has been discussed in the past, the bases for some of the proposed revisions are as follows:

1. Allow the public to make comments at the end of the process.
2. Do not require a quorum of Planning Board members in order to hold a public hearing.
3. Streamline and speed up the review/decision process when possible.

The proposed revisions are expected to achieve these objectives. When the BOCC discussed this topic at its May 12, 2015 work session members indicated that if the process were revised it should be evaluated after one year to ensure it was working as intended and satisfactorily. If the proposed revisions are adopted, an evaluation can be scheduled for a year later. Any future revisions to the UDO would need to be brought forward to a future public hearing.

Public Hearing Process
Quarterly Public Hearing
September 8, 2015
Item C.2

Purpose of Amendment

- To revise the current public hearing process for Comprehensive Plan, Unified Development Ordinance, and Zoning Atlas Amendments

- Most recently discussed by BOCC at May 12, 2015 work session.
  -Allow the public to make comments at the end of the legislative process.
  -No longer require only written comments after the public hearing.
  -Do not require a quorum of Planning Board members in order to hold a quarterly public hearing.
  -Streamline and speed up the review/decision process when possible.
  -Have option to make a decision the night of the hearing on items with little controversy.

- If process is revised, evaluate after one year.

Proposal

- Planning Board Review/Recommendation before the public hearing.
  -Allows public participation earlier in the process.
  -Would allow for decision on low controversy items the night of the hearing.

-Attorney's office has advised that having the Planning Board review/recommendation prior to the public hearing provides for a greater level of legal sufficiency on quasi-judicial items.

- No longer require a Planning Board quorum in order to hold a quarterly public hearing.
  -Planning Board Chair (or Vice-Chair) would be required to attend QPHs and BOCC meetings at which a decision is scheduled.

- Allow Comprehensive Plan amendments to be heard at any QPH.

- No longer include Special Use Permit applications in published legal advertisements since the general public does not have standing to participate.
  -Sign posting and mailed notices to adjacent property owners would still occur.

- Closure of public hearings (legislative items):
  -BOCC would close the hearing the night of the hearing and do one of the following:
    - Defer a decision to a later BOCC meeting date.
    - Make a decision.
    - Send an application back to the Planning Board (procedural right not included in text of UDO)

  -If deferred to later date or sent back to Planning Board, when item comes back to BOCC, can be listed as a "Regular Agenda" item and additional public comment could be accepted.

- Closure of public hearings (quasi-judicial items):
  -BOCC would close the hearing the night of the hearing and do one of the following:
    - Defer a decision to a later BOCC meeting date.
    - Make a decision.

  -If additional evidence is requested by the BOCC the night of the hearing, the hearing would be continued to a date/time certain so the additional evidence can be presented in a quasi-judicial hearing.

Planning Board Ordinance Review Committee

- Planning Board Ordinance Review Committee (ORC) reviewed topic in July and August.

Staff Coordination

- Extensive coordination between Planning and Attorney staff, particularly for the quasi-judicial process, to ensure legal sufficiency.

Public Notification & JPA Review

- Completed in accordance with Section 2.8.7 of the UDO
  -Newspaper legal ads for 2 successive weeks.
- Amendment package sent to JPA partners on August 7, 2015 since public hearing process would apply to any requests related to the Rural Buffer.
  -To date, no comments have been received.

Recommendation

- Receive the proposal to amend the Unified Development Ordinance and Planning Board Policies and Procedures.
- Conduct the Public Hearing and accept public, BOCC, and Planning Board comment on the proposed amendments.
- Refer the matter to the Planning Board with a request that a recommendation be returned to the Board of County Commissioners in time for the **November 5, 2015** BOCC regular meeting.
- Adjourn the public hearing until **November 5, 2015** in order to receive and accept the Planning Board's recommendation and any submitted written comments.

Effective Date

- If amending Ordinance is adopted, the effective date should be a specific date so submittal deadline schedules can be published

  -Staff recommends starting with the 2016 meeting calendar, so January 1, 2016 effective date.

Commissioner Pelissier said she understood the requirement of only the Planning Board Chair and Vice Chair to attend the QPH but she asked if the other Planning Board members find these QPHs helpful to attend.

Peter Hallenbeck said for some board members it is helpful to attend. He said there is some relief of attendance not being required as it has had impact in the past of the meeting being able to occur when there has not been a quorum.

Commissioner Price said, as of now, that she disagreed with the Planning Board being exempt from QPH. She said public comments made at the QPH could affect decisions moving forward. She said, as a result, the Planning Board might be making uninformed decisions.

Commissioner Jacobs asked if the Planning Board discussed this item and if there were minutes from said discussion.

Perdita Holtz said the minutes were included as a link in the analysis section of the form and that they are meeting notes from the Ordinance Review Committee.

Commissioner Jacobs said he recalled staff informing the BOCC that the County's approval process was in line with other jurisdictions.

Perdita Holtz said yes.

Commissioner Jacobs agreed with Commissioner Price.

Commissioner Jacobs said he is uncomfortable with the Planning Board not hearing public comment and then making recommendations to the Board of County Commissioners. He said he understands the desire to make the process go more smoothly but the BOCC received a letter today from the public that found these new amendments confusing.

Commissioner Jacobs said the notion that there would be no public notice for a quasi-judicial hearing goes against the Board's social justice goals. He said people need to be engaged or at least notified, and it is inconsistent with the values of Orange County.

Commissioner Jacobs said he trusts the County Manager but finds that one-year reviews get lost in the shuffle over the years; they simply never happen.

Commissioner Jacobs said there are ways to deal with those wanting to come to a public hearing and change the nomenclature of how hearings are noticed and what comments are allowed.

Commissioner Jacobs said the public wants elected officials to know what they are thinking. He said the County should be careful before adopting this amendment. He said expedition is good but not at the expense of information gathering.

Commissioner Jacobs said he is still uncomfortable with some of these changes.

Commissioner Dorosin said he agreed and disagreed with Commissioner Price and Commissioner Jacobs.

Commissioner Dorosin said if these amendments were in place tonight, the Board of County Commissioners could approve these items. He said he finds this flexibility to be a good thing.

Commissioner Dorosin said notification is important and the public should be able to attend and listen, even if speaking is not permitted.

Commissioner Dorosin clarified that his initial concern was that currently the residents do not have the last word. He said after the public speaks the item goes back to the Planning Board. He said the desire is to engage residents earlier in the process, hopefully encouraging more to go to the Planning Board meetings. He said then the public can come to the QPH and will get to address the boards a second time. He said it would be ideal if the decision could then be made.

Commissioner Dorosin said the BOCC can still retain the option to send it back to the Planning Board, if need be, for legislative items.

Perdita Holtz agreed.

Commissioner Dorosin said he does not agree that the Planning Board is being cut out of the process but that the public is being more engaged.

Commissioner Dorosin said the distinction between the legislative and quasi-judicial proceedings is what is most confusing to the public. He said the staff should take the time to explain this to the public through pamphlets, the Internet, or on the abstracts. He said staff should build this into the process to make things more clear to the public.

Commissioner Dorosin said he would support the change in the structure. He said even though it seems the process is being streamlined really the public is being engaged earlier in the process.

Commissioner Rich agreed that after the public speak there is no a chance to dispute what the Planning Board is recommending to the Board of County Commissioners. She said it is important to engage the public throughout the process.

Commissioner Rich referred to page 3 and the closure of public hearings. She asked if there is new evidence, should it not be referred back to Planning Board.

Perdita Holtz said that is for legislative items only, not quasi-judicial items.

Commissioner Rich said she just wanted to make sure that the BOCC, the Planning Board, and the public all have the same information.

Perdita Holtz said this goal is achievable with legislative items but more difficult for quasi-judicial items, since that process is more difficult. She said there is a different process for these items. She said an applicant could not be required to divulge all of their evidence at the Planning Board meeting.

Commissioner Rich asked if the applicant does not want to show all their cards to the Planning Board, but only to the Board of County Commissioners, then could the item be referred back to the Planning Board, or must the hearing be closed.

Perdita Holtz said according to the Attorney's Office she said the item should not be referred back to the Planning Board. She said there is better legal sufficiency if the BOCC handles the item after the quasi-judicial hearing.

Commissioner Rich asked if the Board of County Commissioners got new information the Planning Board might not have the opportunity to discuss it.

Perdita Holtz said yes, that is possible with quasi-judicial items.

Commissioner Rich asked if there was someone responsible for the evening's agenda.

Perdita Holtz said she and other staff compiled it.

Commissioner Rich complimented the way the agenda was created and would love for them to be created similarly going forward.

Commissioner Price asked if would be possible to expand the notification area in rural areas to 1000 feet as opposed to 500 feet.

James Bryan said it is better to have one standard applicable to everyone.

Commissioner Price said in rural areas there would not be many people within 500 feet. She asked if this could be reviewed to reach an alternate solution.

Perdita Holtz said the County has a growth management system map which designates urban and rural areas of the County. She said it is possible that the map could be used as a guideline for notification especially with legislative items.

Commissioner Price said she is speaking of legislative items only.

Commissioner Price said she would like the process streamlined. She asked if the Planning Board was at the QPH and there was more public comment, but the item was still ready to proceed, could the Board of County Commissioners as well as Planning Board vote right then for legislative items.

Perdita Holtz said yes for legislative items.

James Bryan said for legislative items the Board of County Commissioners could decide the night of the QPH or refer back to Planning Board.

Commissioner Price said if it was an easy item could the Board of County Commissioners refer it to the Planning Board in the room, and have the Planning Board decide right then rather than wait two months for them to come back with an answer.

James Bryan said this was a novel idea. He said it could be procedurally awkward. He said the Board of County Commissioners could recess and then poll the Planning Board.

Commissioner Dorosin asked if the Planning Board members could speak as a part of the QPH.

James Bryan said there could be a straw poll which is not binding.

Commissioner Price said this change could be a way to move the process along, while still giving all involved the chance to hear all information before making a decision.

Commissioner Pelissier stressed the need to distinguish between which process is being discussed: legislative versus quasi-judicial. She said she could only see Commissioner Price's suggestion working with a non-controversial item.

Commissioner Pelissier said her concern now is deciding whether to have just the Planning Board Chair and Vice Chair present or to require a full quorum since it has been such a problem over the years. She said there is not a problem with Planning Board members having access to information since these meetings are web streamed and she would assume that Board members would take their positions seriously and review the meeting if they did not attend. She said a quorum should not be required.

Commissioner Pelissier said some of the comments that were written today in a letter to the Board of County Commissioners (see below) were confusing. She said there should be a flow chart to separate the two processes: quasi-judicial versus legislative. She said it should be reiterated that public comment is not being eliminated in the quasi-judicial items, as public comment was never allowed in these items.

September 8, 2015

To the Orange County Commissioners:

I am writing to urge you not to approve the UDO text amendments proposed in agenda item #2 at tonight's Quarterly Meeting.

For the Orange County Citizens, opportunities to receive notice and raise questions about Special Use Permit applications are limited. Please do not narrow these limited opportunities further by amending the current SUP language, timelines and flow chart in the UDO. The existing UDO requires advertising of SUP hearings in newspapers, a predictable schedule of hearings at quarterly meetings, and a timeline to allow County residents to gather resources and information, hire legal representation, and prepare for SUP hearings.

Tonight's proposal to revise the UDO in order to "streamline and speed up the review/decision process" is hard to follow, and it is unclear how citizens may participate at all in the SUP process. The faster, streamlined steps proposed tonight would significantly reduce public participation of surrounding communities, and would benefit applicants at the expense of surrounding property owners.

The proposed changes would further curtail public participation in multiple ways:

- Shortening written notice to adjacent property owners from 15 to 10 days
- Eliminating advertising and public notice (see footnote 22 below)
- Eliminating joint BOCC and Planning Board quarterly public hearing for Class A SUP applications, a forum which currently allows public comments and requires a quorum of Planning Board members
- Eliminating the option for interested parties to comment on SUP applications (see footnote 21 below)
- Requiring the Planning Board to make a recommendation without first receiving comments from the public.

The County's Special Use Permitting process benefits SUP applicants who have already gathered the financial means to pursue a project, while presenting obstacles for County residents without financial resources to hire an attorney in order to protect surrounding properties.

In addition to financial obstacles, rural communities in particular are hindered by notification limits in time to make a difference in outcomes affecting their communities and property.

Challenges limiting citizens' ability to oppose SUP project applications:

- <u>Cost of representation</u> – The cost of hiring a lawyer precludes many citizens from raising valid concerns at a public hearing. At quasi-judicial hearings in which County lawyers represent boards, County staff, and applicants with financial interest, this is a great disadvantage for citizens.
- <u>Notification limit</u> – The 500-foot County notification limit does not accurately reflect the wider scope of affected properties in rural zones with expanses of farms, woodlands, and waterways. Whether the project is an airport, kennel, shooting range or special event center, its impact of safety, light, noise, traffic and property values extend well beyond a tenth of a mile.
  500 feet does not allow neighbors who would experience impacts to be notifies or have standing to speak at a hearing. Neighbors more than 500 feet from an SUP applicant

are currently not notified or given standing to speak at public hearings about SUP proposals affecting their properties.

Please do not approve the proposed revisions of the UDO. Instead, I urge you to clarify and expand the ways in which county residents may share concerns with County boards making critical decisions about our communities.

Thank you,

Laura Streitfeld

Proposed text amendments in agenda item #2:

(B) The Planning Director shall give ~~public~~ notice of the date, time and place of the public hearing to be held to receive ~~comments~~, evidence in the form of [21] testimony and exhibits pertaining to the application for a Special Use.

(C) ~~Such notice shall be published in a newspaper of general circulation in Orange County once a week for two successive weeks, with the first notice to be published not less than ten days nor more than 25 days prior to the date of the hearing. In computing the notice period, the day of publication is not to be included, but the day of the hearing is to be included~~. [22]

[21] The Staff Attorney has suggested this language modification since SUP applications are quasi-judicial in nature and require testimony rather than comments.

[22] The Staff Attorney has suggested that published newspaper advertisements for quarterly public hearings not include SUP applications since the general public does not have standing in such matters and cannot participate. (State Statutes require mailed and posted notice but do not require legal ads for SUP applications). As shown in the remainder of this section, a notice would be posted on the affected parcel and adjoining property owners would receive mailed notification of the hearing date (in addition to mailed and posted notice of the Neighborhood Information Meeting and Planning Board meeting).

Commissioner Jacobs said he has often asked for a primer to be placed on the planning website explaining this confusing process, and it has not been done. He asked if the other Commissioners agreed with him, and the majority of the Board did so.

Commissioner Jacobs said he tried to read the Ordinance Review Committee minutes but the link is broken.

Commissioner Jacobs said the new process makes it meaningless to have a Planning Board caucus, for non-controversial items. He said the flip side is that if one or two Commissioners have reservations about an issue, it can be referred back to the Planning Board.

Commissioner Jacobs said the question of distances in rural area has come up before in the past. He said rural area impacts are different than urban and suburban impact.

Commissioner Jacobs asked if other commissioners agreed with him that staff should look at different distances for rural and urban notifications, as long as it is legal.

Commissioner Burroughs said people expect to see a process run through the mill, and the County's process is counterintuitive. She said this process extends the amount of notice for neighborhood information meetings, allows the public to speak at Planning Board and Board of

County Commissioners' meetings. She asked if new information is brought forth at a quasi-judicial hearing, could the public send in written comments afterwards.

Perdita Holtz said no written comments would be permitted.

James Bryan said that is a statutory requirement.

Commissioner Burroughs said she supports these new amendments and she also said notice could be put in the paper for the public to attend to the meeting even though they cannot speak. She said if notice needs to be further for rural areas, and it can be legally done, she would be supportive.

Commissioner Rich said she does not want the Planning Board to feel unheard and she does not want the Planning Board to be cut out at any point. She said if there is new information the item should go back for the Planning Board's review and opinion.

Commissioner Dorosin said he is not comfortable with the "non-controversial and controversial" labels. He is not sure these definitions could be agreed upon.

Peter Hallenbeck reviewed notes from the Planning Board:

- Attendance at QPH - Planning Board members should be expected to attend the QPH. The Board of Commissioners should be aware of the attendance of the Planning Board members at the QPH, and if several are missed the BOCC should be able to excuse the person from the Planning Board.
- The public does not like to show up to Planning Board meetings as much as Board of County Commissioners meetings and he said it is assumed that this is because the Planning Board does not make decisions. It is hoped that the public can be educated that the minutes of the Planning Board meetings are given to the BOCC, and public input is valuable.
- Neighborhood information meetings – it is new and it is evolving and the Planning Board feels that the information the public gets should be about the process.
- Put QR codes on signs in the neighborhoods.
- 1000 feet notification in the rural areas can be worked with staff and an agreement can be reached. There will be different rules for the two processes.
- Put time ranges between the blocks on the flow charts that lay out the processes. The flow makes sense but time will be very informative.

Paul Guthrie said if disingenuous information is received in a quasi-judicial process, how does one refute this information without re-examination.

He suggested that attendance at QPH, and other meetings, be studied. He said the only thing the members can be excused from a meeting for is death, sickness, or some other similar reason. He said Planning Board members are citizen volunteers with their own lives, who are trying to be helpful. He said if too many restrictions are placed on the members volunteers may be lost and new volunteers may not be as good.

Tony Blake said the 500 feet limit is not reasonable for rural areas, and encouraged the BOCC to review this limit. He said he had to question the quasi-judicial process, and ex parte communication. He said Statute 168–388 mentions ex parte communication once, saying that "undisclosed ex parte communication" cannot be received. He asked if disclosed ex parte communication is allowed, and asked if there is a point at which ex parte communication begins. He asked if it begins when the application is made, or if it is after the QPH. He said it is imperative for them to be able to talk to people in their community.

Tony Blake said the genesis about attendance of Planning Board members is that it was never reiterated to them, as new volunteers, that attendance was expected. He said if this was clearly explained, he expects attendance would not be a problem.

Tony Blake said the word “quasi” means the administrative agencies are not held to the same rules as courts, unless it is spelled out in the statute. He said he does not see this spelled out in the statute, and thus feels there is a lot of room for interpretation.

Andrea Rohrbacher said the attendance at the QPH is eroding is part due to some of the late night meetings. She said she does not want the attendance requirements to be so restrictive that turnover becomes a problem on the Planning Board. She said there is a large learning curve on this board, and turnover would increase burdens on the staff that orient Planning Board members.

Laura Nicholson said she believed that if the need for a quorum were clearly explained in the beginning, this would help greatly with attendance. She said she supports the increased notification in rural areas.

Maxecine Mitchell said the processes are confusing. She said she does not mind coming to the QPH, but she does not want to be the one who holds up a meeting.

Pete Hallenbeck said the Planning Board members are encouraged to go to neighborhood meetings. He said clear guidelines are needed regarding ex parte communication, as it pertains to the quasi-judicial process.

Commissioner Dorosin said he appreciated all of the comments. He said ex parte communication could be shared. He said that what matters is that the decision is made on evidence heard in the hearing. He said guidelines would be a good idea.

Commissioner Rich thanked the Planning Board for their comments. She asked if there are set rules for quasi-judicial processes, or do they change.

James Bryan said every Special Use Permit (SUP) will be quasi-judicial, and he said there are pre-set standards. He said the Board is taking standards and applying facts to those standards. He said within quasi-judicial there is more that is known than unknown.

Commissioner Rich asked if there is a definition of an expert witness.

James Bryan said generally it is some specialized knowledge in a particular field. He said the statute spells out that for land values there must be an appraiser. He said the applicant is represented by an attorney who might say, “this is an incompetent witness”. He said if there was a case in criminal court, an expert would be greatly vetted, but in quasi-judicial hearings an expert is not so greatly investigated.

Commissioner Jacobs said that the quorum of the Planning Board is only required for a meeting to start.

James Bryan disagreed and said a quorum is required for the duration of the meeting.

Commissioner Jacobs said he has never heard this information before. He said there should be clarification given to all. He added that if Planning Board attendance is going to be required at the QPH, this should be clearly stated in the Planning Board application, and added to their orientation.

Commissioner Jacobs asked if Commissioner Dorosin could clarify his concerns regarding the proposed procedural changes.

Commissioner Dorosin said he is in favor of the BOCC voting at the QPH when there is consensus from the Planning Board, and even when there is not consensus.

Commissioner Jacobs said he thought Commissioner Dorosin was arguing against that.

Commissioner Dorosin said he is trying to avoid the back door option of sending it back to the Planning Board. He said if four Commissioners want to pass it at the QPH, the Board should vote then whether the item is controversial or non-controversial.

Commissioner Price said she would like to see a forward moving process and if all are in the same room let the vote move the process onward.

Planning Board Member Lisa Stuckey said if an item gets to the QPH, that it should not be kicked back to the Planning Board unless it was a major and unexpected exception.

Chair McKee said he can support removing the requirement that the Planning Board members attend the joint meetings, but highly encouraged the Planning Board to attend.

Chair McKee said the BOCC has never removed anyone from the Planning Board because of unexcused absences.

Chair McKee said these text amendments do not need to make these processes any more confusing than they already are.

A motion was made by Commissioner Dorosin, seconded by Commissioner Rich to approve:

1. Referring the matter to the Planning Board with a request that a recommendation be returned to the BOCC in time for the **November 5, 2015** BOCC regular meeting. Increase noticing of distance, and reinstating paper notification and language to be clear and who is able to testify, and quorum recommendations.

2. Adjourning the public hearing until **November 5, 2015** in order to receive and accept the Planning Board's recommendation and any submitted written comments.

VOTE: UNANIMOUS

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DRAFT

Excerpt of Draft Minutes

MINUTES
PLANNING BOARD
OCTOBER 7, 2015
REGULAR MEETING

MEMBERS PRESENT: Peter Hallenbeck (Chair), Cheeks Township Representative; Lydia Wegman-At-Large Chapel Hill Township (Vice Chair); Tony Blake, Bingham Township Representative; Paul Guthrie, At-Large Chapel Hill Township; Buddy Hartley, Little River Township Representative; Laura Nicholson, Eno Township Representative; Lisa Stuckey, Chapel Hill Township Representative; Maxecine Mitchell, At-Large Bingham Township; Herman Staats, At-Large, Cedar Grove Township; James Lea, Cedar Grove Township Representative; Andrea Rohrbacher, At-Large Chapel Hill Township;

MEMBERS ABSENT: None

STAFF PRESENT: Craig Benedict, Planning Director; Michael Harvey, Current Planning Supervisor; Perdita Holtz, Planning Systems Coordinator; Ashley Moncado, Special Projects Planner; Patrick Mallett, Planner II;

OTHERS PRESENT: Phil Koch, PE Earth Centric Engineering, Inc.; Tom Heffner, Developer Heffner Properties, Inc.;

AGENDA ITEM 1: CALL TO ORDER

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AGENDA ITEM 9: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT - To make a recommendation on government-initiated amendments to the text of the UDO to revise the existing public hearing process for Comprehensive Plan-, UDO-, and Zoning Atlas-related items/amendments. This item was heard at the September 8, 2015 quarterly public hearing.

Presenter: Perdita Holtz, Planning Systems Coordinator

Perdita Holtz reviewed the abstract.

Perdita Holtz: As a result of questions asked at the public hearing by the BOCC and Planning Board there have been a couple of changes made to the version presented at the public hearing. These changes are shown in orange text in the agenda package.

Paul Guthrie: How are you going to legally document that you have mailed the notices?

Perdita Holtz: The person that does the mailings in the department does a certification of mailing. State statutes do not require certified mail.

Perdita Holtz: The BOCC asked for the Planning Board to provide input on whether you think a quorum of Planning Board members is necessary to hold a public hearing or if the proposal should stay as it is stating the Planning Board is expected to attend the quarterly public hearing, but a quorum is not necessary in order to have the public hearing.

Pete Hallenbeck: What does everyone think about whether or not Planning Board members should be required to attend? I am inclined to go around the room and allow everyone to comment.

Laura Nicholson: A quorum is important.

Pete Hallenbeck: When you say a quorum is important, that means you do want it to be a joint meeting where the Planning Board members are required to be there and therefore you have to have a quorum.

Laura Nicholson: That is my opinion. I think if you have that and make it clear then it should not be a problem.

Maxecine Mitchell: I am sort of leaning both ways, but I feel sometimes rushed to make it to a meeting in order to not hold it up or be the reason the meeting can't go forward. I would still come to the meetings because I agree they are important for us to make decisions.

Buddy Hartley: I don't think a quorum is necessary.

Paul Guthrie: I'm torn. The quorum is probably a good idea for the educational benefit for this group. The reason I support a quorum is because we need to be engaged in some of the items that come through. My other thought is we need a better idea defining what a quorum is. If four people were legitimately ill, this could set back a whole process for months. I would support a quorum, but would like some discussion with legal counsel how you calculate the quorum if some event occurs.

James Lea: I personally do not think a quorum is necessary.

Herman Staats: I think documents can be written to indicate Planning Board members are expected to be there without legally requiring a quorum. I think a quorum is not needed, but members are expected to be there.

Lisa Stuckey: I completely agree with Herman and I would direct our attention to page 97 of the materials where we have our date, time, and location of regular meetings and Section 4 on page 96. I think quarterly public hearings should be added as a section on page 96 and it be stated Planning Board members are encouraged to attend, but not required.

Tony Blake: I agree with Laura. I think it should be a requirement if we are going to be bound by quasi-judicial testimony and provide input to the decision makers then we should attend the meeting.

Andrea Rohrbacher: I feel that the Planning Board members are expected to attend, but I do not want to hold us to a quorum. Part of that is based on Commissioner Jacobs saying that as long as you have a quorum at the start of the meeting you are okay. I brought up the point that sometimes the meetings go on extremely long and people have to leave due to other obligations and the County Attorney stated you can't take a vote if someone leaves if you require a quorum. I do not want to see us in that position. I also think it's difficult for staff because we have had quorum problems in the past. Should be expected to attend, but a quorum does not have to be present to hold the public hearing.

Lydia Wegman: I support requiring a quorum, but that is linked to my view that I prefer having the Planning Board make its recommendation after the Public Hearing. I still do not like having the Planning Board make its recommendation before the public hearing. If the outcome is that the Planning Board makes its recommendation before the public hearing then I am comfortable going with expected to attend not required to attend.

Pete Hallenbeck: My view is that I do not want to have a quorum because in the past there have been too many times that the meeting was held up. I like the change requiring at least the chair or vice chair attend the public hearing. I agree with the concept we should encourage members to come and put something in the policies and procedures that members are required to attend at least two quarterly public hearings a year or be dismissed in order to make it clear what their expectation is.

Pete Hallenbeck: Let's move on and deliberate on the amendments. I will open the floor to any comments anyone has.

Laura Nicholson: I wanted to be clear about the mailings. Will it still be certified with 500 feet and regular mail for the 500 to 1000 feet?

Perdita Holtz: We are suggesting everyone get regular mail. Having to separate mailing list may be confusing in the future.

Lydia Wegman: I am comfortable with first class mail, but would it be possible to put on the outside of the envelope notice of public hearing so people are aware they are getting a notice from the county.

Pete Hallenbeck: Signs will still go up?

Perdita Holtz: Yes.

Lydia Wegman: I continue to be concerned about having the Planning Board make its recommendation before the BOCC meeting. I think the recommendation should be made following the hearing so that the Planning Board can hear all the evidence before making a recommendation.

Tony Blake: The thing that resonated with me was the intent to give the public the last word. It's difficult for us to go after the public hearing and still have the public give the last word. But I share your concern that we are making a recommendation before we have heard all the evidence.

Herman Staats: If I remember at our joint meeting the BOCC was saying that if there was a case that came up and there was a lot of discussion or disagreement they had the opportunity to send it back to us for more discussion.

Perdita Holtz: The BOCC does have the discretion to send legislative items back to the Planning Board as needed.

Herman Staats: Is it possible that our recommendation to the BOCC was that we would like to defer our recommendation to after the public hearing?

Perdita Holtz: Depending on what the recommendation is. The recommendation can be for the Planning Board to be given an extended amount of time to consider the manner, but you can't say you have to send it back to us.

Pete Hallenbeck: Are there any other items in the proposal that people would like to discuss? If there aren't then the next step here is to make a recommendation on the statement of consistency.

MOTION made by Lisa Stuckey to recommend approval of the statement of consistency. Buddy Hartley seconded.
VOTE: 9 – 2 (Tony Blake and Lydia Wegman opposed)

Tony Blake: If we are going to be part of the process and bound by the rules of quasi-judicial and ex parte communication then we should be required to attend and that is the part that I find inconsistent.

Lydia Wegman: I feel that the Planning Board should be making its recommendation following the public hearing because I am concerned with the Planning Board not hearing all the evidence that will go before the BOCC. I am pleased to know the BOCC has the discretion to send something back to the Planning Board. In my perspective I would prefer to have the guarantee for the opportunity of the Planning Board to consider an item after the public hearing when I am confident all the evidence has been presented whereas I do not feel confident that is the case if the Planning Board makes it recommendation prior to the BOCC meeting. Consistent with that my preference would be if we continued to make our recommendation after the County Commissioners meeting that a quorum should be required or the Board attest to hearing the BOCC public hearing so there is certification that the Planning Board is knowledgeable about the evidence presented. The idea of having a preliminary Planning Board recommendation and a subsequent or final Planning Board recommendation following the BOCC meeting is also one that makes sense to me.

MOTION made by Lisa Stuckey to approve the amendment package on pages 62 to 98 with amendments to page 92 regarding the expectations of Planning Board members regarding the quarterly public hearing and adding notice of the public hearing to the outside of the mailing envelopes. James Lea seconded.

VOTE: 9 – 2 (Tony Blake and Lydia Wegman opposed)

Tony Blake: Same reasons, I believe it should be a requirement to be at the quarterly public hearing if we are bound by the process.

Lydia Wegman: Same concerns I expressed previously.

****

STATEMENT OF CONSISTENCY
OF A PROPOSED UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT
WITH THE ADOPTED ORANGE COUNTY 2030 COMPREHENSIVE PLAN

Orange County has initiated an amendment to the Unified Development Ordinance (UDO) to revise the existing public hearing process.

The Planning Board finds:

a. The requirements of Section 2.8 of the UDO have been deemed complete; and,

b. Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds sufficient documentation within the record denoting that the amendment **is consistent** with the adopted 2030 Comprehensive Plan.

   1. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plan goals and objectives:

      Land Use Goal 6: A land use planning process that is transparent, fair, open, efficient, and responsive.

c. The amendment is reasonable and in the public interest because it:

   1. Allows public participation and comments earlier in the review process than the existing process.
   2. Streamlines and speeds up the review and decision process for low controversy applications while retaining the potential for additional review time when warranted.
   3. Allows the public to offer comments to elected and appointed officials throughout the legislative process.
   4. Provides a greater level of legal sufficiency for applications reviewed under the quasi-judicial process (e.g., Special Use Permits).

The Planning Board of Orange County hereby recommends that the Board of County Commissioners consider adoption of the proposed UDO text amendment.

Pete Hallenbeck, Chair

Oct 7, 2015
Date

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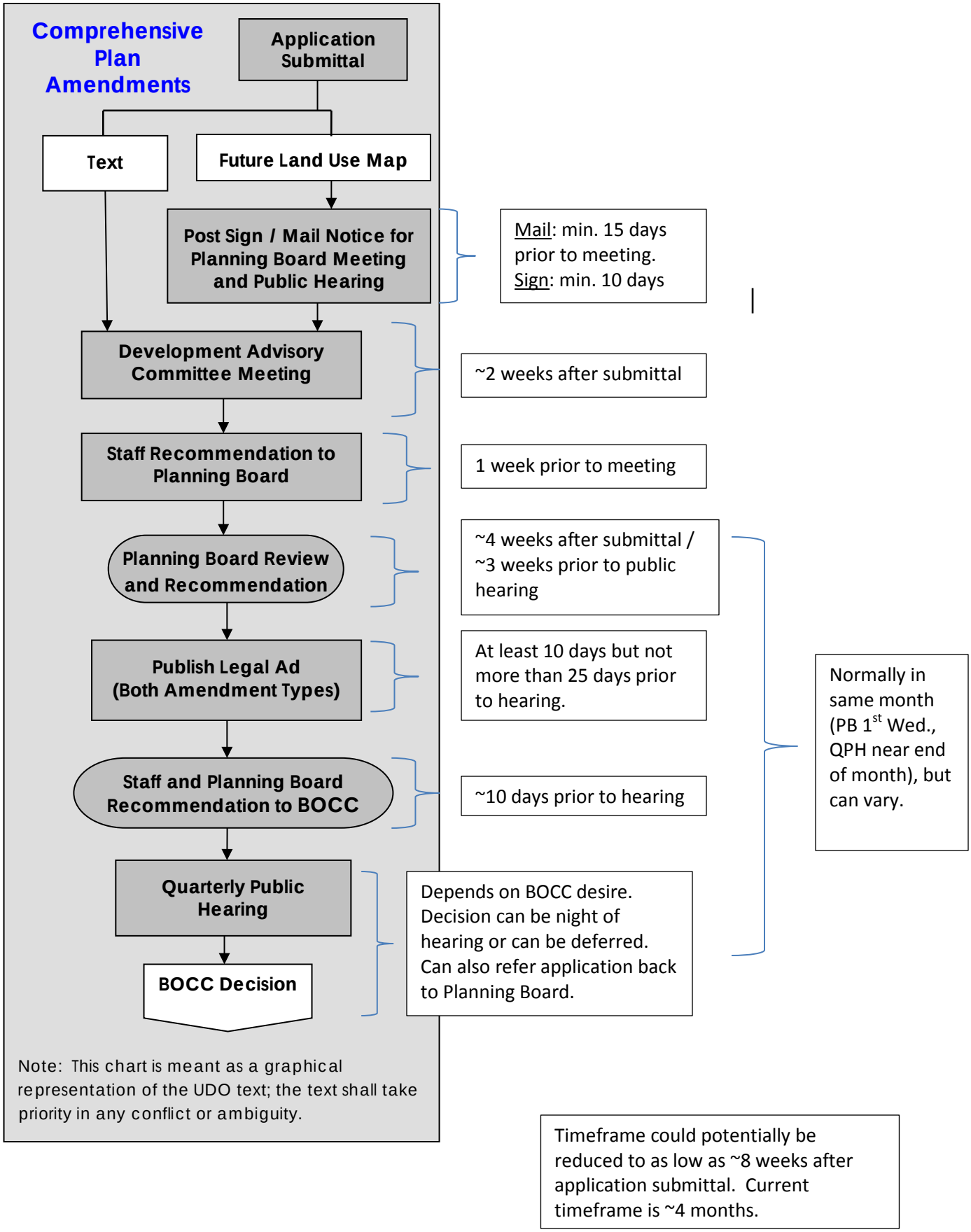
Pete Hallenbeck, Chair

Oct 7, 2015
Date

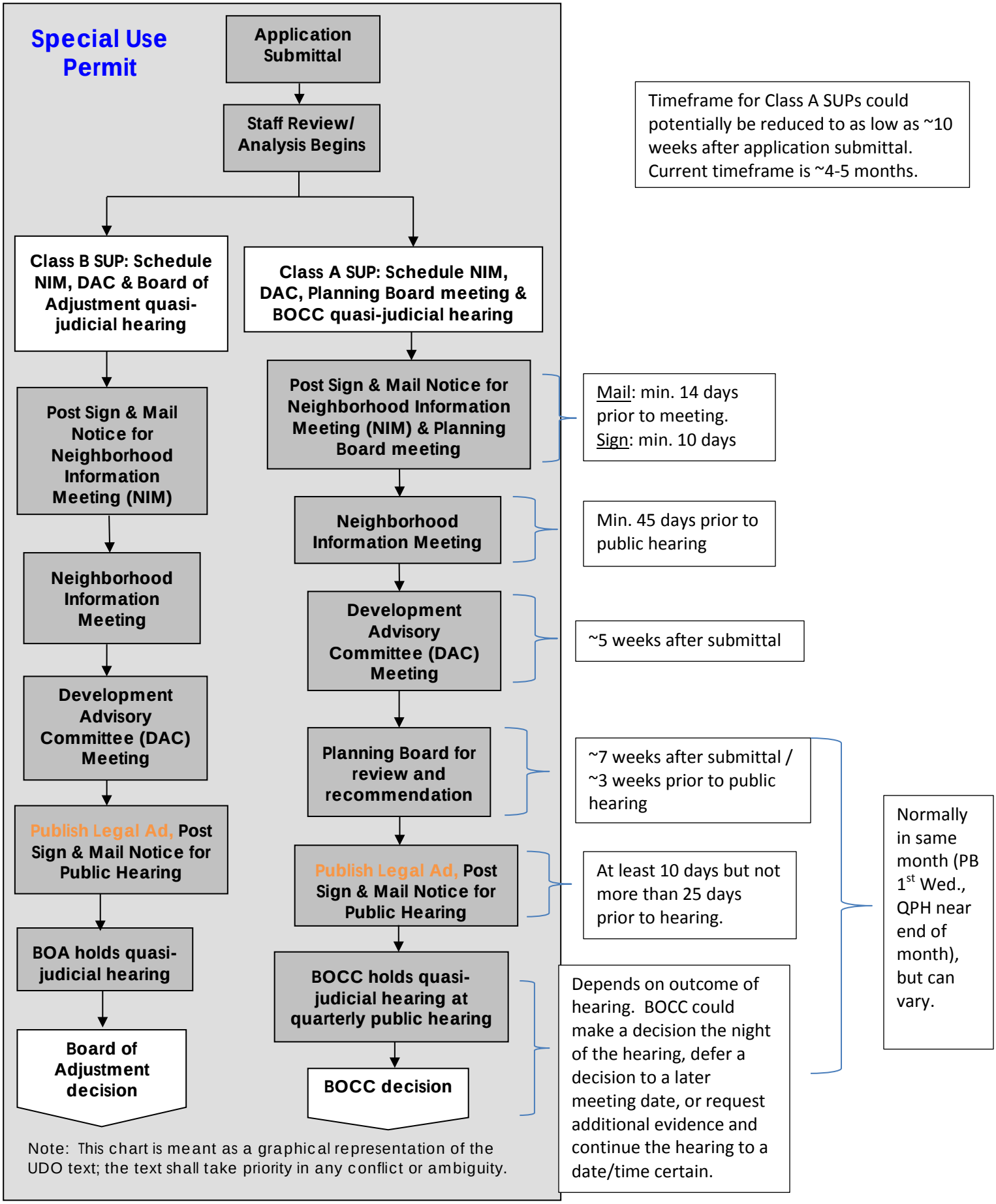
Attachment 6

Timeline Example – Comprehensive Plan

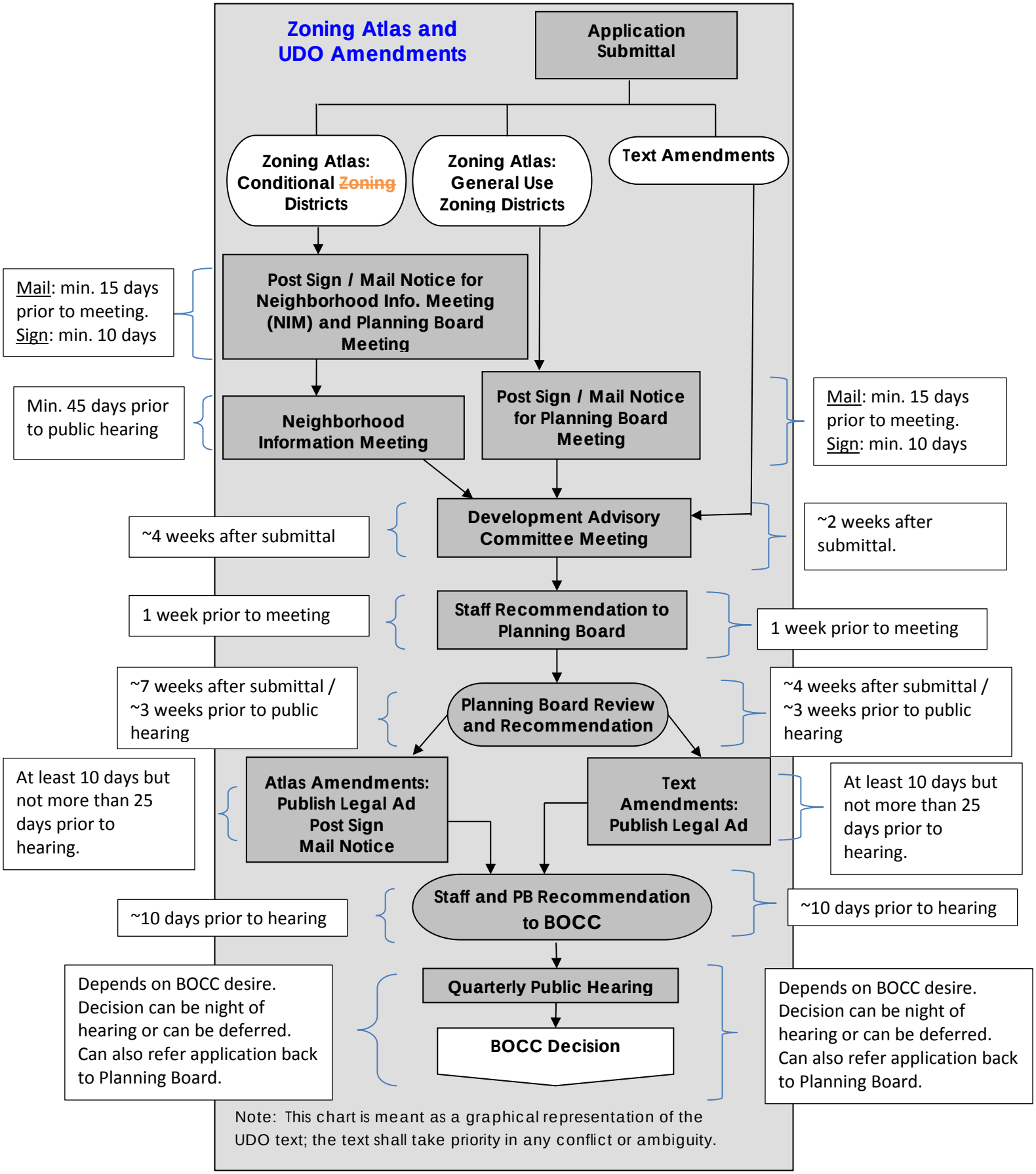


Timeframe could potentially be reduced to as low as ~8 weeks after application submittal. Current timeframe is ~4 months.

Timeline Example – Class A Special Use Permits



Timeline Example – Zoning Atlas and UDO



ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 6-a

SUBJECT: MINUTES

DEPARTMENT:

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):

Draft Minutes

INFORMATION CONTACT:
Donna Baker, 245-2130

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

September 29, 2015	BOCC Joint Meeting with Schools
October 1, 2015	BOCC Joint Meeting with Fire Departments
October 6, 2015	BOCC Regular Meeting

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

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

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

Attachment 1

DRAFT **MINUTES**
ORANGE COUNTY BOARD OF COMMISSIONERS
CHAPEL HILL-CARRBORO BOARD OF EDUCATION
ORANGE COUNTY BOARD OF EDUCATION
JOINT MEETING
September 29, 2015

The Orange County Board of Commissioners met for a joint session with the Chapel Hill–Carrboro Board of Education and the Orange County Board of Education on Tuesday, September 29, 2015 at 7:00 p.m. at the Whitted Building in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Earl McKee and Commissioners Mia Burroughs, Mark Dorosin, Barry Jacobs, Bernadette Pelissier, Renee Price and Penny Rich
COUNTY COMMISSIONERS ABSENT:
COUNTY ATTORNEYS PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy Clerk Travis Myren and Clerk to the Board Donna S. Baker (All other staff members will be identified appropriately below)
ORANGE COUNTY BOARD OF EDUCATION MEMBERS PRESENT: Chair Debbie Piscitelli, and Board Members Tom Carr, Lawrence Sanders, Tony McKnight, Steve Halkiotis, Brenda Stephens, Donna Coffey and Superintendent Todd Wirt and Interim Superintendent Pam Jones were also present.
ORANGE COUNTY BOARD OF EDUCATION MEMBERS ABSENT:
CHAPEL HILL-CARRBORO CITY SCHOOL BOARD OF EDUCATION MEMBERS PRESENT: Chair Mike Kelly and Board Members Andrew Davidson, Jamezetta Bedford, James Barrett, David Saussy, Annetta Streater, and Superintendent Tom Forcella and Assistant Superintendent Todd LoFrese were also present.
CHAPEL HILL-CARRBORO CITY SCHOOL BOARD OF EDUCATION MEMBERS ABSENT: Michelle Brownstein

Chair McKee called the meeting to order at 7:06 p.m.

1. Welcome and Opening Remarks - Chair Kelley, Chair Piscitelli and Chair McKee

Chair McKee welcomed everyone, and applauded the effort to work collaboratively towards the best education possible for the children of Orange County.

Chair Kelly echoed Chair McKee's sentiments.

Chair Piscitelli said this meeting provides a dedicated time to have these discussions. She said both the philosophical and financial support from the Board of County Commissioners is appreciated.

2. School Capital Needs Prioritization
Chapel Hill-Carrboro City Schools (CHCCS) – Presentation of Capital Needs
Orange County Schools (OCS) – Presentation of Capital Needs

Paul Laughton, Orange County Interim Finance and Administrative Services Director, said the abstract contains attachments from the two school systems. He reviewed the scope of work for these assessments, and he said that this evening would be a joint presentation between the two schools.

Todd LoFrese showed a short video, which gave an overview of the needs from both of the school districts.

Todd LoFrese said there are significant school needs throughout the County, which he and Pam Jones would be presenting.

Pam Jones and Todd LoFrese presented the following PowerPoint slides:

Facilities Needs Presentation
September 29, 2015
Pam Jones and Todd LoFrese

Todd LoFrese presented this slide:

Our Goal

- Two Districts
- Two Similar, but Different Set of Needs
- Two Different Approaches
- One Goal
  - To Provide: Safe, Secure, and Healthy Facilities to Support Student Learning and Achievement

Pam Jones presented the following slides:

Thorough, Detailed, Responsible

- Process started in 2011
- Professional Architectural and Engineering Evaluation
- Comprehensive recommendations, linked to Orange County School Construction Standards
- Scaled back:
  - CHCCS original $200 million, now $160 million
  - OCS original $161 million, now $65 million* (Board of Education Prioritized $50-$70 million only)

OCS Facilities Summary

- Focus on projects not fundable through current Capital Investment Plan (CIP) allocations in these areas:
  - Safety
  - Replacement of antiquated mechanical equipment
  - Cedar Ridge classroom wing
  - Replacement of Transportation facilities
  - Upgrade/Replace food service facilities/equipment

Areas of Work

- Estimated total: $15.9 million
- Major Mechanical System Replacement
  - A.L. Stanback Middle
  - Cameron Park Elementary
  - Central Elementary
  - Efland Cheeks Elementary
  - Grady Brown Elementary
  - Hillsborough Elementary
  - Orange High School

Areas of Work

- Estimated total: $28.5 million
- Major Infrastructure Projects
  - A.L. Stanback Middle
  - Cameron Park Elementary
  - Central Elementary
  - Efland Cheeks Elementary
  - Grady Brown Elementary
  - Hillsborough Elementary
  - Orange High School

Areas of Work—All Schools

- Food Service: $ 1.4 million
- Safety: $2.7 million

Area of Work—Additions

Cedar Ridge High School: $14.7 million

- Occupied 2002
- Design included 500 student addition
- Capacity: 1000
- Current enrollment: 1149
- SAPFO projects high school capacity at 110.2% in 2022-2023

Todd LoFrese presented the following slides:

CHCCS Older Facilities Summary

- Older schools need significant investments
- Recommendations
  - Fix aging infrastructure issues
  - Bring older schools to OC standard
  - Address safety and security
  - Increase capacity and delay new schools
  - Eliminate mobile classrooms
  - Delays operational increases

CHCCS Facilities Assessment: 6 slides (charts)

Pam Jones continued the PowerPoint presentation:

Collaboration Opportunity

- Based on $125 million Bond distributed roughly by ADM, both districts would like to jointly fund a centralized transportation maintenance center.
  - Efficiency
  - Effectiveness
  - Safety
  - Appropriate Working Conditions

Todd LoFrese concluded the PowerPoint presentation:

Long Term

- Current Annual Pay as you Go, ¼ Cent, and Lottery

  - CHCCS $1.988 million for computers, $1.988 million for facilities
  - OCS $1.1 million for computers, $1.4 million for facilities
- Consider the Math
  - CHCCS Facilities $1.988 million/20 Schools = $99,400 per school
  - CHCCS Combined Insured Value = $388 million. Current annual capital spending is .5% (.005) of total value
  - OCS Facilities $1.4 million/13 Schools = $107,000 per school
  - OCS Combined Insured Value = $232 million current annual capital spending is less than .6% (.006) of total value
- A bond will help us <u>begin</u> to catch up.
- Additional ongoing maintenance funding will be needed for older and newer facilities moving forward.
- Continued community support

Commissioner Dorosin asked if all pre-k classrooms would be moved to the Lincoln Center.

Todd LoFrese said not the dual language pre-k classrooms, but about 22 others would move.

Commissioner Rich asked if the option of rebuilding Chapel Hill High School from scratch has been considered.

Todd LoFrese said this option had been considered, but to build a new school that size would cost at least about $75 million. He said CHCCS is seeking to be good stewards of the available resources.

Commissioner Rich said Carrboro High cost $45 million, and asked if there is a reason that Chapel Hill High School would cost so much.

Todd LoFrese said Carrboro High was bid over 10 years ago, and there are now higher construction costs. He said Carrboro High also has fewer students. He said tearing down Chapel Hill High School safely would also add considerable cost to the project, whereas Carrboro High School just needed to be built.

Commissioner Price said she noticed that OCS has no new construction or total rehab, but rather repairs here and there. She asked if there is any plan for newer construction farther down the line.

Pam Jones said total rehab was considered in the facilities assessment, and it was determined to not be worth the cost. She said capacity is currently manageable, but as Hillsborough develops the statistics may change. She said one option that was considered in the assessment was to expand Efland-Cheeks Elementary School. She said the district's buildings are deteriorating to the point that, if drastic action is not taken soon, the buildings will fall down.

Commissioner Price said that is her concern. She said the current condition of the buildings seem beyond repair. She said she was not thinking about the capacity, but looking at this long term.

Pam Jones said Cameron Park, Central and Hillsborough Elementary Schools are on the list for mechanical and infrastructure repairs. She said Central is in better shape than the others, due to repairs about five years ago. She said the repairs would go a long way to address many needs of the buildings.

Commissioner Price asked CHCCS if the plans in the Board's packet are based on consultant's recommendations for safety.

Todd LoFrese said CHCCS used the same consultants as OCS, and one of CHCCS's recommendations is to address safety concerns at the older schools.

Chair McKee asked if the proposed $9 million is the total cost for the centralized transportation center.

Pam Jones said yes. She said the assessment estimated $7 to $8 million, but a bit more has been added to take site acquisition into consideration.

Commissioner Burroughs thanked the school districts for their collaboration on this presentation.

Chair Piscitelli said she attended the last Board of County Commissioners' meetings, about what may be on the bond and the meeting where the public was able to make comments. She said hearing the word "neglected", in reference to the older schools, bothered her. She said the Board should remember that the schools always try to be good stewards of all funds, and that needs have simply outpaced annual capital dollars.

Chair Piscitelli said technology is now an integral device to provide instruction to all students (ESL, visual learners, etc.). She said this is the reason why both districts are committed to funding technology, as well as facility and maintenance costs. She said another issue is the students with disabilities and accommodating them due to older schools' infrastructure. She said school shootings have increased throughout the nation, and $2.7 million is needed to address safety.

Tom Forcella said an important piece is the time and effort that has gone into the assessments and prioritizations of the schools. He said great time and care has been taken to address the needs effectively and most appropriately, for both districts.

Commissioner Jacobs said one other factor that has affected funding has been the State's reduction in school construction funding over the years. He said the recent growth in Orange County is also a factor, causing the schools to depend more on local funding.

Chair McKee responded to Chair Piscitelli's comments about the word "neglect", saying it is benign neglect, not intentional. He said it is the result of trying to do the best with the available resources. He echoed Tom Forcella's comments about the amount of effort and time put into the assessment process.

Commissioner Dorosin asked if CHCCS has a timetable for Phases 2 and 3.

Todd LoFrese said in the information previously provided to the Board of County Commissioners, there is have a 10-year construction plan for these phases. He said the first 4 years would be for Chapel Hill High School, and 2 years for Lincoln Center. He said at that point, finances would be assessed and hopefully more renovations could continue.

Commissioner Dorosin asked if Phase 1 would take 10 years.

Todd LoFrese said the CHCCS plan lays out projects that are both funded and not funded. He said CHCCS is requesting for planned funding to be used to address current needs.

Commissioner Dorosin said the feedback he is hearing is not an issue of "neglect", but rather criticism of the long range planning. He said it would be important to maximize existing land.

Todd LoFrese said the schools adequate public facilities ordinance (SAPFO) process is already in place, and similarly both districts review the CIP process each year.

Andrew Davidson referred to page 4 of the document and said Phases 1 and 2 are where priority is placed on capacity. He said in Phase 3, there is less focus on capacity increase.

James Barrett said the standard was to take all elementary schools to hold 585 students. He asked if Commissioner Dorosin wants this number revisited, due to potential population increases.

Commissioner Dorosin said that possibility should be on the table, and he anticipates in five years that there will be need for a new elementary school. He said if continued growth can be anticipated, capital plans could be re-visited to see if some school plans can be tweaked to increase capacity. He said there must be flexibility. He said finding land to build new schools would be a challenge, especially in Chapel Hill.

Discussion ensued.

Commissioner Rich asked if there is a plan for the relocation of students, while parts of Chapel Hill High School are being torn down.

Todd LoFrese said this will be a challenge. He said as the design process proceeds, there will be a better idea of how to address this issue.

Commissioner Rich asked if Todd LoFrese could give a rough estimate of the number of students to be displaced.

Todd LoFrese said this is unknown at this time.

Commissioner Jacobs referred to Commissioner Dorosin and James Barrett's conversation. He said built into this process are assumptions. He said it might be helpful to look at some of these built in assumptions as the process goes forward.

James Barrett said he agreed.

Tom Forcella said utilizing space more effectively and efficiently is an important area that should be focused on.

Commissioner Price referred to OCS, and said she is looking at the quality of education provided, and the need to upgrade the science rooms. She said it might be preferable to build a wing rather than do renovations. She said many schools might not have room to expand. She said she is also concerned about the unfunded media center at Hillsborough Elementary. She asked if there is an idea as to what is on the horizon.

Pam Jones said as the assessment was put together, the core of the buildings was considered and it is imperative to take care of what already exists. She said roof work, infrastructure, and HVAC work needs to be upgraded as soon as possible, and thus are a priority.

Commissioner Price said she is talking about long-term issues.

Steve Halkiotis said there has never been enough money to maintain schools' infrastructure, HVAC and roofs. He said everything has been added on over the years, and these issues have been around for a long time. He reiterated that there is over $600 million value in the schools, but only $200,000 to take care of them all.

CHCCS
Key Elements of Older Facility Recommendations
(included in the 2015-25 CIP Recommendation)

- The recommendations are for a comprehensive program that focuses on the district's ten oldest schools that accommodate almost 50% of district students.

- Facility recommendations include:
    - Correction of building code violations;
    - Improved safety by consolidating operations and controlling entry;
    - Indoor air quality deficiencies and health concerns addressed;
    - Replacement of malfunctioning mechanical equipment;
    - Relief of traffic congestion problems;
    - Deconstruction of some inefficient buildings;
    - Extending the life of the schools.

- Implementation of the recommendations eliminate mobile classrooms (also in need of renovations) while providing additional student capacity.
    - Elementary school capacity increase = 555.
    - High school capacity increase = 230 +/-

- Increased student capacity would result in deferment of new elementary school and high school additions well beyond the ten-year CIP window.

- o Board requesting the redirection of $57.6 million in projected capital expenditures for new schools towards "Phase 2" older facility recommendations.
- o Delays significant operational increases with opening a new school.

- Bond funds and future capital funds directed to the ten oldest schools will make available CIP (Pay-as-you-go) revenue for needed maintenance at district's other "newer" schools that are 20-30 years of age.

OCS Facility Recommendations

- 2013 Facilities Assessment reflected needed repairs/replacements/additions in excess of $160million as of the date of the assessment.
- OCS receives approximately $2.6 million for capital funding annually.
- Of the $160 million overall needs, OCS Board of Education prioritized projects to funding levels of $50, $60 and $70 million, with projects in the following areas given highest priority:
  - o Safety;
  - o Replacement of antiquated and failing mechanical equipment that would exceed normal CIP funding capabilities;
  - o Cedar Ridge High School classroom wing addition;
  - o Replacement of Transportation facilities;
  - o Upgrade and replacement of food service facilities and equipment.
- Phase 1 projects per the attached sheet would be completed assuming a $50 million allocation of the potential 2016 bond.
- Unfunded projects would be addressed if higher allocation from potential 2016 bond were allocated and/or through future CIPs.
- Based on approved CAP Certificates to date, OCS has adequate elementary and middle school capacity for the current 10-year CIP period. The Cedar Ridge classroom addition will address the needed high school capacity, which is projected to reach SAPFO capacity by 2022. A planning/constructing/opening period of approximately three years is anticipated.
- Replacement and consolidation of Transportation facilities is included in the OCS Phase 1 request, but is envisioned as a joint project with CHCCS. OCS is the recognized LEA for Transportation for both OCS and CHCCS (State only recognizes one per County). The 1950's vintage Transportation facilities for both CHCCS and OCS are woefully inadequate. Some buses will not fit and still close the bay doors, for example.
- Potential bond funds will allow OCS to divert future pay-as-you-go CIP funds to other critical projects addressed in the Facilities Assessment, but not included in Phase 1

3. <u>Discussion of Potential Comparative Analysis of School Capital Needs</u>

- **Third Party Professional to Rank and Rate Needs based on Determined Criteria**

Commissioner Jacobs said the proposals do not coincide with the presentations, and it is difficult for the Board of County Commissioners to decide priorities without objective criteria. He said security is a key component. He suggested asking a third party to review and rank each project, based on the following criteria:

- Security
- Health and safety
- Structural integrity
- Capacity

He added that the value of improvement versus replacement could be another criteria.

Commissioner Jacobs said the third party could review all projects, without knowing which district they belong to, and then present findings to the Board of County Commissioners who could take the highest ranked projects to the voters by way of a bond. He said he knows there are other variables that may be factored in, such as the average daily membership (ADM) and the political components. He said it could be a more emotionless process if a third party was used.

Commissioner Pelissier said she thought Commissioner Jacobs' suggestion was an idea to pursue, since the State recently decided to use empirical ratings with the transit issues in order to take out the political ramifications. She added that this could be a better way to convince the public with a bond.

Commissioner Price asked if this suggestion would be a duplication of what CHCCS has already done.

Chair McKee said no, but rather this would take projects presented to the Board tonight by both districts, and let a third party objectively review and rank the projects based on the five criteria.

Commissioner Price said the districts had already worked with consultants.

Chair McKee said this is open for discussion.

James Barrett said a criterion he felt was missing was logistics. He said there are some projects that are logistically simpler than others, and may therefore take priority.

Commissioner Jacobs said it was not in his criteria, but that does not mean that it cannot be added. He said agreed upon criteria would be needed that apply to both districts across the board.

Donna Coffey asked if hiring a consultant would do the same thing as a capital needs advisory task force, which has been used in past bond referendums.

Chair McKee said their Board of County Commissioners has not had this discussion yet, but from his standpoint this could be an alternative to such a committee. He said the consultant would be unaffiliated with either district or the Board of County Commissioners. He said another question is whether bond funds are allocated based on ADM or on a project basis. He said Commissioner Jacobs' suggestion might lead to funding being distributed more on a projects basis. He said the discussion is about getting feedback on this suggestion.

Commissioner Burroughs said she is interested in this suggestion, but she served with CHCCS when this process started. She said the issue of phasing has been part of the process from the beginning, whereas the OCS's projects are smaller projects; so she is uncomfortable comparing apples and oranges. She said these are elected school boards, and she is uncomfortable with encroaching on their processes.

Steve Halkiotis said he would like to hear more about this suggestion, and he has been through several bond processes. He said on past capital needs committees, there have always been advocates for a variety of needs. He said he does not have a dog in this fight, but is only interested in the students in both districts. He said if there is not a united front going forward, this bond may fail. He said the more attractive the bond package is, the more people will come out to support it.

Steve Halkiotis said he appreciated the suggestion, but asked if there is good reason to bring in a third party when there has been success in the past with a collaborative effort, by using committees for the bond process.

Chair McKee said the projects that have been presented cannot be accomplished with $125 million, and this suggestion is a way to prioritize projects. He said he hoped to generate discussion, not to start a fight.

Commissioner Jacobs responded to Donna Coffey's question, saying the Board of County Commissioners has not always agreed with the bond process, but this is the process. He said both school systems have presented a more detailed assessment than has ever be done previously.

Commissioner Jacobs said he made the third party suggestion, as he wants to know which facility is the most vulnerable to be entered by an unauthorized person. He said he wanted to know this type of information as a whole, prior to talking to the voters about supporting a bond. He said there must be some basis to take to the voters.

Chair Kelly asked if the five criteria are security, health and safety, structural integrity, capacity, and improvement versus replacement as well as possibly adding logistics.

Commissioner Jacobs said yes, and that it may be wise to further the discussion to see if more criteria should be included.

Chair Kelly said this proposal is logical, but the issues start to break down when deciding to whose opinion one should listen. He said being objective is very difficult and that people have been working on this for a while. He said some decisions are simply educational, and should be made by an elected school board versus an outsider. He expressed concern about the timeline when adding another variable into the process. He said the school districts have been on this “train” for four years. He expressed concern for the cost of such an analysis, as well as what would happen when the school board disagreed with the consultant or the BOCC, and how disagreements would be resolved. He said $125 million is only a down payment on what the schools need.

Chair Kelly said if this process is going to be applied to the bond funds, then similar criteria should also apply to the Board of County Commissioners and the CIP. He said it is valuable to have the best information possible, but no information is perfect.

Jamezetta Bedford echoed the comments of Steve Halkiotis and Chair Kelly. She said capacity is a big issue for CHCCS, but not with OCS, and that is one problem with the proposed ratings. She said this suggestion is a usurping of elected school boards by the Board of County Commissioners. She said the architect being used by the CHCCS is the same one being used by the County for the jail, and as such the County should have some level of confidence in the architect. She said the architect has evaluated the older buildings objectively, and the resulting assessments should be trusted.

Jamezetta Bedford said there is no value in this proposal, and asked what would happen if the independent third party gave all the funds to only one school district. She said there must be allocations to both school districts if there is any hope of gathering public support. She said the suggestion makes no political sense.

Jamezetta Bedford said deciding how to allocate the proposed bond funds is important. She said this suggestion is a very bad idea and not a positive step.

Annetta Streater said she believed that the public has confidence in the two school districts, and their boards, to be responsible to the students, their families, and to the taxpayers. She asked for the Board of County Commissioners to have the same confidence in the school boards to make the best recommendations for the school districts. She said all involved have thought through the variables and needs very carefully, with great dedication.

Commissioner Dorosin said in support of Commissioner Jacobs that the Board of County Commissioners is the one body that is charged to look out for all the students through the Board’s funding capacity. He said if these are urgent needs that will be addressed through a bond, the funding must be candidly explained to the public. He said being frank and straightforward about the process is imperative.

Steve Halkiotis said the last time the County went out for a bond in 2001, specific projects had to be listed. He said it is now his understanding that the bond counsel has said that a lump sum can be approved on a bond without a listing of projects.

Chair McKee said the Board has not had this discussion.

Commissioner Rich said she echoed the comments of Steve Halkiotis. She said she also agreed with Commissioner Dorosin that there was not a chance to discuss a lot of this as part of the bond process. She said it is important to be as honest as possible with the voters.

Chair Piscitelli said she appreciated this discussion. She said it is always valuable to look at a situation with fresh eyes and consider a variety of ideas.

Commissioner Jacobs said in 2001 the public was told which projects would be done with the bond funds. He said there was not enough funding to do everything then either. He said the BOCC varied slightly from the recommendations given at that time and funded both school districts. He said his suggestion of a third party review is in no way meant to be disrespectful to the school systems, boards or consultants. He said the BOCC might just have a different way of organizing things.

Commissioner Burroughs said the easiest answer to the voters is that the funds would be split by ADM. She said she is confident that each district will stretch this money, as it falls so short of meeting all the needs. She said it is critical that the projects be as defined as possible, as the process of educating the public moves forward.

Andrew Davidson said by the time November 2016 comes around, the voters would be feeling bond fatigue as both the Town of Chapel Hill and the State are proposing bonds as well. He said the more divisive this bond is, the more difficult it will be to pass.

James Barrett said the best way to move forward on this bond is as a unified front. He said Commissioner Jacob's third party review suggestion is the antithesis of this, as it shows a strong sense of mistrust of those in the schools and their dedication to working for the best interest of the students.

Donna Coffey agreed with everything that has been said and emphasized the importance of having a strong educational component that is seen by the voters as a collaborative effort by all three boards. She said it is also important to let the public know that the bond will not address all of the needs.

Commissioner Pelissier said this has been a good discussion, and she did support exploring this proposal. She said this discussion has brought a lot more clarity on the process. She said she now believes that this proposal would not be right for this process.

Commissioner Pelissier said once the bond funds are allocated, the question that must be answered is what are the next steps to address the needs that are not going to be funded by the bond. She said the public must know that there is a long-term plan for all the schools' needs.

James Barret said he has told his community that the process must start somewhere to move on to address further needs. He said without support for Phase 1, there would be no Phase 2.

Chair McKee said this open discussion was extremely valuable. He said it was vital for the schools to be heard before the BOCC has its own discussions. He said it will be difficult to work out the priorities, and how to present them to the public. He said these types of discussions should happen in an ongoing manner, allowing all parties to work collaboratively to provide safe, secure and healthy environments for the County's children.

4. <u>Impacts of State Approved Budget</u>

- **Chapel Hill-Carrboro City Schools**

Todd LoFrese said the State budget leaves a $300,000 gap in funding for teaching assistants, and this is of great concern to the schools.

Commissioner Dorosin said he would like updates, as it relates to the State legislature and Charter Schools, when it is available. He said he understands that a portion of any grant monies will have to go to Charter Schools. He said this would make it difficult to receive grants.

Todd LoFrese said it is an additional $250,000 that CHCCS would share with Charter Schools. He said it is of concern, and he is interested to see what the general assembly will do.

Commissioner Dorosin asked if it is known how many CHCCS students go to charter schools, and it was answered about 200, and 475 for OCS.

- **Orange County Schools**

Dr. Wirt said the OCS memo is also in the agenda packets. He said the State did fund step increases but restructured the steps in the past. He said this left the school district having to cover some teachers that fell on the top end of those tiers and are moving up in a step increase. He said it is important to note that 59 percent of OCS teachers received no pay increase of any kind this year.

5. <u>Discussion of School Related Topics</u>

Chair McKee said Commissioner Dorosin suggested discussing the following items:

- Collaborative Opportunities between Districts
- Expanding Innovations (e.g. Magnet Schools, Year Round Schools)
- Programs/Plans to Address Achievement Gap

Commissioner Dorosin asked if student reassignment is being considered to address the concentration of low-well students at certain schools. He said the achievement gap is still too wide in both districts.

Commissioner Dorosin said the issue of segregation in schools is still a real problem. He asked if the schools have ever examined the enrollment of students in Advanced Placement, or gifted classes, by race or socio-economic level. He said this is a significant issue that Wake County has attempted to address. He would like to see the schools in Orange County follow suit.

Commissioner Dorosin said there is only one year round school in Orange County, and asked if this is something that may be increased in the future.

Commissioner Dorosin said CHCCS has two dual-language schools, which are a strategy for achieving more diversity. He asked if there are plans to explore and expand these schools.

Tom Forcella said the CHCCS long-range plan to address achievement gaps is one of the district's priorities, and he elaborated on some of the CHCCS programs. He said year round schooling makes a lot of sense to him, as long as it is not done simply for facility reasons.

Tom Forcella said the two districts are working to find more areas of collaboration.

Chair McKee suggested that any detailed information could be forwarded to the Board at a later date.

Commissioner Dorosin said County Commissioners need to be better appraised as to what is going on with the districts, and he is just reflecting back questions he has been asked from the community.

Tom Forcella said the schools could come and share with the Board of County Commissioners at future work sessions or regular meetings to keep the Board informed and updated.

Commissioner Dorosin said he would welcome this.

Dr. Wirt said the issue of achievement gap in OCS is being addressed in an ongoing manner. He said an equity audit was conducted looking at classes offered, how talent is nurtured at early ages, and how gifted students are identified. He said OCS is seeking to offer professional development in these areas. He said he is very new to the district, but OCS is looking internally at policies, procedures and practices around choice within the district. He said options for choice are supported. He said it might be unfair to look at a high performing year-round school and solely attribute its success to the fact that it is year-round. He said he is open to year-round schools, but wants to make sure they are a good answer. He said choice programs are being considered where there are open seats in the schools. He said programming that will improve performance for all students is important, and not just

programming that will attract choice students. He said this type of work is important, and he has lots of ideas. He said OCS is in the midst of asking a lot of questions and working out the best options with which to proceed.

Commissioner Burroughs asked if the school boards would send their meeting agendas to Clerk to the Board, then Commissioners could attend if there is a topic of interest listed.

Commissioner Burroughs said this is CHCCS Chair Kelly and Jamezetta Bedford's last joint meeting, because they will be "retiring". She acknowledged their service.

Chair McKee encouraged the school boards to send any other questions or comments to the BOCC. He reiterated the Board's appreciation of the conversation.

A motion was made by Commissioner Price, seconded by Commissioner Rich to adjourn the meeting at 9:48 p.m.

VOTE: UNANIMOUS

Earl McKee, Chair

Donna Baker, Clerk to the Board

Attachment 2

DRAFT **MINUTES**
ORANGE COUNTY BOARD OF COMMISSIONERS
JOINT MEETING WITH THE
ORANGE COUNTY CHIEF'S ASSOCIATION
October 1, 2015
7:00 p.m.

The Orange County Board of Commissioners held a joint meeting on Thursday, October 1, 2015 at 7:00 p.m. at the Whitted Building in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Earl McKee and Commissioners Mia Burroughs, Barry Jacobs, Bernadette Pelissier, and Renee Price
COUNTY COMMISSIONERS ABSENT: Commissioner Rich and Commissioner Dorosin
COUNTY ATTORNEYS PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren and Clerk to the Board Donna S. Baker (All other staff members will be identified appropriately below)

VOLUNTEER FIRE CHIEFS PRESENT:
Brad Allison, Fire Chief, Caldwell FD, Matt Sullivan, Interim Fire Chief, Town of Chapel Hill, Susanna Williams, Town of Carrboro, Jeff Borland, Fire Chief, Cedar Grove FD, Phillip Nasseri, Fire Chief, White Cross FD, Jeff Cabe, Fire Chief, Orange Rural FD, John Stroud, Fire Chief, North Chatham FD, Kevin Brooks, Fire Chief, Efland FD, Matthew Mauzy, Chief, South Orange Rescue Squad (SORS), Mike Tapp, Fire Chief, New Hope FD, Steve McCauley, Fire Chief, Orange Grove FD, Keith Hayes, Chief, Eno FD, Jim Groves, Orange County Emergency Services Director

VOLUNTEER FIRE DEPTS. – CHAIRS, BOARD OF DIRECTORS
BARRY, Caldwell BOD President, Bill Waddell, Orange Grove, BOD President
Wayne Paschall, Eno BOD President, Matt Heinz, Orange Rural BOD President, Fred Stipe, SORS BOD President Howard Pratt, New Hope BOD President, Tony Blake, White Cross BOD President, Shawn Garrard, Eno River BOD

Chair McKee called the meeting to order at 7:08 p.m.

1. Welcome and Introductions

Chair McKee asked for a moment of silence for the victims of the Oregon tragedy.

Chair McKee said he just signed a Declaration of State of Emergency, which focuses on flooding and high waters in the local rivers.

Chair McKee said Jim Groves would be leaving Orange County as Emergency Services Director, and taking a position in Durham. He thanked him for his service, and said he would be missed.

Chair McKee introduced Chief Brad Allison, of the Fire Chiefs Council, who wanted to give an overall update to the Board about all of the fire departments' accomplishments and highlights. He said a strategic plan was established in 2012. He said the departments are right on track with this plan thus far. He reviewed the following highlights:

- ISO ratings
- Building fire stations

- Fire Prevention
- Update of equipment - from grants
- Advanced training level for swift water
- Biggest- Strategic Plan

Goals:

- Continue to recruit volunteers
- Outreach with community partners- Emergency Services and Sheriff's Dept.
- Training Facility
- EMT training/certification
- Pursue grants
- Joint purchasing of equipment
- Keeping up with standards

Chair McKee said Commissioner Dorosin and Commissioner Rich were not able to attend tonight.

2. <u>Public Safety Training Facility for Fire/Emergency Medical Services/Law Enforcement</u>

Chief Allison said there are 391 volunteers in Orange County, and a facility is needed to train these volunteers properly. He said Chapel Hill is building a new facility. He said at this meeting last year, the request was made for the BOCC to offer assistance, if the land for a facility could be secured. He said the Efland Fire Department offered to donate some land. He said Chapel Hill is looking to build a huge training facility to accommodate fire, EMS and law enforcement. He said the idea has been proposed for the Town and the County to collaborate and create a large, jointly shared facility in a centralized location such as Blackwood Farm. He said such a facility would benefit all the departments.

Chapel Hill Chief Sullivan said the discussions are in the very early stages, since the present facility is very old. He said if a joint facility could be built it would be a win-win situation for all.

Chief Cabe said in order to get ISO certification the facility must be centrally located to the majority of the stations, and that is why a joint facility is being considered.

Jim Groves said this proposal is for the day-to-day operational needs as opposed to the Triangle J Council of Governments (TJCOG) regional proposal. He said maybe going forward TJCOG could be invited to participate in a joint facility in Orange County.

Commissioner Burroughs asked if there is an estimate of the needed acreage.

Chief Allison said that would depend on the design, but the biggest obstacle has been the acquisition of land.

Chief Cabe said the acreage would depend on the uses. He said anywhere from two to five acres would be needed to build a combination burn building/drill tower and to be able to get fire trucks to it. He said EMS has different needs, such as driver training. He said if classrooms are desired on site, then space would be needed for a classroom building. He said the facility could be large and complex, or small and simple. He said law enforcement would have yet other needs. He said most burn buildings use gas, thus having much less run off, and as such do not have to be as far removed as in the past.

Chief Sullivan from Chapel Hill said there are public safety training center architects that do this type of work daily across the country. He said clarifying the needs would be a good starting point.

Chief Cabe said South Orange Rescue Squad (SORS) provides specialized rescue. He said this squad would need to have some defined space for training props, high elevations, etc.

Chief Allison said the volunteer departments would partner with the municipalities to flesh out some of these details.

Chair McKee asked if there were any ideas regarding the financing of a joint facility.

Chief Allison said it is hoped that the County could help with permitting and initial costs, and then all stakeholders would put in funds for the facility as well.

Chief Brooks said an increase in the fire tax could be a possibility.

Chief Cabe said charging user fees for outside entities could be implemented to recoup some of the cost.

Commissioner Price asked if Orange County would be able to waive fees for permitting.

John Roberts he would have to research that.

Commissioner Price said waiving the fees could help reduce the costs for the fire departments.

Chair McKee asked if the fire departments would keep the Board updated as the plans move forward for a joint training facility.

Fred Stipe asked if there were any other counties that have a similar multi-agency training facility.

Interim Chief Susanna Williams said New Hanover County and their local community college did a similar facility.

Jim Groves suggested looking at Lee and Buncombe Counties as well.

Commissioner Price said North Carolina Association of County Commissioners might have some information too.

Chief Allison said a price cannot be put on safety, and it is imperative that volunteers are trained as well as possible.

3. <u>Radio Upgrades</u>

Chief Allison said radio upgrades were discussed at their last meeting and will defer to Jim Groves and other Fire Chiefs. He said there are still some dead spots throughout the County.

Jim Groves said there is some funding for towers, but in order to build a tower a radio study must first be conducted. He said a RFP will be written soon and a consultant hired to guide them through this assessment. He said there is a separate RFP for paging, and it has been put on the back burner for now so the focus can be placed on the radio coverage.

4. <u>Status Updates</u>

a) Emergency Medical Services/9-1-1/County Strategic Plan Update

The Allen Report, prepared by Solutions for Local Government and published in 2012, addressed improvements needed to the Orange County Emergency Medical Services and Communications Center Operations. This update will also address the County's Strategic Plan and the status for each of the 19 recommendations identified in the report.

Jim Groves presented the following PowerPoint slides:

<u>Orange County Emergency Services Update</u>
<u>October 1, 2015</u>

<u>Acronyms</u>

ALS – Advanced Life Support (Intermediate / Paramedic)
AVL – Automatic Vehicle Location
BLS – Basic Life Support (Medical Responder / EMT)
CAD – Computer Aided Dispatch
EMD – Emergency Medical Dispatch

EMS – Emergency Medical Service
OCES – Orange County Emergency Services
QA – Quality Audit and Improvement
QRV – Quick Response Vehicle
SORS – South Orange Rescue Squad
VHF – Very High Frequency
VIPER – Voice Interoperability Plan for Emergency Responders

EMS Operations

EMS Statistics
Call Volume Comparison By Year
- 2015 = 10,450 (as of 9/26/2015)
  - Projected calls for 2015 = 13,950
- 2014 = 13,338
- 2013 = 12,369

Average Response Time Comparison By Year (Chute + Travel)
- 2015 = 9:35 Avg. (as of 9/26/2015)
  - 90th percentile is 16:37 (M-5 to go 24 hours this coming year…will help)
    - ✓ Increased call volume
    - ✓ Staffing (remediation & OT management) took M-7 off line frequently
    - ✓ Increased wait times at Emergency Departments (Duke biggest impact)
- 2014 = 8:53 Avg.
  - 90th percentile is 15:51
- 2013 = 9:00 Avg.

EMS Recommendations

R-1 Adjust M-5 and M-8 Coverage Hours (complete)
- Based on recent geographic call data (North/South)
  - M-5 coverage remained 6am-6pm (unchanged)
  - M-8 coverage changed to 6pm-6am

R-2 Add additional ambulance 9am-9pm (complete)
- M-9 added 8am-8pm based on recent geographical call data
  - Co-located at Orange Grove FD

R-3a&b Use SORS for BLS and bring on BLS ambulance (on-going)
- Impact of UNC Hillsborough may drive collaboration of a BLS unit for transport

R-4 Assess Fire Department capabilities for First Responder (complete)
- With the EMS co-location initiatives with the Fire Departments, this recommendation may become null

R-5a Implement Fire Department First Responder Initiative (complete)
- Continuing work with the Orange County Medical Director to enable Fire Departments that wish to provide ALS (EMT Intermediate) to do so. Implementation is in progress.

R-5b QRV Initiative (null)
- Offered as an alternate recommendation to R-5a

R-6 Staff & Equip six (6) ALS ambulances (on-going)
- OCES is requesting one new (1) ambulance each year to replace older units
- Monitoring effectiveness of program each year
- Intent is to not over-purchase or over-staff
  - Call volume and response times drive units and staffing
  - M-5 to become 24 hour unit this coming year

R-7 Hire Paramedic Level Shift Supervisor 24/7 (Complete)

- Asst. Supervisors were reclassified to Supervisors on 1/1/2015

R-8 Prepare a space needs assessment (90% complete)

- Stewart Cooper Newell awarded contract on 10/1/2013
- Staff met with firm the week of 10/7/2013 to begin space needs assessment
- Draft space needs assessment presented to OCES on 3/5/2014
- Revised space needs assessment presented to OCES on 5/20/2014
- Space layout provided to OCES on 8/6/2015

R-9 Identify nine (9) strategic locations for future EMS base (in-process)

- Integral part of the Stewart Cooper Newell discussions
- Co-location or co-build with Fire Departments may require modification of this recommendation due to the success of the co-locations thus far
    - Orange Rural
    - Orange Grove
    - Carrboro
    - New Hope
    - Eno (M-5 24 hour)
    - Hillsborough/Orange Rural (potential co-build in 15/16 and 16/17)
    - Chapel Hill (co-location/co-build in 16/17 and 17/18)
- GIS Modeling underway to determine 8 and 12 minute drive times

R-10 Obtain sites for development (not started)

- Based on outcome of R-8 and R-11

R-11 Procure EMS planning and design services (not started)

- Dependent on co-build schedule with Chapel Hill and Hillsborough/Orange Rural

R-12 Advertise, bid, construct EMS facilities (not started)

- Based on outcome of R-8, R-10 and R-11

9-1-1 Operations

9-1-1 Communications FLOW (NFPA 1221)

9-1-1 Communications Statistics

Call Comparison By Year

- 2015 Incoming = 39,261 7/1/2015 to present (YTD)
    - 22,356 911 Calls
    - 19,905 Administrative (excluding abandoned calls)
    - *Projected call volume (911 and Admin) is 157,044*
- Average Dispatch Time = 2.16
    - *New NFPA 1221 Standard (July 2013) is 1:36*
- 9-1-1 Call Answer Time = % answer time < 15 sec = 99.34%
    - *NFPA 1221 Standard (July 2013) is < 15 sec 95%*

- 2014 Incoming = 132,525 Calls
    - 79,241 911 Calls
    - 53,284 Administrative (excluding abandoned calls)
- Average Dispatch Time = 1:33
    - New NFPA 1221 Standard (July 2013) is 1:36
- 9-1-1 Call Answer Time = % answer time < 15 sec = 99.43%
    - New NFPA 1221 Standard (July 2013) is < 15 sec 95%

9-1-1 Recommendations

R-13 Hire full time Data Systems Manager (complete)

- Mr. Kevin Medlin was promoted to Data Systems Manager on 10/18/2013

R-14 Hire full time Training/Quality Assurance Officer (complete)

- Training Coordinator filled but currently vacant due to attrition
- Job posted and currently accepting applications
- Estimated mid November 2015 to fill the position

R-15 Hire additional Training/QA Officer (complete)

- Currently filled by Ms. Laurie Piche

R-16 & 17 Hire Telecommunicator positions (in-process/on-going)

- New model of hiring Telecommunicators should help complete this recommendation
  - Call Taker (can be under 21 years of age)
  - Dispatcher (must be 21 years of age or older for DCI certification)
- 7 new employees will be released to the 911 Center in Oct./Nov.
- New Telecommunicator Academy to start Oct./Nov.
  - 12 is the target for the next academy

R-18 Purchase AVL hardware for new EMS vehicles (complete)

- All new units will be outfitted with AVL

R-19 Provide informational meetings with emergency responders to share new software capabilities (complete/on-going)

- 9-1-1 Users Group re-activated
  - Members of each response organization are represented
- Information shared during Chiefs Association meeting
- On-going weekly collaboration via email and phone

OCES Strategic Plan

OCES Strategic plan – Admin Division (3 slides)

OCES Strategic plan – EMS Division (2 slides)

OCES Strategic plan – Communications Division (3 slides)

OCES Strategic plan – fire marshal Division (2 slides)

OCES Strategic plan – Emergency Mgt. Division (2 slides)

Commissioner Price asked if there is a reason for the increase in calls.

Kim Woodward said there are typically two reasons:

1. Increase in the general population
2. Increase in the aging population

Chief Cabe referred to page 9 slide number 7, which states, “continuing to work with the Orange County Medical Director to enable Fire Departments that wish to prove ALS (EMT intermediate) to do so.” He said the budget at Orange Rural would not support this. He said Orange Rural is stopping at the medical responder level.

Chair McKee said this is a consideration. He said the higher the level of service that is provided, the greater the cost. He expressed appreciation for the smaller ambulances.

Commissioner Price asked if the Fire Departments do outreach with Durham Tech and high school students.

Kim Woodward said there have been tremendous efforts towards outreach. She said there is a paramedic academy at Durham Tech, and nine paramedics will be joining EMS this year.

Jim Groves said outreach is done wherever possible. He said there is a goal to have 400 cert volunteers, involving the community.

Jason Shepherd, Orange County Fire Marshal, said Orange County Schools (OCS) recently reached out to him to incorporate fire protection from Durham Tech into the schools. He reached out to the State Fire Marshal's office to get certification-based training into the high schools. He said a program already exists to certify high school students. He has connected the school system to the State Fire Marshal's office to move this conversation and idea forward in Orange County. He said he would keep the Board updated.

b) Update on Coverage for Insurance Issues (Remaining Areas Outside Six (6) Road Miles)-

Jason Shepherd reviewed the following information:

Since the October 2014 joint meeting with the BOCC, Fire Chiefs and Emergency Services, there have been two additional fire stations constructed and approved which reduced the amount of homes outside of the 6 road mile issue. White Cross Fire Department added Station 2 on Neville Road that allowed 239 addressable structures into a protection class. The City of Mebane Fire Department added Station 3 that allowed all parcels in the East Alamance insurance district into a rated protection class. The BOCC has approved exchanges between fire protection districts on the insurance layer to bring homes into a protection class rating. The insurance districts include White Cross, West Orange, Cane Creek, Cedar Grove and Central Orange

Chair McKee asked if it is know how many homes are still located outside the 6-mile route distance.

Jason Shephard referred to the map on back page of agenda packet where this legend information is located at the bottom of the map.

c) Emergency Medical Services Co-Location

Jim Groves reviewed the following information:

On March 19, 2013 the Board of County Commissioners approved an agreement with the Orange Rural Fire Department to co-locate one (1) Emergency Medical Services (EMS) unit at the Phelps Road Station. Subsequently, the BOCC has approved agreements with Orange Grove, Carrboro, and New Hope Fire Departments to co-locate EMS units at those stations as well. This item provides an opportunity for the BOCC to hear from the Fire Chiefs on how the co-location initiative is working out.

Jim Groves said this item is to provide feedback to the Board of County Commissioners on how co-location is doing.

Chief McCauley, Orange Grove Fire Chief, said there are no problems with co-location, and it is a very collaborative relationship.

Chief Cabe said there have been some "bumps" but nothing major, and it is beneficial. He said there is discussion about Medic 5 moving to Eno. He said Orange Rural's intention is to finish Walker Road Station and make Phelps Road into an EMS base with fire trucks as well.

Chief Sullivan, Carrboro Fire Chief, said that there are no problems with their stations, and it is a beneficial situation. He said the only challenge at Station 1 is lack of personal space for EMS.

Chief Tapp, New Hope Fire Chief, said there is a good working relationship with Orange County EMS.

Chief Nassari, White Cross Fire Chief, said the funding from Orange County for extra supplies is greatly appreciated.

Matthew Mauzy, SORS, said they co-locate as well and have done so for about 40 years. He said a new ambulance was recently added to their fleet, and they just began 7 day a

week staffing in conjunction with Orange County. He said this offers greater consistency within the system.

Chief Sullivan said smoke alarm companies have been contacted regarding recycling smoke alarms. He said smoke alarms could be returned to the original company where they will be recycled.

Chair McKee asked Bonnie Hammersley to check with solid waste to see if Orange County can participate in the recycling process.

Chief Williams said she had already made this contact, and there was concern about the ionization in the alarms. She said these types of alarms could be disposed of directly, but probably not recycled.

Chair McKee said he would still like for solid waste to look into this as well.

Jim Groves said the Fire Marshal could work with Gayle Wilson at Solid Waste.

A motion was made by Commissioner Burroughs, seconded by Commissioner Price to add a closed session for the purpose of: Per 143-318.11(a)(3), "To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body**"**

VOTE: UNANIMOUS

CLOSED SESSION**:**

A motion was made by Commissioner Pelissier seconded by Commissioner Burroughs to go into closed session at 8:45 p.m. for the purpose of: Per 143-318.11(a)(3), "To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body**."**

VOTE: UNANIMOUS

RECONVENE INTO REGULAR SESSION

A motion was made by Commissioner Burroughs seconded by Commissioner Pelissier to reconvene the meeting into regular session at 9:40 p.m.

VOTE: UNANIMOUS

ADJOURNMENT

A motion was made by Commissioner Burroughs seconded by Commissioner Price to adjourn the meeting at 9:40 p.m.

VOTE: UNANIMOUS

Earl McKee, Chair

Donna Baker, Clerk to the Board

Attachment 3

DRAFT **MINUTES**
BOARD OF COMMISSIONERS
REGULAR MEETING
October 6, 2015
7:00 p.m.

The Orange County Board of Commissioners met in regular session on Tuesday, October 6, 2015 at 7:00 p.m. at the Whitted Building, in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair McKee and Commissioners Mia Burroughs, Mark Dorosin, Barry Jacobs, Bernadette Pelissier, Renee Price and Penny Rich
COUNTY COMMISSIONERS ABSENT:
COUNTY ATTORNEYS PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley and Deputy Clerk to the Board David Hunt (All other staff members will be identified appropriately below)

Chair McKee called the meeting to order at 7:04 p.m.

1. Additions or Changes to the Agenda

Chair McKee asked for a moment of silence to recognize the recent tragic events in Oregon.

He noted the following items at the Commissioners' places:
- pink sheet - letter for item 5a: Class A Special Use Permit for the Emerson Waldorf School
- white sheet - letter for item 7a: Additional discussion regarding a November 2016 Bond Referendum.
- PowerPoint for item 8a: Report on Small Business Investment Grants, Agriculture Economic Development Grants, and Small Business Loan Program
- Report from Planning and Inspections

PUBLIC CHARGE

Chair McKee dispensed with the reading of the public charge.

2. Public Comments

a. Matters not on the Printed Agenda

b. Matters on the Printed Agenda

3. Announcements and Petitions by Board Members

Commissioner Dorosin had no announcements or petitions.

Commissioner Price said she received an announcement from the National Association of Counties (NACo), stating that President Obama has declared October to be National Cyber Security Awareness month. She said this information has been forwarded to Jim Northrup, who identified several efforts being made locally in this arena.

Chair McKee said there is a team in Orange County working on cyber security. He acknowledged the efforts of this team.

Commissioner Pelissier had no announcements or petitions.

Commissioner Rich congratulated the Community Home Trust Board on their fundraiser.

Commissioner Rich reiterated her previously made petition about the creation of a women and children's safe house in Orange County. She said she hopes this conversation will move forward into action soon.

Commissioner Jacobs said the Sheriff is very committed to such a shelter.

Commissioner Jacobs asked if there is a status update regarding the payment in lieu system for parks and open space from development. He said a master plan for parks has been adopted, and he understands a payment in lieu system should now be possible.

Commissioner Jacobs referenced a petition he made about a month ago, asking the Planning Department to create a development analysis for new projects being built inside Town limits and their impact on the County. He asked if this could be completed prior to the Town of Hillsborough meeting to discuss Collins Ridge and Waterstone.

Commissioner Jacobs said several citizens had contacted Commissioners about fireworks, and the Orange County noise ordinance. He asked if the Planning staff, the Sheriff's Department and the County Manager could ascertain the specific concerns and determine the best way to address them.

Chair McKee said he would refer this to Planning, the Manager, and the Sheriff.

4. Proclamations/ Resolutions/Special Presentations

a. Arts & Humanities Month – 2015 Piedmont Laureate James Maxey

The Board was introduced to, and heard a brief selection from, Hillsborough resident and speculative fiction author James Maxey, the 2015 Piedmont Laureate, during National Arts & Humanities Month (October).

Martha Shannon, Orange County Arts Commission Director, presented the following background information:

BACKGROUND:

The 2015 Piedmont Laureate Program is co-sponsored by the Orange County Arts Commission, the City of Raleigh Arts Commission, the Durham Arts Council, and United Arts Council of Raleigh and Wake County. Now in its seventh year, the primary goal of this program is to promote awareness and heighten appreciation for excellence in the literary arts throughout the Piedmont region. The Arts Commission participates so that Orange County writers can apply and Orange County sites can host the Piedmont Laureate free of charge. The Piedmont Laureate is contracted for 20 events (readings or workshops at schools and public sites) and at least 5 media appearances throughout the three-county area during calendar year 2015.

The 2015 application process was open to all **speculative fiction authors** residing in Orange, Durham or Wake counties who met the guideline criteria. In addition to the program sponsors, the selection panel included Samuel Montgomery-Blinn (Publisher, Bull Spec Magazine), Mur Lafferty (speculative fiction author) and Tony Daniel (Editor, Baen Publishing Enterprises). Two finalists were selected by the panel and interviewed by the program sponsors. James Maxey was chosen. As a free Halloween offering, Mr. Maxey will be reading his ghost story "Silent As Dust" at the Burwell School Historic Site in Hillsborough from 7-8 pm on Friday, October 30, 2015.

James Maxey read a paragraph from one of his short stories, and reviewed his work history.

A motion was made by Commissioner Price, seconded by Commissioner Burroughs to recognize James Maxey as the 2015 Piedmont Laureate.

VOTE: UNANIMOUS

b. <u>Resolution Recognizing Evelyn Lloyd for Service on the Historic Hillsborough Commission</u>

The Board considered a resolution recognizing Evelyn Lloyd for her service on the Historic Hillsborough Commission, and authorizing the Chair to sign.

Commissioner Jacobs read the resolution:

ORANGE COUNTY BOARD OF COMMISSIONERS

RESOLUTION RECOGNIZING EVELYN LLOYD FOR HER SERVICE ON THE HISTORIC HILLSBOROUGH COMMISSION

WHEREAS, the Historic Hillsborough Commission was created by an Act of the North Carolina General Assembly in 1963; and,

WHEREAS, the Historic Hillsborough Commission was created to serve in cooperation with the Hillsborough Historical Society, the elected officials of Hillsborough and Orange County, and appropriate public agencies; and,

WHEREAS, the Historic Hillsborough Commission has the power to preserve and restore the Town of Hillsborough, and its immediately adjacent area, as a living, functioning, educational, and historical exhibit of North Carolina's early life and times; to acquire and to dispose of property, real and personal; to repair, restore, or otherwise improve such properties; and to write, compile, publish, or sponsor historical works as may pertain to the town and area; and,

WHEREAS, the Historic Hillsborough Commission shall consist of not fewer than 25 members appointed by the Governor and, in ex officio capacity, the Mayor of the Town of Hillsborough, the Chair of the Board of Commissioners of Orange County, the Orange County Register of Deeds, the Orange County Clerk of Superior Court, and the Secretary of Cultural Resources or designee; and,

WHEREAS, the Historic Hillsborough Commission owns and operates the Burwell School Historic Site, sharing this significant historic resource with the greater Orange County community and beyond; and,

WHEREAS, Evelyn Pauline Lloyd was appointed by the Governor of the State of North Carolina and was inducted into the Historic Hillsborough Commission on September 4, 1974; and,

WHEREAS, she has served continuously for 41 years on the Historic Hillsborough Commission, longer than any other member of the Commission; and,

WHEREAS, her term of office on the Historic Hillsborough Commission will conclude in October 2015; and,

WHEREAS, Evelyn Pauline Lloyd has been a lifelong resident of Hillsborough, and she and her family have a long record of service to the Town where she has served with distinction and

dedication despite the burdens on running a service-oriented small business and has also served for 24 years as a Town of Hillsborough Commissioner;

NOW, THEREFORE, be it resolved that the Orange County Board of Commissioners does hereby recognize Evelyn Pauline Lloyd for her service and commitment to the preservation of local history in the seat of Orange County and does hereby wish her well in the future endeavors she undertakes with her customary determination, thoroughness and warmth.

This the sixth day of October, 2015.

A motion was made by Commissioner Jacobs, seconded by Commissioner Rich for the Board to approve and authorize the Chair to sign the attached resolution recognizing Evelyn Pauline Lloyd for her service on the Historic Hillsborough Commission.

VOTE: UNANIMOUS

c. <u>Proclamation Naming Fairview Park Ballfield for James Stewart</u>

The Board considered a proclamation naming the existing baseball/softball field at the County's Fairview Park for the late Mr. James "Junebug" Stewart and authorizing the Chair to sign.

David Stancil, Department of Environment, Agriculture, Parks and Recreation (DEAPR) Director, presented this item. He said Fairview Park was constructed in 2010-2011, through combined local and State funding. He said the idea for this park started in the late 1980s, and while waiting for an official field, Mr. Stewart created an informal field at this location, called the "Field of Dreams", to allow neighborhood children to participate in sports leagues.

Commissioner Price read the proclamation.

PROCLAMATION
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
Recognizing JAMES "JUNEBUG" STEWART

Whereas, James Stewart and his neighbors in a predominantly African-American neighborhood waited nearly two decades for playing fields for the children of the Fairview community; and

Whereas, James Stewart, a self-employed mason, overcame personal trials and tribulations and took the initiative along with family and friends to construct a full-fledged baseball field atop a closed and abandoned public landfill; and

Whereas, the ball field, known locally as the "Field of Dreams", opened in the summer of 1999; and

Whereas, James Stewart, a lifelong resident of Fairview, was the inspirational force behind the Fairview Youth Baseball Group, also known as the Fairview Eagles; and

Whereas, the Hillsborough/Orange County Chamber of Commerce awarded the 1999 Ed Riley Helping Hand Award to James Stewart for constructing the Field of Dreams;

Now, Therefore, Be It Resolved, that the Orange County Board of County Commissioners hereby proclaims that the baseball field at Fairview Community Park of Orange County shall be

named in honor of the late James "Junebug" Stewart, as a memorial to him, his love for the people of his community and his "Field of Dreams".

This 6th day of October 2015.

A motion was made Commissioner Jacobs, by seconded Commissioner Rich for the Board to approve and authorize the Chair to sign the attached proclamation naming the ballfield at Fairview Park for James "Junebug" Stewart, and authorized staff to work with the Board to schedule and plan for a dedication ceremony to be held in October/November 2015.

VOTE: UNANIMOUS

Commissioner Jacobs said $800,000 of the funds for the building of Fairview Park came from the 2001 bond referendum for Parks and Open Space.

5. <u>Public Hearings</u>

a. <u>Class A Special Use Permit – Schools (Elementary, Middle and Secondary) Public and Private) for the Emerson Waldorf School (Receipt of Planning Board Recommendation – No Additional Public Comment or Testimony Allowed)</u>

Chair McKee read the following, and declared the public hearing reconvened. He added that the hearing is solely for the purpose of receiving the Planning Board recommendation and allowing new information previously submitted in writing to be entered into the record.

The Board shall receive the Planning Board recommendation, close the public hearing, and make a decision on a Class A Special Use Permit (hereafter 'SUP') application submitted by the Emerson Waldorf School located at the intersection of New Jericho and Millhouse Roads in Chapel Hill Township. The applicant is proposing revisions to the school's current SUP and requesting approval of a Master Plan outlining the long-term expansion of the school's facilities and infrastructure in accordance with Section 2.7 *Special Use Permits* and Section 5.8.4 "Schools: Elementary, Middle and Secondary" of the Orange County Unified Development Ordinance (UDO).

Patrick Mallet, Current Planning, reviewed the abstract and attachments and asked that they be entered into the record, along with the pink attachment at the Commissioners' places. He said the attachments are:

1. Vicinity map, outlining the various properties owned by the Emerson Waldorf School and governed by the SUP
2. July 1, 2015 Planning Board Abstract
3. Expert of the approved minutes from the May 26, 2015 Quarterly Public Hearing
4. Expert of the approved minutes from the July 1, 2015 Planning Board Meeting
5. Planning Board recommended findings of fact and conditions of approval
6. Script for acting on the findings of facts
7. Agreement and acceptance from the Emerson Waldorf School, regarding the findings of fact and conditions of approval

SCRIPT FOR ACTING ON EMERSON WALDORF SCHOOL AT THE INTERSECTION OF NEW JERICHO AND MILLHOUSE ROADS
CLASS A SPECIAL USE PERMIT APPLICATION:
October 6, 2015 BOCC meeting
NOTE – Blue text denotes BOCC Chair/Member required action

1. Chair will explain the purpose of the item is to receive the Planning Board recommendation.
   For the project, the purpose of the meeting is as follows:
   To receive the Planning Board recommendation, close the public hearing, and make a decision on a Class A Special Use Permit (hereafter 'SUP') application submitted by Emerson Waldorf School proposing a revised SUP with a Master Plan to allow for the long-term expansion of school accordance with Section 2.7 Special Use Permits and Section 5.8.4 "Schools: Elementary, Middle and Secondary" of the Orange County Unified Development Ordinance (UDO).

2. Chair will declare the public hearing re-convened for the purpose of receiving the Planning Board recommendation and ask staff to make their presentation.
   NOTE – The re-convening of a hearing is solely for the purpose of receiving the Planning Board recommendation and allowing any new information, previously submitted in writing, to be entered into the record. The hearing is not intended to solicit additional input from the public or the applicant.

   While the BOCC may ask staff questions related to the review of a given item, comments from the public or the applicant shall not be solicited. The accepting of additional public comments at this stage of the review (i.e. the reconvened hearing) would constitute a violation of the UDO.

3. Staff will review the abstract and ask it be entered into the record. Staff will review the Findings of Fact (Attachment 5) for the Special Use component of the project.

4. Questions will be asked of staff.

5. A motion was made by Commissioner Burroughs, and seconded by Commissioner Rich to close the public hearing.
   Vote: Unanimous

   NOTE – once this is done, Planning Staff cannot answer questions or provide additional detail.

6. The BOCC will first need to take action on the Special Use Permit findings of fact. The findings of fact have been organized per relevant UDO section to aid in making motions to approve or deny. The cadence on taking action should be as follows

   a. A motion was made by Commissioner Rich, seconded by Commissioner Dorosin finding the applicant **has** complied with the provisions of Section(s) 2.2 and 2.7.3 of the Orange County Unified Development Ordinance as detailed by the findings contained within Attachment 5 of the abstract package.

      VOTE: UNANIMOUS

      NOTE – if the motion is to reject the individual making the motion will need to provide some explanation justifying the finding that the applicant has not established, through competent material and substantial evidence, the project is in compliance with Section(s) 2.2 and 2.7.3 of the UDO.

b. A motion was made by Commissioner Rich, seconded by Commissioner Price finding the applicant **has** complied with the provisions of Section 2.7.5 of the Orange County Unified Development Ordinance as detailed by the findings contained within Attachment 5 of the abstract package.
VOTE: UNANIMOUS

NOTE – if the motion is to reject the individual making the motion will need to provide some explanation justifying the finding that the applicant has not established, through competent material and substantial evidence, the project is in compliance with Section 2.7.5 of the UDO.

c. A motion was made by Commissioner Rich, seconded by Commissioner Pelissier finding the **applicant has** with the provisions of Section 5.3.2 (B) of the Orange County Unified Development Ordinance as detailed by the findings contained within Attachment 5 of the abstract package. Second.

VOTE: UNANIMOUS

NOTE – if the motion is to reject the individual making the motion will need to provide some explanation justifying the finding that the applicant has not established, through competent material and substantial evidence, the project is in compliance with Section 5.3.2 (B) of the UDO.

d. A motion was made by Commissioner Rich, seconded by Commissioner Price finding the applicant has complied with the provisions of Section 5.8.4 of the Orange County Unified Development Ordinance as detailed by the findings contained within Attachment 5 of the abstract package.

VOTE: UNANIMOUS

NOTE – if the motion is to reject the individual making the motion will need to provide some explanation justifying the finding that the applicant has not established, through competent material and substantial evidence, the project is in compliance with Section 5.8.4 (B) of the UDO.

e. A motion will need to be made regarding compliance with Section 5.3.2 (A) (2) of the Ordinance as follows

NOTE – Whomever makes the motion will have to cite the 'evidence' in the record utilized justifying the motion to approve or deny. Attachment 5 contains the recommendations of the Planning Board including the evidence utilized to reach the conclusion. This 'evidence' must be spelled out explicitly by the Commissioner making the motion.

If the motion is to deny then the Commissioner making the motion will have to spell out explicitly the evidence within the record utilized to justify a negative finding:

i. A motion was made by Commissioner Rich, seconded by Commissioner Dorosin finding either there **is** sufficient evidence in the record the project

complies with Section 5.3.2 (A) (2) (a) of the UDO in that the use will maintain and promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted.

This motion is based on competent material and evidence entered into the record of these proceedings, including:

NOTE – the following represents the findings of the Planning Board. If the motion is to find there is sufficient evidence in the record to find compliance with Section 5.3.2 (A) (2) (a) this list must be read verbatim so it is in the record.

- Application package and testimony including:
  - Biological Inventory completed by The Catena Group;
  - Forest Stewardship Plan completed by Kelly Douglass;
  - Impact Analysis completed by Everett 'Vic' Knight
  - Transportation Impact Analysis (TIA) completed by SEPI Engineering
  - State Clearinghouse comments on how the project complied with the UDO.
- Staff testimony and abstract package from May 26, 2015 quarterly public hearing.
- Planning Board packet from July 1, 2015 regular meeting.

AND

- A lack of competent material evidence in the record demonstrating the applicant did not comply with the UDO.

If the motion is to find there is insufficient evidence in the record to find the project is in compliance with Section 5.3.2 (A) (2) (a), the Commissioner making the motion will have to specifically denote what is absent and explain what, if any, evidence is in the record disputing the claims of the applicant that they are in compliance with Section 5.3.2 (A) (2) (a).

VOTE: UNANIMOUS

ii. A motion was made by Commissioner Rich, seconded by Commissioner Price finding there **is** sufficient evidence in the record the project complies with Section 5.3.2 (A) (2) (b) of the UDO in that the use will maintain the value of contiguous property.

This motion is based on competent material and evidence entered into the record of these proceedings, including:

NOTE – the following represents the findings of the Planning Board. If the motion is to find there is sufficient evidence in the record to find compliance with Section 5.3.2 (A) (2) (b) this list must be read verbatim so it is in the record.

- Application package and testimony including:

- Impact Analysis completed by Everett 'Vic' Knight on how the project complied with the UDO.
- Staff testimony and abstract package from May 26, 2015 quarterly public hearing.
- Planning Board packet from July 1, 2015 regular meeting.

AND

- A lack of competent material evidence in the record demonstrating the applicant did not comply with the UDO.

If the motion is to find there is insufficient evidence in the record to find the project is in compliance with Section 5.3.2 (A) (2) (b), the Commissioner making the motion will have to specifically denote what is absent and explain what, if any, evidence is in the record disputing the claims of the applicant that they are in compliance with Section 5.3.2 (A) (2) (b).

VOTE: UNANIMOUS

iii. A motion was made by Commissioner Rich, seconded by Commissioner Pelissier finding there **is** sufficient evidence in the record the project complies with Section 5.3.2 (A) (2) (c) of the UDO in that the use is in harmony with the area in which it is to be located and the use is in compliance with the plan for the physical development of the County as embodied in these regulations and in the Comprehensive Plan.

This motion is based on competent material and evidence entered into the record of these proceedings, including:

NOTE – the following represents the findings of the Planning Board. If the motion is to find there is sufficient evidence in the record to find compliance with Section 5.3.2 (A) (2) (c) this list must be read verbatim so it is in the record.

- Application package and testimony including:
  - Biological Inventory completed by The Catena Group;
  - Forest Stewardship Plan completed by Kelly Douglass;
  - Impact Analysis completed by Everett 'Vic' Knight
  - Transportation Impact Analysis (TIA) completed by SEPI Engineering
  - State Clearing House comments on how the project complied with the UDO.
- Staff testimony and abstract package from May 26, 2015 quarterly public hearing.
- Planning Board packet from July 1, 2015 regular meeting.

AND

- A lack of competent material evidence in the record demonstrating the applicant did not comply with the UDO.

If the motion is to find there is insufficient evidence in the record to find the project is in compliance with Section 5.3.2 (A) (2) (c), the Commissioner making the motion will have to specifically denote what is

absent and explain what, if any, evidence is in the record disputing the claims of the applicant that they are in compliance with Section 5.3.2 (A) (2) (c).

VOTE: UNANIMOUS

7. A motion was made by Commissioner Rich, seconded by Commissioner Pelissier to **approve** the Special Use Permit.

   If the motion is to approve the Special Use Permit, this motion would also need to include language indicating the BOCC imposes the recommended conditions as detailed within Attachment 5 of the abstract package.

   VOTE: UNANIMOUS

6. Consent Agenda

- Removal of Any Items from Consent Agenda

Item g by Commissioner Price

- Approval of Remaining Consent Agenda

A motion was made by Commissioner Burroughs, seconded by Commissioner Rich to approve the remaining items on the consent agenda.

VOTE: UNANIMOUS

- Discussion and Approval of the Items Removed from the Consent Agenda

Item g: **North Carolina Department of Transportation Rural Operating Assistance Program (ROAP) Grant Application for FY 2016**

The Board considered approving the annual FY 2016 ROAP grant application for funds totaling $168,933 and authorized the County Manager and County Finance Officer to sign the certified statement.

Commissioner Price said Bret Martin, Transportation Planner II, would be leaving Orange County, and going to Wake County in October. She publicly thanked and recognized Bret as an exceptional employee.

A motion was made by Commissioner Price, seconded by Commissioner Burroughs to approve the annual FY 2016 ROAP grant application for funds totaling $168,933 and authorized the County Manager and County Finance Officer to sign the certified statement.

VOTE: UNANIMOUS

a. Minutes

The Board approved the minutes from September 1, 2015 as submitted by the Clerk to the Board

b. Motor Vehicle Property Tax Releases/Refunds

The Board adopted a resolution, which is incorporated by reference, to release motor vehicle property tax values for twelve (12) taxpayers with a total of fourteen (14) bills that will result in a reduction of revenue in accordance with NCGS.

c. Property Tax Releases/Refunds

The Board adopted a resolution, which is incorporated by reference, to release property tax values for twenty (20) taxpayers with a total of thirty-three (33) bills that will result in a reduction of revenue in accordance with North Carolina General Statute 105-381.

d. Applications for Property Tax Exemption/Exclusion

The Board considered sixteen (16) untimely applications for exemption/exclusion from ad valorem taxation for sixteen (16) bills for the 2015 tax year.

e. Fiscal Year 2015-16 Budget Amendment #2

The Board approved budget ordinance amendments for fiscal year 2015-16 for Solid Waste, Animal Services/Spay and Neuter Fund, Department on Aging, Library Services, and Social Services.

f. Application for North Carolina Education Lottery Proceeds for Orange County Schools (OCS) and Contingent Approval of Budget Amendment #2-A Related to OCS Capital Project Ordinances

The Board approved an application to the North Carolina Department of Public Instruction (NCDPI) to release proceeds from the NC Education Lottery account related to FY 2015-16 debt service payments for Orange County Schools (OCS), and approved Budget Amendment #2-A (amended School Capital Project Ordinances), contingent on the NCDPI's approval of the application and authorized the Chair to sign.

g. North Carolina Department of Transportation Rural Operating Assistance Program (ROAP) Grant Application for FY 2016

The Board approved the annual FY 2016 ROAP grant application for funds totaling $168,933 and authorized the County Manager and County Finance Officer to sign the certified statement.

h. Consideration of an Amendment to the 2015 Schools Adequate Public Facilities Ordinance Technical Advisory Committee (SAPFOTAC) Report

The Board approved amendments to the 2015 Schools Adequate Public Facilities Ordinance Technical Advisory Committee (SAPFOTAC) Report.

i. Authorization to Declare Item Surplus

The Board declared a skid steer as surplus and authorized the AMS Director to affect the sale of the item through GovDeals.

j. Acceptance of Vehicles From Second Family Foundation and Approval of Budget Amendment #2-B

The Board accepted three vehicles from the Second Family Foundation to be used by temporary employees at the Department of Social Services (DSS) to transport foster and other at-risk youth to employment sites and to other services and enrichment activities, and approved Budget Amendment #2-B.

7. Regular Agenda

a. Additional Discussion Regarding a November 2016 Bond Referendum and Possible Consideration of a Preliminary Resolution To Set Bond Purposes and Amounts

The Board continued a discussion regarding a November 2016 Bond Referendum and considered adopting a preliminary resolution to set bond purposes and amounts.

Chair McKee referred this item to Bonnie Hammersley.

Bonnie Hammersley referred the Commissioners to the memorandum on the CIP. She introduced the Bond Counsel Bob Jessup.

Bob Jessup said this evening is another procedural step toward putting a bond on the ballot in November 2016.

Bob Jessup gave an overview of process, saying there are five steps:

1) Preliminary resolution

2) Set maximum parameters
3) Purposes and maximum amounts
4) LGC application
5) Public hearing

He said after these five steps there would be a final vote and a resolution setting the referendum details. He said currently the November 2016 election date is being considered

Commissioner Jacobs asked if the Manager could please elaborate on the memo at the Commissioners' places.

Bonnie Hammersley said the CIP is a 10-year plan, and she referenced the memo below:

MEMORANDUM

October 6, 2015

TO: Board of Orange County Commissioners

FROM: Bonnie Hammersley, Orange County Manager

RE: Capital Investment Plan (CIP) Related to Bond Referendum Discussion

As part of the bond referendum discussions, Commissioners have asked about alternative financing packages that express the priorities of the Board of Orange County Commissioners while maintaining an overall bond amount of $125 million.

Tonight, the Board of Orange County Commissioners (BOCC) will consider a resolution that establishes the maximum bond referendum amount and the purposes for which those bonds may be used. In addition to this financing mechanism, the Board may also consider amending the Capital Investment Plan (CIP) to address the needs that have been emphasized during the bond discussion.

The CIP is a ten (10) year plan, with the first five (5) year projects with specific detail information and the remaining five (5) years (out years) with less detailed information about the projects. The CIP is reviewed and adopted by the BOCC on an annual basis with appropriated funds for the current year only. Including funding in the CIP has the advantage of limiting the overall bond referendum amount and provides additional flexibility to fund projects as they mature to the stage of needing to be financed as well as determining annual tax rate impacts.

The difference between the two funding sources is the type of financing that is used to borrow the funds. The bond referendum allows the County to issue general obligation (GO) bonds, backed by the full faith and credit of the County, while the CIP would be funded with other types of borrowing, typically limited obligation bonds (LOB) or installments financing. Using the bond to finance all of the purposes typically has the advantage of being able to access lower interest rates. General obligation bonds almost always carry a slightly lower interest rate than limited obligation financing.

In either case, the Davenport analysis indicates that the County can support a total financing package of up to $135 million without violating the County's debt policy for affordability or exceeding its capacity to issue debt compared to its peers. Although financing projects through the CIP will have higher interest rates, the Finance Department does not believe that those

rates would be different enough to have a material impact on the overall costs to the County with respect to the tax rate, affordability and capacity benchmarks.

If you have questions, please do not hesitate to contact me. Thank you.

Commissioner Dorosin asked if it is cheaper to borrow through the bond or through the CIP.

Bonnie Hammersley said borrowing through the bond is cheaper, because the general obligations bonds are backed by the full faith and credit of the County. She added that as Orange County has a AAA bond rating, a favorable interest rate would be received. She said limited obligation bonds would probably receive a good interest rate as well.

Commissioner Dorosin asked if a vote is taken tonight determining certain amounts for certain purposes, then moving forward the Commissioners could only reduce or eliminate funds, and no additional funds or purposes could be added.

Bob Jessup said yes.

Chair McKee said he would like to go to public comment on this item.

PUBLIC COMMENT:

Allan Rosen, the Project Manager for the Interfaith Council for Social Service, thanked the BOCC for its on going support for affordable housing. He said he supports bond funding for both schools and affordable housing, as good homes plus good schools equals great communities. He asked the BOCC to lead the development of a strategic plan for affordable housing and to assign at least $10 million bond funds to allow for the execution of such a plan. He said such funding could provide 500 housing units.

Natalie Britt, Vice President for Rental Development at DHIC, said she supports bond funding for affordable rental housing in Orange County.

Burnis Hackney said he supports bond funding for both schools and affordable housing. He said the two needs go hand-in-hand. He said he is also speaking on behalf of Saint Paul's Church which is committed to developing affordable housing.

Marty Smith said he is from Tennons Woods Community in Efland, and he supports funding for affordable housing and the schools.

Rose Snipes said she too is a member of Saint Paul's AME Church, and affordable and senior housing are the congregation's number one priorities, as well as educational development for children.

Jane Kerwin said she attended the September 15, 2015 meeting and noticed that no one stepped forward to oppose a bond. She said it was even suggested that a larger bond be approved. She emphasized the great physical needs of the schools and that the schools must be safe and ADA compliant.

Mark Marcoplos said he is here to ask that affordable housing be included in the bond in the amount of $10 million. He said he also supported funding for the schools and seniors. He also noted his appreciation for the public that has come out to speak at the two meetings and made the vital connections between safe, affordable housing and good schools.

Jill Simon said she is speaking on behalf of the Chapel Hill Carrboro City Schools (CHCCS) PTA Council and would like the full bond amount of $125 million for the schools, as well as additional funds for affordable housing.

Joann Mitchell said she is a Habitat homeowner, and she supports funding for affordable housing in the bond.

Jonathan Young, Community Empowerment Fund, said he supported bond funds for affordable housing.

Donna Champointe said she supports funding for affordable housing in the bond.

Commissioner Price thanked the community for their comments on the bond.

Commissioner Dorosin applauded the organized advocacy of the public, and noted he had been pushing hard for affordable housing funding in the proposed bond. He said he previously felt that $5 million should be allocated to affordable housing, but now feels a higher amount may be possible based on updated information from staff. He said there will likely need to be a balance of getting funds from both the CIP and the bond. He said there is a compelling case for all needs to be funded, and he feels $10 million would be appropriate for affordable housing.

Commissioner Rich said she agreed with Commissioner Dorosin. She also thanked the affordable housing community for working together to advocate on behalf of the needs of Orange County. She said that increasing the bond to allot $10 million for affordable housing seems very manageable and hopes that some of that money could be dedicated to seniors.

Commissioner Pelissier said she is heartened to see the public recognizing the interconnection between the needs within the County. She said the schools need far more than $125 million. She said bond funds are not the only way to address capital needs, and she encouraged the public to stay involved as the BOCC goes through the CIP on a yearly basis.

Commissioner Burroughs said the Poet Laureate set the tone for the evening. She said Democracy should be a process of working together to move the County forward. She said the bond funds would only meet half of the schools needs. She said she looked at the CIP and concludes that there are some flexible funds available to address other needs, but those funds appear to be in the out years. She said that may be too far away, and more discussion may be necessary to see how the CIP could provide more funds. She said she supports funding for both the schools and affordable housing through a combination of the bond and CIP, but is uncomfortable going to $135 million solely through the bond.

Commissioner Jacobs said it has been really heartening to see so many people come forward to move the BOCC to include affordable housing in the bond package. He said he is hopeful that this will happen. He said this bond is the “goldilocks” package, it must be neither too hot nor too cold; it must be just right. He said the bond package must be as inclusive as possible.

Chair McKee said the Board is trying to get it just right. He said the first bond discussion was held in 2013, and regardless of how the needs are addressed, they must be addressed and this will cost money. He said little money has been spent on the schools in the last 10 years. He said the bond conversation ramped up in early 2015 with a preliminary vote of intent to focus on the schools in April. He said the BOCC could have conducted a final vote at that time, but did not do so in order to include Commissioner Dorosin as well as give the public a chance to comment on the needs of the County. He said the BOCC has received several hundred emails, has listened to all public comments, and has considered the issues very carefully. He said he has been convinced of the need for both schools and affordable housing.

Chair McKee said he has asked the Manager to put together a comprehensive master plan for the needs of seniors. He said he is uncomfortable going to $135 million for the bond.

Commissioner Dorosin asked if $130 million would a possible option.

Chair McKee said he would prefer to stay at $125 million.

Commissioner Price proposed a big picture approach to the issue. She said there should be a $125 million bond that would be allocated as follows:

- $120 million for the capital needs of OCS and CHCCS, allocating 40 percent to OCS and 60 percent to CHCCS.
- $5 million for affordable housing based on a plan developed and administered by the Orange County Housing, Human Rights, and Community Development Department and

approved by the BOCC, which plan shall include 35 percent of affordable housing for senior citizens and people with disabilities, including mental illness.

Commissioner Price added that a companion proposal would be that $1 million per year, at a minimum, be committed from the CIP to schools to be divided 40-60 between OCS and CHCCS for at least the next five years; and that $1 million per year, at a minimum be committed from the annual operating budget to affordable housing, which may be used for non-capital needs, for at least the next five years. She said the implications of this formula will provide $125 million to schools over the next five to seven years, and $10 million for affordable housing over the next five to seven years. She said this plan could begin with the next fiscal year, as opposed to waiting until 2017 and the passage of the bond. She said this proposal would address housing and education needs, as well as provide employment through housing development projects.

A motion was made by Commissioner Price, seconded by Commissioner Burroughs for $120,000,000 for schools and $5,000,000 to address the capital needs for affordable housing.

Commissioner Dorosin asked if voting on the motion would bind the BOCC to the rest of Commissioner Price's outlined proposal.

John Roberts said no, and that changes can be made on how the money is divided once the amount is set.

Bob Jessup agreed with John Roberts.

Commissioner Rich said she wished that Commissioner Price's carefully prepared outline would have been shared with the entire BOCC prior to tonight's meeting. She said it was a lot of information to take and process on the spot, and it is unfair that half of the Board had the information while the other half did not. She said it is indicative of the entire bond process.

A motion for a hostile amendment to Commissioner Price's motion was made by Commissioner Rich, seconded by Commissioner Jacobs to raise the bond to $130,000,000, with $117,000,000 to schools, $10,000,000 to affordable housing, $3,000,000 senior facilities; and find $8,000,000 in the CIP for schools, which in addition to the $117,000,000 from the bond, it would give the schools a total of $125,000,000.

VOTE: Ayes, 3 (Commissioner Dorosin, Commissioner Rich and Commissioner Jacobs); Nays, 4 (Commissioner Burroughs, Commissioner Rich, Commissioner McKee, and Commissioner Pelissier)

Motion failed.

Commissioner Rich said she would like to make another hostile amendment, raising the bond to $130 million with $120 to schools and $10 million to affordable housing with $5 million coming from the CIP for the schools.

Commissioner Jacobs said he is willing to support this amendment. He said it is unfortunate that the Board has not given enough attention to seniors. He said he does not have confidence that monies will be found within the CIP without having a clear plan. He added that groups of Commissioners are making decisions as majorities, without including the rest of the Board.

Commissioner Burroughs said she understands the frustrations. She said she is frustrated as well, saying she spoke to each member of the BOCC throughout this process, and

the record should reflect that fact. She said this is what Democracy looks like. She is saddened that the conversation has taken an unpleasant turn.

Commissioner Dorosin said his concern for having $5 million for affordable housing in the CIP is that it is not binding during budget discussions. He said it is a statement of intent, but is not binding, whereas if the $10 million in included in the bond, the funds are guaranteed.

Commissioner Jacobs supported Commissioner Dorosin's comments. He said a democratic process is made far more democratic when it is transparent in public, not when phone calls are made privately.

Commissioner Pelissier said if the voters approve a bond for a certain amount the BOCC is not obligated to issue all the bond monies either. She said there would be an expectation that bond monies would be issued, just as there should be an expectation that a CIP vote would be honored. She said there is not a 100 percent guarantee either way.

Commissioner Pelissier said Orange County has a serious issue with poverty, and she does not want all funds to go to capital needs. She said some rental subsidies might be needed. She said she does not want to commit without a housing plan and does not want to tie all funds to capital needs.

Commissioner Price said these accusations, that she put together a proposal and lobbied Commissioners, are untrue. She said her goal was to pull something together that incorporated all that she has heard from the BOCC, staff, and members of the community. She said she has spoken several times with Commissioner Dorosin to reiterate her support of affordable housing. She said she seeks a plan that is not reckless and wants to set aside money in the CIP to allow school plans to move forward sooner rather than later, and to offer flexible spending options for affordable housing.

Commissioner Rich clarified that the current motion on the table is her amendment for $120 million for schools and $10 million for affordable housing through the bond and with $5 million for the schools from the CIP. She said this is a friendly amendment.

Commissioner Burroughs clarified that $130 million would come from the bond and $5 million from the CIP.

Commissioner Rich said yes.

Commissioner Burroughs said she feels there needs to be room for the Senior Centers. She said this is in the long plan, but she is not willing to commit up to $135 million in a combined amount as it stretches the County to its max financially.

Commissioner Rich said she wants the amendment to be friendly.

Commissioner Dorosin said he does not see a fiscal difference between Commissioner Price's and Commissioner Rich's motions, but he sees a great political difference between them.

Commissioner Jacobs agreed with Commissioners Price and Pelissier regarding the difference between capital and operating spending. He said it is very important that any money given to affordable housing must be partially allocated for operational expenses. He said the BOCC has to come up with the money for the operating budget, rather than money that is borrowed for a bond. He said the operating budget has many competing interests. He feels his comments will hold no sway and that it would have been beneficial to have this conversation in a work session previously. He said the BOCC will work it out, but this process is a huge lost opportunity and has been frustrating.

A motion for a second friendly amendment to Commissioner Price's motion was made by Commissioner Rich, seconded by Commissioner Jacobs to raise the bond to $130,000,000 with $120,000,000 to schools, $10,000,000 for affordable housing, and find $5,000,000 in the CIP for the schools.

Commissioner Price declined this friendly amendment.

Chair McKee said the Board is back to Commissioner Price's original motion of $120 million in the 2016 bond for the schools and $5 million for affordable housing.

Commissioner Dorosin said he will vote for this motion because it seems to be the best that can be achieved for affordable housing, but he casts his vote begrudgingly. He said it is disappointing at best.

Commissioner Rich said she agreed with Commissioner Dorosin. She said she wants to apologize to the public in attendance, the public that attended the September 15 meeting, and to Robert Seymour who is 91 years old and came to both meetings. She said the public deserved more.

Chair McKee called for a vote on the original motion:

A motion was made by Commissioner Price, seconded by Commissioner Burroughs for a bond for 2016 in the amount of $120,000,000 for schools and $5,000,000 for affordable housing.

VOTE: UNANIMOUS

Commissioner Rich asked if Bond Counsel could clarify the rest of the process.

Bob Jessup said the bond portion of the evening is completed. He said the LGC process will move forward. He said in April 2016 there will be the introduction of the bond order, which is simply the formal consideration at a first meeting, without a vote, followed by a public hearing.

Commissioner Rich asked if the bond referendum discussion was complete.

Bob Jessup said yes.

A second motion was made by Commissioner Price, seconded by Commissioner Jacobs to put $1,000,000 per year to be committed from the Capital Investment Plan to schools to be divided per A.D.M. between the two school districts, Orange County Schools and Chapel Hill-Carrboro City Schools, respectively, for at least the next five years; and $1,000,000 per year, at a minimum, be committed from the Annual Operating Budget to affordable housing which may be used for non-capital needs for at least the next five years.

Commissioner Rich asked if more than $1 million could be spent.

Commissioner Price said yes, that is why the motion says "at a minimum".

Chair McKee says the motion sets a minimum figure for schools and affordable housing funding from the CIP.

Commissioner Rich asked if the funds would be split 40-60 between OCS and CHCCS.

Chair McKee said yes, which roughly equates to A.D.M.

Commissioner Rich asked if these percentages only apply to the CIP funds and not the bond funds.

Commissioner Price said yes.

Chair McKee clarified that the $1 million for affordable housing is an approximately $200,000 increase from the current CIP budget for affordable housing and is not an additional $1 million.

Commissioner Rich said affordable housing currently receives $820,000, and asked if the proposal is to raise that to total $1 million, not to add an additional $1 million.

Chair McKee said yes.

Commissioner Price said this is at a minimum.

Commissioner Jacobs said the $820,000 is for more than deferring impact fees. He asked if there is a reason that the motion says "at least" $1 million for schools, when the goal

was to bring the total for schools to $125 million, when combined with bond funds. He said more than $1 million should not be needed because $125 million total was the goal.

Commissioner Jacobs said it is a given that the schools will need more. He said the schools could come back and ask for more money.

Chair McKee clarified that Commissioner Jacobs is requesting to remove the "at a minimum" wording as it pertains to the schools.

John Roberts said the ADM is not exactly a 40-60 split. He suggested that the wording should be "per A.D.M." which would allow for annual fluctuations.

A second motion was made by Commissioner Price, seconded by Commissioner Jacobs to put $1,000,000 per year to be committed from the Capital Investment Plan to schools to be divided per A.D.M. between the two school districts, Orange County Schools and Chapel Hill-Carrboro City Schools, respectively, for at least the next five years; and $1,000,000 per year, at a minimum, be committed from the Annual Operating Budget to affordable housing which may be used for non-capital needs for at least the next five years.

VOTE: UNANIMOUS.

A motion was made by Commissioner Jacobs, seconded by Commissioner Dorosin that to consider the likelihood we will face another bond issue in the near future to address schools and other community needs, the Board consider, no later than our retreat adopting a formalized, open and inclusive process for fashioning a bond package that is aligned with Commissioners' goal number two, promote an interactive and transparent system of governance that reflects community values.

VOTE: UNANIMOUS

Five minute break

Commissioner Pelissier said the BOCC is committed to maintaining the facilities for senior services, and has asked the County to create a plan regarding all the facility needs.

Commissioner Price said she hopes there will be ongoing support for affordable housing for seniors.

Commissioner Jacobs says he looks forward to discussing these items in a work session shortly.

b. <u>Affordable Housing Fund Criteria</u>

The Board considered establishing a process and criteria to fund affordable housing projects using the FY 2015-16 Affordable Housing appropriation.

Audrey Spencer-Horsely, Orange County Housing, Human Rights, and Community Development Department Director, reviewed the following information:

BACKGROUND:

The FY 2015-16 Budget includes $1 million to fund affordable housing alternatives. The Budget states that the purpose of this fund is to acquire aggregate parcels, improve existing County-owned properties for future residential development to address displaced manufactured homes, as well as affordable housing alternatives. According to the Five Year Consolidated Plan and FY 2015 Action Plan, the most significant housing need in Orange County is affordable rental housing. The Plan states that 28.4% of renter households contribute 50% or more of annual income to housing costs while 7.7% of owner households contribute the same

proportion. If the percentage of income dedicated to housing costs is reduced to 30%, the proportion of renter households dedicating at least that amount to housing increases to 44.1%. The Plan further concluded through interviews and surveys that the lack of quality, affordable housing for rent is the largest unmet housing need in Orange County.

To address this need, staff is proposing to prioritize the use of the $1 million affordable housing fund to increase or, at a minimum, maintain the supply of affordable rental properties in the community. Eighty percent (80%) of the fund would be used for rental property projects and up to twenty percent (20%) could be applied to homeownership activities. This effort would represent the first phase of an affordable housing plan that will address additional housing needs and identify other opportunities.

Under this model, the County would solicit proposals through a competitive request for proposal (RFP) process to purchase rental properties. The RFP would not limit the type of property that could be purchased. Properties could range from multi-family apartment units to manufactured homes. The properties would then be dedicated to housing individuals or families with annual incomes of fifty percent (50%) or less of the local median income for rental and up to eighty percent (80%) median income for homeownership. Funding priority would be given to rental projects. The proposals would allow the County to either fully fund or partially contribute to the purchase of affordable rental housing. However, the properties would be managed and maintained by another party under a lease agreement or other type of contract. A staff team would use the following grading criteria to evaluate proposals and recommend funding:

1. The property must include one or more rental or homeownership properties.
2. The properties must be available to individuals or families with annual incomes of 50% or less of the local median income for rental and up to 80% median income for homeownership.
3. Priority will be given to individuals or families referred by County agencies or recognized non-profit partners.
4. The proposal must address how the property will be managed and maintained.
5. The properties must pass an initial inspection for safety, quality, and feasibility and must be maintained to safety standards, subject to inspection by the County.
6. The properties should be located in an area with access to transportation resources, or the proposer must include a plan to address access to transportation.
7. Additional consideration will be given to proposals that include contributions from other public or private sources or that leverage additional resources for affordable housing.
8. Additional consideration will be given to the speed with which the properties can be made available to tenants.
9. Additional consideration will be given for proposals addressing special needs populations, e.g. seniors, persons with disabilities, etc.

Commissioner Price asked if the specific owners of the housing units could be identified.

Audrey Spencer-Horsley said it would depend on the proposal. She said currently priority is being given to proposals where the properties are owned by a third party.

Commissioner Price asked if the County could own the housing.

Audrey Spencer-Horsley said it is possible, but it is hoped that proposals will come in that identify creative and innovative ways to meet affordable housing needs. She said County owned land could be one option.

Commissioner Rich said when the million was proposed, it was her understanding that it was intended for the banking of some land to serve as a safety net for mobile homes. She said she sees no mention of mobile homes now. She asked if there is specific rationale behind the 80/20 split for the rental properties. She asked if a comprehensive needs assessment done in

both the County and with the Towns. She said it is imperative to partner with the Towns in order to be successful at addressing affordable housing.

Audrey Spencer-Horsley said mobile homes are included in the options for which proposals can be submitted. She said partnerships are being formed between all the jurisdictions, as well as the non-profit community and other stakeholders.

Commissioner Rich asked if the Towns have gone through a needs assessment, as she wants to see the available monies be used as effectively as possible.

Audrey Spencer-Horsley said the consolidated plan included the Towns, and participated in the assessments, giving a benchmark to look at needs. She said the discussion is now focusing on solutions and options. She said the land banking was intended as a safety net for mobile homes, but also to address immediate needs.

Commissioner Jacobs applauded staff for being creative and proactive. He said it is long overdue. He said once everyone has spoken, he will make a motion to table this item until the work session next month. He said the Board made a determination in its vote that the $1 million was for land banking. He said if the monies are going to be used differently, there should be a conversation that will allow for questions, discussion and follow up.

Commissioner Dorosin said he likes the ideas that he is hearing this evening. He said he is concerned about the general nature of the criteria, and he would like to see them be more specific in connection with the goals hoping to be achieved. He said he would like to identify areas that need to be targeted and find specific ways to target them.

Audrey Spencer-Horsley said she appreciated that she has been able to see a broader picture than the Board has seen. She said the full picture has been studied, including mobile homes, properties near water and sewer, tiny homes, etc. and how all these areas may fit in best with Orange County's needs. She said the full scope of both the challenges and opportunities could be better discussed in a work session.

Commissioner Dorosin said he appreciated hearing that the full picture is being considered. He said he would add considering the quality of the closest elementary school to the list of criteria, as well as demographics of neighborhoods.

Commissioner Pelissier said the criteria were interesting to her. She said when the BOCC voted on land banking, it did not have the full set of information and perhaps mobile homes are not the biggest need. She said the Board needs to get full information so that it can prioritize the needs more effectively.

Commissioner Rich said the Board has been asking for the mobile home park numbers for some time, and she hopes these numbers can be available for a work session. She added to Commissioner Dorosin's comments stating that it is imperative that affordable housing be along public transit lines. She asked if an apartment is designated as an affordable housing apartment and would it always remain as such.

Audrey Spencer-Horsley said that would be a part of the award to negotiate the restrictions to preserve it as affordable housing.

Commissioner Rich asked if an estimate of the number of people living in mobile home parks could be provided.

Audrey Spencer-Horsley said as much data collection as possible has been gathered, and this can be shared with the Board.

Commissioner Rich said she understands that flexibility is needed, but that should a mobile home park close, it will be important to have land available to accommodate people that need to move in a hurry.

Commissioner Rich said there should be a dialog with Habitat and the Community Home Trust, as they have asked for flexibility with the land banking. She said the Board informed them that the money was not for Community Home Trust or for Habitat, but now alternatives are being considered. She said having transparent dialog is important.

Audrey Spencer-Horsley said she has only shared little nuggets tonight. She said the goal is maximize available resources, and little funding is expected from the Home Choice Program.

Commissioner Burroughs expressed hope for where the discussion is going. She said having more data will be helpful and agrees with tabling the discussion for a work session.

Commissioner Jacobs said he would like to see more proactivity with mobile home park owners and operators, to determine what plans may be in place for their land, and ask for some advance notice if people are going to need to be relocated.

Commissioner Price complimented the work already done.

Commissioner Dorosin said he did not see land banking solely as a safety net for potentially relocated mobile home residents. He said there are a lot of issues in mobile home parks that may need addressing, and he could see the possibility of building new mobile home parks.

Chair McKee said the Board is by no means criticizing the efforts to this point. He said housing needs are very difficult and complicated issues. He said he knows $1 million is not going to be sufficient in the long term. He said this is more of an urban project being close to sewer and water, transportation, etc. He said cost is a big factor as money goes much further in different parts of the County than others. He said having a broader and deeper discussion in a work session is crucial.

A motion was made by Commissioner Jacobs, seconded by Commissioner Rich to table this item until the November 13 work session.

VOTE: UNANIMOUS

Audrey Spencer-Horsley acknowledged all the County staff that has worked so well on this project, in conjunction with the non-profit sector, and noted that October is Housing America month.

8. <u>Reports</u>

a. <u>Report on Small Business Investment Grants, Agriculture Economic Development Grants, & Small Business Loan Program</u>

The Board received a report on the current status of three (3) grant and loan programs (“Small Business Investment Grant”, the “Agriculture Economic Development Grant”, and the ”Small Business Loan Program”) that are funded by the County’s one-quarter cent sales tax for economic development (Article 46 funds) and administered by the Orange County Economic Development Department to support the retention and growth of small businesses, agriculture and food systems-related agriculture ventures throughout Orange County.

Bonnie Hammersley said this is not a presentation on Article 46, but just a report on grants that have been awarded. She said Article 46 funds will be discussed at the next work session.

Steve Brantley, Orange County Economic Development Director, said he will review three programs that positively affect the residents of Orange County. He presented the following information:

BACKGROUND:

Two of the intended uses of Article 46 funds for economic development Include the **Small Business Investment Grant**, and the **Agriculture Economic Development Grant**, which support the recruitment, retention and growth of small business development, plus

farming & food systems related enterprises throughout Orange County. Although grant funds began to accrue in 2012 following the passage of the one-quarter cent sales tax in November, 2011, no grant activity immediately followed due to a delay in setting guidelines and application procedures. The two grant programs went "live" in 2015 after the Orange County Economic Development Department's Advisory Board in 2014 drafted recommended guidelines and applications, and following the BOCC's review, suggested amendments and approval of the two New grant programs in early 2015.

The **Small Business Loan Program** is similar in to the new grant programs in the sense that the loan program also has an application review committee, guidelines and by-laws, is supported by Article 46 funding, and is also intended to support the recruitment, retention and expansion of small businesses in Orange County. The loan program seeks to assist small firms that may have difficulty accessing traditional banking financing due to small and start-up firms often having insufficient operating history, poorer credit history, etc. The County's loan program was created by the BOCC in 1999, received initial funds to lend in 2007, and became very active in 2011 following a transfer of additional funds to lend. Historic loans have been made up to $50,000.00 for a maximum of 5 years repayment terms.

A current summary of activities is presented below regarding the Small Business Investment Grant program, the Agriculture Economic Development Grant program, and the Small Business Loan program.

Steve Brantley presented the following PowerPoint presentation:

(1) <u>Agriculture Economic Development Grants</u>
<u>(summary dated 9/21/15)</u>

- Program became active after being approved by the BOCC in March 2015. Marketing campaign began.
- 7 initial agriculture grants totaling $57,987.00 were recently approved in the program's first quarterly round of applicant reviews.
- 1 application was denied.
- Grant program is funded by up to $60,000.00 annually from Article 46 proceeds (one-quarter cent sales tax for economic development).
- $120,276.26 is available for future agriculture business grants.

<u>Agriculture Grant Recipients</u>

<u>7 GRANT RECIPIENTS</u>:

- Boxcarr Farms
- COLORFIELDS
- Dawnbreaker Farms
- Four Leaf Farm
- Smith's Family Fun Farm
- sweet retreat ORCHARD
- Taylor Fish Farm

<u>Approved Agriculture Grants</u>
<u>(initial quarterly review)</u>

<u>Use of Grants by Recipients</u>:

- ***Taylor Fish Farm*** (Valee Taylor – fish processing)
- ***BoxCarr Farm*** (Austin Genke – fencing for milk goats)
- ***ColorFields Farm*** (Kelly Morrison – greenhouses)
- ***Four Leaf Farm*** (Tim McCaller – greenhouses)

- ***Smith Family Farm*** (Dawn Denson – well for irrigation)
- ***Dawn Breaker Farms*** (Ben Grimes – small on-farm poultry processing equipment)
- ***Sweet Retreat Orchards*** (Aniko Redmon – irrigation system)

New Proposed Agriculture Grants
(scheduled for second quarterly review in Nov.)

- 2 new completed applications have been received.
- 6 additional applications are being completed by applicants.
- $60,000 in total requested awards is forecast for the upcoming second quarterly review of new applications.
- Initial marketing round included radio and newspaper ads; most recent marketing effort had 800 post cards mailed out during the week of September 7; several phone calls and e-mail inquiries have been received and indicate several more applications will occur.

Agriculture Economic Development Grant
Application Review Committee

- 5 total members, currently comprised as follows:
  - 2 representatives from the **Agriculture Preservation Board** appointed by the BOCC - Vaughn Compton & Noah Ranells.
  - 1 agriculture sector representative from the **Orange County Economic Development Advisory Board** - vacant.
  - **Orange County Cooperative Extension Agent** – Dr. Carl Matyac.
  - **Orange County Economic Development Department's agriculture economic developer** – Mike Ortosky.
- Board meets quarterly; next meeting date is November 18.

Activity contributing to public awareness
of the Agriculture Grant Program

- **Breeze Farm Master Plan** - preparation for funding purposes.
- **Piedmont Food & Agriculture Processing Facility** tenant activity.
- **Rural Food Aggregator** / **Food Hub** / and Piedmont Food & Agriculture Processing Center expansion concept planning.
- Farmer and food business entrepreneurs meetings & assistance.
- Recent workshop at **Durham Tech** on food system entrepreneurs.
- **Farm to Fork 2015** event planning.
- **Orange County Agriculture Summit 2016** planning.
- Ongoing presentations to groups regarding agriculture economic development.
- Meetings regarding a concept to establish a large food hub campus & food enterprise district.
- Meetings with area county officials, consultants & residents regarding the formation of a regional food innovation cluster & an Orange County food council

(2) Small Business Investment Grant Program

Submitted Grants (initial quarterly review):
15 grant applications were submitted & reviewed:

- 7 – Hillsborough
- 5 - Chapel Hill

- 3 – Carrboro

Approved Grants:

8 grants were awarded:

• 4 - Hillsborough	$31,352.00
• 1 - Chapel Hill	$10,000.00
• 3 - Carrboro	$20,360.00
	$61,712.00

Orange County's Small Business Investment Grant Recipients

- Carrboro Community Acupuncture
- MasterPeace Barber Shop - Hillsborough
- Regulator Brewing Company, LLC - Hillsborough
- Seal The Seasons - Hillsborough
- The Accidental Baker - Hillsborough
- Trill Financial, LLC – Chapel Hill
- tempeh girl - Carrboro
- WomanCraft - Carrboro

Small Business Investment Grant Program

Use of Grants by Recipients**:**

Carrboro

- ***Carrboro Community Acupuncture*** (Kim Calandra – business & marketing expansion)
- ***Tempeh Girl*** (Beth May – sales expansion)
- ***Woman Craft*** (Katherine Palomba – promotional activities)

Chapel Hill

- ***Trill Financial*** (Simon Jung – computer testing equipment)

Hillsborough

- ***MasterPeace Barber*** (Mark Holt – improvements to business)
- ***Regulator Brewing*** (Anna McDonald Dobbs – marketing)
- ***Seal The Seasons*** (Patrick Mateer & Will Collins – frozen food production)

Small Business Investment Grant Program

New Proposed Business Grants

(scheduled for second quarterly review on Oct. 20, 2015)

• 5 deferred applications – Chapel Hill	$37,188.00
• 11 new applicants:	
➢ 1 - Cedar Grove applicant	$10,000.00
➢ 4 - Chapel Hill applicants	$23,000.00
➢ 1 - Efland applicant	$10,000.00
➢ 5 - Hillsborough applicants	$33,000.00

- Business Investment Grant Application Review Committee:

- 5 – 7 total subcommittee members from the Orange County Economic Development Department's Advisory Board.
- Meets quarterly; next meeting date is October 20, 2015.

Latest Activity (dated 10/5/15)

New Proposed Business Grants (scheduled for second quarterly review ending September 30, 2015)

• 5 deferred applications – Chapel Hill	$37,188.00
• 29 new applicants:	
➢ 1 – Cedar Grove applicant	$10,000.00
➢ 1 – Carrboro applicant	
➢ 17 – Chapel Hill applicants	$140,541.67
➢ 1 – Efland applicant	$10,000.00
➢ 9 – Hillsborough applicants	$73,000.00

(3) Small Business Loan Program

- Article 46 includes a provision to provide up to $200,000.00 annually in additional lending flexibility to Orange County's existing Small Business Loan Program.
- The Program's current loan portfolio is supported by a separate source of revolving funds previously authorized by the BOCC, and no Article 46 monies have been required, to date, to supplement the Program.
- There are no loan delinquencies in the Program's activity.

Small Loan Business Recipients

Mystery Brewing Company – Hillsborough
Seal the Season – Hillsborough
MasterPeace Barbershop – Hillsborough
Accidental Baker – Hillsborough
PHD - Hillsborough
Ceremony Salon – Carrboro
Tin Can Ventures – Cedar Grove
Grey Matter/Isis I.T. – Chapel Hill
The Depot – Hillsborough

Composition of Small Business Loan Application Review Committee

- 8 total members, currently comprised as follows:
  - 2 representatives from the Orange County banking community (Jim Evans – Bank of North Carolina, Joanna Walton – BB&T)
  - 2 representatives from small business owners in Orange County (Tom Proctor – Vacuum Cleaner Hospital; Sherry Gray – Yesterday and Today Frame Shop)
  - 1 representative from the Orange County Board of Commissioners (Commissioner Mark Dorosin)
  - 2 representatives from Orange County Government (Acting Chief Financial Officer Paul Laughton, and Orange County Economic Development Department Director Steve Brantley)
  - 1 representative from the Orange County Economic Development Advisory Board (Lori Eichel – Bank of North Carolina)

Small Business Loan Program

- Loan committee meets the third Thursday of every month

- Next meeting date is October 17, 2015
- Loan committee agreed on 9/17/15 to increase the maximum loan amount to $100,000.00 (up from $50,000.00) and double the repayment term to 10 years (up from 5 years) in consideration of future loan applicants. Purpose is to increase the loan activity.

Commissioner Rich asked if Steve Brantley could define a fun farm.

Chair McKee said he believes this farm is centered on children and educational activities.

Commissioner Jacobs said there is an open planning meeting for the Agricultural Summit on October 15.

Commissioner Jacobs asked if buildings are being built at Breeze Farm without a Memorandum of Understanding.

Steve Brantley said no. He said it is a concept of how to get more value out of the Breeze Farm. He said it is going the step beyond planting a row of squash and considering how the produce could be brought closer to the market. He said historically Orange County's agricultural efforts are somewhat dispersed between economic development, cooperative extension, and parks and rec and agriculture. He said there is a good staff team which keep lines of communication open between various groups and the County.

Commissioner Jacobs said a staff person reported to him being very pleased with all the structures being built at Breeze Farm. He said he was surprised to hear of this happening.

Steve Brantley said there is a sense that North Carolina State University (NCSU) may not be able to do too much more with Breeze Farm.

Commissioner Jacobs asked if the BOCC could receive minutes from the Economic Development Board.

Steve Brantley said yes.

Commissioner Jacobs asked if there was an update regarding the hybrid vehicle proposed by the State which was intended to replace the Department of Commerce.

Steve Brantley said the Department of Commerce still exits with several divisions working on Community Development, Incentives, etc.

Chair McKee said he has visited the Breeze Farm location several times. He said a wash station has been installed, as well as a small storage facility, a greenhouse, and some fencing. He said these items are an integral part of insuring the people trying to make a go of this project. He said he is unsure of the ownership of these items, and the Board should have further discussion if larger amounts of funding should be need in the future.

Steve Brantley offered to provide a brief report to the BOCC in the next few days.

Commissioner Jacobs said this would be helpful, as well as determining NCSU's plans for future involvement and research stations.

Bonnie Hammersley said she is in conversation with NCSU and the future of the Breeze Farms. She said she would bring updates to the BOCC as they are available.

Commissioner Rich asked if all information is being shared with the Towns.

Steve Brantley said this can be done easily.

9. <u>County Manager's Report</u>

Bonnie Hammersley said Tuesday, October 13, is the next work session, and the Article 46 sales tax as well as the Rogers Road sewer items will be discussed. She said there would also be an update on Solid Waste events.

Bonnie Hammersley said that tonight is the last required meeting for Paul Laughton as Interim CFO. She applauded his excellent effort. She said Gary Donaldson will begin in his new role as CFO on Wednesday.

Chair McKee echoed the sentiments of the Manager.

10. <u>County Attorney's Report</u>

NONE

11. <u>Appointments</u>

a. <u>Adult Care Home Community Advisory Committee – Appointments</u>

The Board considered making appointments to the Adult Care Home Community Advisory Committee.

A motion was made by Commissioner Price, and seconded by Commissioner Pelissier to appoint the following to the Adult Care Home Community Advisory Committee:

- Appointment of Daniel Hatley to a third full term (Position #2) At-Large DD/MR position, expiring 10/31/2017.
- Appointment of Max Mason to a second full term (Position #4) At-Large position, expiring 06/30/2017.
- Appointment of Anthony John Vogt to a second full term (Position #5) At-Large position, expiring 10/31/2017.

VOTE: UNANIMOUS

A motion was made by Commissioner Dorosin, and seconded by Commissioner Rich to appoint the following to the Adult Care Home Community Advisory Committee:

- Appointment of Steven Bank to a one-year training term (Position #1) At-Large, expiring 10/06/2016.
- Appointment of Danielle Mosley to a one-year training term (Position #9) At-Large position, expiring 10/06/2016.

VOTE: UNANIMOUS

b. <u>Arts Commission – Appointment</u>

The Board considered making an appointment to the Arts Commission.

A motion was made by Commissioner Price, seconded by Commissioner Dorosin to appoint the following to the Arts Commission:

- Appointment of Jennifer Shelton to a partial term (position #3) At-Large position, expiring 03/31/2017.
- Appointment of Andrea Riley to a partial term (position #10) At-Large position, expiring 03/31/2017.

VOTE: UNANIMOUS

c. <u>Jury Commission – Appointment</u>

The Board will consider making an appointment to the Jury Commission.

A motion was made by Commissioner Price, seconded by Commissioner Jacobs to appoint the following to the Jury Commission:

Appointment of Bob Hall to (position #1) “At-Large – BOCC Appointee” expiring 06/30/2017.

VOTE: UNANIMOUS

Commissioner Dorosin asked for clarification regarding any further existing vacancies on this board.

David Hunt said he would follow up on this via email.

d. <u>Nursing Home Community Advisory Committee – Appointments</u>

The Board will consider making appointments to the Nursing Home Community Advisory Committee.

A motion was made by Commissioner Price, seconded by Commissioner Pelissier to appoint the following to the NHCAC:

-Appointment of Martha Bell to a one year training term (Position #1) At-Large position expiring 10/06/2016.

-Appointment of Jerry Schreiber to a partial term (Position #4) “At-Large” position expiring 06/30/2017.

VOTE: UNANIMOUS

12. <u>Board Comments</u>

Commissioner Jacobs had no comments.

Commissioner Rich said she attended the Advanced Leadership Program at the School of Government, which she greatly enjoyed. She said while at this program, she had the opportunity to discuss the flow of work sessions. She said the BOCC is not conducting work session properly, in that work sessions should be free flowing conversations. She said it would be led by Chair McKee, but would be more of a dialog than is currently had.

Chair McKee said he is open to being more informal, as long as the conversation affords everyone the opportunity to speak.

Commissioner Rich thanked Steve Brantley for taking some of the BOCC on a tour of the new Morinaga plant.

Commissioner Pelissier said last week that she, Bonnie Hammersley and Deputy County Manager Travis Myren visited Durham County’s Criminal Justice Resource Center. She said it was a very informative visit. She said she attended a Community listening session for the community health assessment this afternoon. She said there was good public attendance and discussion.

Commissioner Price said the jury commission sheet says that one citizen appointment is made by the BOCC, one by the Senior Resident Superior Court Judge, and one by the Clerk of the Superior Court.

Commissioner Price said she and Chair McKee went to the Efland Cheeks Community Center to attend an emergency preparedness meeting. She said the meeting was well attended from across that community.

Commissioner Burroughs had no comments.

Commissioner Dorosin had no comments.

Chair McKee said he was glad that Commissioner Rich mentioned their Morinaga visit. He said the formal grand opening will happen soon. He said this Thursday there will be a ceremony to unveil a Historic marker to which the BOCC are invited.

13. Information Items

- September 15, 2015 BOCC Meeting Follow-up Actions List
- Tax Collector's Report – Numerical Analysis
- Tax Collector's Report – Measure of Enforced Collections
- Tax Assessor's Report – Releases/Refunds under $100
- Memorandum – Orange County Construction & Renovation Project Oversight Policy
- BOCC Chair Letter Regarding Petitions from September 15, 2015 Regular Meeting

14. Closed Session

NONE

15. Adjournment

A motion was made by Commissioner Rich, seconded by Commissioner Price to adjourn the meeting at 10:54 p.m.

VOTE: UNANIMOUS

David Hunt, Deputy Clerk

Earl McKee, Chair

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

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 four (4) taxpayers with a total of six (6) 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 $16,083.54 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2015-2016 is $28,587.99.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

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-2015-056

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 _____, 2015.

_____
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
NOVEMBER 5, 2015

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Caramore Community Inc.	28117483	2015	11,660	-	(225.39)	Exempt property (illegal tax)
Caramore Community Inc.	28117434	2015	11,660	-	(225.39)	Exempt property (illegal tax)
Galindo Aguilar, Eulalio Hussein	27258090	2015	23,694	23,694	(199.22)	Situs error (illegal tax)
Nieves, Christopher	28529625	2015	15,260	15,260	(142.58)	Situs error (illegal tax)
Warner, David Michael*	28403614	2015	832,300	500	(7,967.81)	Antique auto plate (appraisal appeal)
Warner, David Michael*	27568243	2015	765,000	500	(7,323.15)	Antique auto plate (appraisal appeal)
				Total	(16,083.54)	

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: November 5, 2015

Action Agenda Item No. 6-c

SUBJECT: Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
Resolution
Releases/Refunds Data Spreadsheet

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 nine (9) 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". 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 $10,373.16 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.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

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-2015-057

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 _____, 2015.

_____
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
NOVEMBER 5, 2015

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Learfield Communications Inc. dba Tar Heel Sports	1020145-2015-2015	2015	19,529	0	(345.94)	Incorrect situs (illegal tax)
Learfield Communications Inc. dba Tar Heel Sports	1020145-2014-2014	2014	28,892	0	(465.27)	Incorrect situs (illegal tax)
Learfield Communications Inc. dba Tar Heel Sports	1020145-2013-2013	2013	28,932	0	(457.24)	Incorrect situs (illegal tax)
Learfield Communications Inc. dba Tar Heel Sports	1020145-2012-2012	2012	30,099	0	(510.01)	Incorrect situs (illegal tax)
Eno River Development Company*	1054815	2015	576,100	288,050	(4,487.82)	Exempt property (illegal tax)
Riggsbee, Denise	243155	2014	125,360	0	(1,574.27)	Exempt property (illegal tax)
Riggsbee, Denise	243155	2015	125,360	0	(1,594.27)	Exempt property (illegal tax)
Amaya, Romero Dilma	315895	2014	48,979	0	(469.17)	Assessed in error (illegal tax)
Amaya, Romero Dilma	1055134	2015	48,979	0	(469.17)	Assessed in error (illegal tax)
				Total	(10,373.16)	
* The adjusted value is greater than $0 because it has qualified for the Historic Properties exclusion as provided in G.S 105-278, which allows for up to a 50% reduction of a property's tax assessment. The subject property is a condominum at the Eno River Mill, and it was designated as a Local Historic Landmark by the Town of Hillsborough per Ordinance #20141208-10.B						

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 6-d

SUBJECT: Applications for Property Tax Exemption/Exclusion

DEPARTMENT: Tax Administration

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):
Exempt Status Resolution
Spreadsheet
Requests for Exemption/Exclusion

INFORMATION CONTACT:
Dwane Brinson, Tax Administrator,
(919) 245-2726

PURPOSE: To consider three (3) untimely applications for exemption/exclusion from ad valorem taxation for three (3) bills for the 2015 tax year.

BACKGROUND: North Carolina General Statutes (NCGS) typically require applications for exemption to be filed during the listing period, which is usually during the month of January. Applications for Elderly/Disabled Exclusion, Circuit Breaker Tax Deferment and Disabled Veteran Exclusion should be filed by June 1st of the tax year for which the benefit is requested. NCGS 105-282.1(a1) does allow some discretion. Upon a showing of good cause by the applicant for failure to make a timely application, an application for exemption or exclusion filed after the close of the listing period may be approved by the Department of Revenue, the Board of Equalization and Review, the Board of County Commissioners, or the governing body of a municipality, as appropriate. An untimely application for exemption or exclusion approved under this provision applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed.

Including these three (3) applications, the Board will have considered a total of thirty (30) untimely applications for exemption of 2015 taxes since the 2015 Board of Equalization and Review adjourned on May 28th. Taxpayers may submit an untimely application for exemption of 2015 taxes to the Board of Commissioners through December 31, 2015.

Two of the applicants are applying for homestead exclusion based on NCGS 105-277.1, which allows exclusion of the greater of twenty-five thousand dollars ($25,000) or fifty percent (50%) of the appraised value of the residence.

One of the applicants is applying for exclusion based on NCGS 105-277.1C, which allows for an exclusion of $45,000 for an honorably discharged Disabled American Veteran.

Based on the information supplied in the applications and based on the above-referenced General Statutes, the applications may be approved by the Board of County Commissioners. NCGS 105-282.1(a1) permits approval of such applications if good cause is demonstrated by the taxpayer.

FINANCIAL IMPACT: The reduction in the County's tax base associated with approval of the exemption application will result in a reduction of FY 2015/2016 taxes due to the County, municipalities, and special districts in the amount of $1,375.95.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends the Board approve the attached resolution for the above-listed applications for FY 2015/2016 exemption.

NORTH CAROLINA RES-2015-058

ORANGE COUNTY

EXEMPTION/EXCLUSION RESOLUTION

Whereas, North Carolina General Statutes 105-282.1 empowers the Board of County Commissioners to approve applications for exemption after the close of the listing period, and

Whereas, good cause has been shown as evidenced by the information packet provided, and

Whereas, the Tax Administrator has determined that the applicants could have been approved for 2014 had applications been timely.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the properties applying for exemption for 2014 are so approved as exempt.

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

Ayes: Commissioners _____

_____

Noes: _____

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

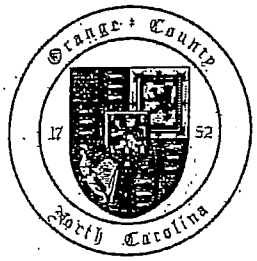
WITNESS my hand and the corporate seal of said County, this _____day of _____, 2015.

_____
Clerk to the Board of Commissioners

Late exemption/exclusion application - GS 105-282.1(a1)

BOCC REPORT - REAL/PERSONAL
NOVEMBER 6, 2015

NAME	ABSTRACT NUMBER	BILL YEAR	ORIGINAL VALUE	TAXABLE VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Browing, John L.	264735	2015	106,899	61,190	(437.85)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Majors, Frank E.	195099	2015	39,438	14,438	(237.00)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Thompson, Larry E.	227243	2015	84,391	39,391	(701.10)	Late application for exemption G.S. 105-277.1C (Veteran's Exemption)
				Total	(1,375.95)	



FILED
SEP 28 2015
ORANGE CO TAX OFFICE

Request for Tax Relief
Late Application Filing

Date: 9-22-15

To Whom It May Concern:

I, (PRINT NAME) John L Browning, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2015 on Parcel Identification Number (PIN) # 9893501063.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of "good cause" for failure to make a timely application. An untimely application approved under G.S. 105-282.1(a1) applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed.

✓ I was not aware that this exemption was available to me.
✓ I just found out about the Property Tax Relief Program.
____ Other (please explain)

Thank you,

John L Browning
(Signature)

How did you learn of this exemption?

an insert in my tax bill

FILED

SEP 23 2015

ORANGE COUNTY
TAX ADMINISTRATION

Request for Tax Relief
Late Application Filing

Date: 9-20-2015

To Whom It May Concern:

I, (PRINT NAME) FRANK E MAJORS, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2015 on Parcel Identification Number (PIN) # 9825327608.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of "good cause" for failure to make a timely application. An untimely application approved under G.S. 105-282.1(a1) applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed.

____ I was not aware that this exemption was available to me.
✓ I just found out about the Property Tax Relief Program.
____ Other (please explain)

Thank you,

Frank Majors
(Signature)

How did you learn of this exemption?

FRIEND

FILED
AUG 31 2015
ORANGE CO TAX OFFICE

Request for Tax Relief
Late Application Filing

Date: 8/31/15

To Whom It May Concern:

I, (PRINT NAME) LARRY E THOMPSON, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2015 on Parcel Identification Number (PIN) # 9865627930.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of "good cause" for failure to make a timely application. An untimely application approved under G.S. 105-282.1(a1) applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed.

____ I was not aware that this exemption was available to me.
✓ I just found out about the Property Tax Relief Program.
____ Other (please explain)

Thank you,

(Signature)

How did you learn of this exemption?

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda
Item No. 6-e

SUBJECT: Unified Development Ordinance Amendment Outline and Schedule – Engineering Standards for Development

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

ATTACHMENT(S):
Amendment Outline Form for Engineering Standards for Development

INFORMATION CONTACT:
Craig Benedict, Planning Director, 919-245-2592
Howard Fleming, Jr., Engineering, Erosion Control/Stormwater Supervisor, 919-245-2586
Kevin Lindley, Staff Engineer 919-245-2583

PURPOSE: To consider and approve process components and schedule for an upcoming government-initiated amendment to the Unified Development Ordinance (UDO) incorporating engineering standards for property development.

BACKGROUND: The County has long had land designated for economic development on its future land use map. Until recently, these areas have not had ready access to water and sewer facilities to serve any potential development. Now that several water and sewer projects have been completed to extend primary water and sewer services into these areas, they are poised for development.

The addition to the UDO of clear engineering standards governing parking surface design and design of onsite stormwater conveyance systems will ensure that all new development will be held to a consistent, uniform performance standard. The County's existing standards need to be reviewed and updated in order to ensure they are clear and consistent and to ensure all applications for development are being processed uniformly with regards to engineering design of site improvements. This would help ensure quality development with enduring infrastructure to maintain property value, safety and aesthetics.

FINANCIAL IMPACT: See Financial Impact included in Section C.3 of the attached Amendment Outline form.

SOCIAL JUSTICE IMPACT: The following social justice goal is applicable to this agenda item:

- **GOAL: ESTABLISH SUSTAINABLE AND EQUITABLE LAND-USE AND ENVIRONMENTAL POLICIES**

The fair treatment and meaningful involvement of people of all races, cultures, incomes and educational levels with respect to the development and enforcement of environmental laws, regulations, policies, and decisions. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

RECOMMENDATION(S): The Manager recommends the Board approve the attached Amendment Outline and direct staff to proceed accordingly.

COMPREHENSIVE PLAN / FUTURE LAND USE MAP AND UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT OUTLINE

UDO / Zoning-2015-10

Engineering Standards for Development

A. AMENDMENT TYPE

Map Amendments

☐ Future Land Use Map:
From:
To:

☐ Zoning Map:
From
To:

☐ Other:

Text Amendments

☐ Comprehensive Plan Text:
Section(s):

☒ UDO Text:
☒ UDO General Text Changes
☒ UDO Development Standards
☐ UDO Development Approval Processes

Section(s):
1. 6.9.10 Off-Street Parking Design Standards
2. 6.9.14 Off-Street Loading Areas
3. 6.14.6 Review Criteria [Stormwater]
4. Article 10: Definitions

☐ Other:

B. RATIONALE

1. Purpose/Mission

In accordance with the provisions of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the UDO, the Planning Director has

initiated text amendment(s) to add engineering standards for property development to provide a uniform, consistent set of development criteria for non-residential developments within the County's planning jurisdiction.

2. Analysis

As required under Section 2.8.5 of the UDO, the Planning Director is required to: '*cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners'*.

The County has long had land designated for economic development on its future land use map. Until recently, these areas have not had ready access to water and sewer facilities to serve any potential development. Now that several water and sewer projects have been completed to extend primary water and sewer services into these areas, they are poised for development.

Currently, there is limited guidance for engineering design of infrastructure in the UDO. All review of development infrastructure, such as parking lot surface improvements and stormwater systems has been on a case-by-case basis using engineering design principles. The developer must make assumptions of what will be acceptable. This can increase staff review time and the developer's costs, as appropriate development criteria are negotiated for each project. The addition of engineering standards governing parking surface design and design of onsite stormwater conveyance systems will ensure that all new development will be held to a consistent, uniform performance standard thereby reducing the 'guess work' plaguing the existing process. Having these standards will also help the Department avoid any perception of capricious or arbitrary review.

Our goal is to develop site design standards providing developers with clear parameters, rather than assumptions of what may be required. The County's existing standards need to be reviewed and updated in order to ensure they are clear and consistent and to ensure all applications for development are being processed uniformly with regards to engineering design of site improvements.

Additional analysis may be part of the quarterly public hearing materials.

3. Comprehensive Plan Linkage (i.e. Principles, Goals and Objectives)

Principle 2. Encouraging Sustainable Growth and Development

Economic Development Overarching Goal: Viable and sustainable economic development that contributes to both property and sales tax revenues, and enhances high-quality employment opportunities for County residents.

Land Use Goal 4: Land development regulations, guidelines, techniques and/or incentives that promote the integrated achievement of all Comprehensive Plan goals.

Services and Community Facilities Overarching Goal: Growth consistent with the provision of adequate and sustainable County services and facilities while managing the impacts upon the environmental infrastructure and effectively protecting the County's natural and cultural resources.

Services and Community Facilities Goal 5: Efficient and effective drainage, stormwater, floodplain management, and erosion control systems.

4. **New Statutes and Rules**

N/A

C. PROCESS

1. **TIMEFRAME/MILESTONES/DEADLINES**

a. BOCC Authorization to Proceed

November 5, 2015

b. Quarterly Public Hearing

May 2016 (NOTE: the exact date will be determined when the BOCC adopts its 2016 meeting calendar)

c. BOCC Updates/Checkpoints

November 5, 2015 – Approval of UDO Amendment Outline Form

February 2016 and March 2016(if necessary) – Planning Board Ordinance Review Committee (ORC) (BOCC receives agenda materials)

May 2016 – Quarterly Public Hearing

September 2016 – Receive Planning Board Recommendation

d. Other

N/A

2. **PUBLIC INVOLVEMENT PROGRAM**

Mission/Scope: Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements

a. Planning Board Review:

February 2016 and March 2016(if necessary) – Planning Board Ordinance Review Committee (ORC)

July 2016 – Recommendation

b. Advisory Boards:

Economic Development Advisory Board – March 2015

c. Local Government Review:

Staff will transmit copies of the proposed text amendments to our planning partners in the JPA, the Town of Hillsborough, the City of Durham and the City of Mebane	
NC Department of Transportation	Orange County Emergency Management
Orange County Building Inspections	

d. Notice Requirements

Legal advertisement published in accordance with the provisions of the UDO.

e. Outreach:

☐ General Public:	
☐ Small Area Plan Workgroup:	
☒ Other:	Local Developers and/or Industry Groups representing developers – specifics to be determined

3. FISCAL IMPACT

Consideration and approval will not create the need for additional funding for the provision of County services. Costs for the required legal advertisement will be paid from FY2015-16 Departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

Implementation of engineering development standards will require engineering staff plan review and subsequent field inspection of development projects, which will take additional staff time and costs. This may require an increase in review fee and/or development of an inspection fee (or re-inspection fee) in order to cover the cost of additional staff time. Additional staff may be necessary to provide adequate, timely review and field inspections for development projects.

D. AMENDMENT IMPLICATIONS

Engineering standards, once implemented, will have to be met by all new development.

E. SPECIFIC AMENDMENT LANGUAGE

Will be available as part of the quarterly public hearing meeting materials.

Primary Staff Contact:
Craig Benedict

Planning and Inspections

919-245-2592

cbenedict@orangecountync.gov

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda
Item No. 7-a

SUBJECT: Bicycle Safety Resolution and Next Steps

DEPARTMENT: Planning and Inspections **PUBLIC HEARING: (Y/N)** N

ATTACHMENT(S):
1. Draft Bicycle Safety Resolution

INFORMATION CONTACT:
Abigaile Pittman, 245-2567
Tom Altieri, 245-2575
Craig Benedict, 245-2585

PURPOSE: To consider a resolution supporting public and private efforts to increase safety awareness between motorists and bicyclists, roadway safety improvements for bicyclists, and authorizing next steps.

BACKGROUND: At its June 16, 2015 meeting, the Board of County Commissioners (BOCC) accepted the Orange Unified Transportation Board (OUTBoard) Bicycle and Pedestrian Safety Report and directed staff to return in the fall with information relevant to next steps. Additional background information from the June 16 meeting, including the full Report and draft OUTBoard minutes of discussion, may be reviewed online at the following link: http://server3.co.orange.nc.us:8088/weblink8/0/doc/38097/Page1.aspx

As review, the problem statement and goal for the Report is how to further address the safety of all users of county roads, which are primarily cyclists and motorists. The Report asks the County to embrace, promote, and in some cases fund programs to further its goal.

Review of Report Recommendations: The following is provided as a summary of the recommendations included in the Report:

1. Support and utilize the efforts and resources of the existing programs of other agencies:
    - North Carolina Department of Transportation's (NCDOT) "Watch for Me NC" bicycle and pedestrian safety campaign
    - BikeWalk NC online education class
    - Active Routes to School
    - National Highway Traffic Safety Administration
    - People for Bikes
    - Alliance for Biking and Walking
    - Carolina Tarwheels

2. Propose physical safety improvements on county roads:
    - Lowering speed limits on some rural county roads
    - Work with NCDOT to implement safety shoulders at blind hills and curves on highly used bike routes
    - Work with NCDOT to review its policies concerning the location of rumble strips when installing them on rural roads
    - Posting state laws for cyclists and motorists at high traffic rural spots
    - Add Manual on Uniform Traffic Control Devices (MUTCD) approved signage to alert drivers to watch for cyclists
    - Creating an interactive wiki map to identify spots that need safety improvements
    - OUTBoard review of the efforts with NCDOT to improve bicycle infrastructure
3. Enhance enforcement efforts:
    - Educational tools for law enforcement
    - Posting of state laws for cyclists and motorists
    - Coordination with the Sheriff's Department and Highway Patrol
4. Provide public awareness and education
    - Public Service Announcement (PSA) posters or videos, and PSA TV and radio spots
    - Pursue tourism or other grants to fund PSAs
    - Community events including bike rides or other types of field trips
5. Undertake new programs or enhancing existing procedures within the Orange County government structure:
    - Examine bicycling as an economic development tool
    - Include a line item in the budget for funding to use as grant-matching
    - Online website information and links to resources for cyclists
    - Semi-annual updates and annual written reports from staff
    - Dedicating additional staff time to coordinating with efforts to implement recommendations of the Report

Draft Resolution: The attached Resolution (Attachment 1) has been prepared by staff for BOCC consideration as a means of recognizing its support of efforts to improve safety on County roads and moving forward with items for implementation. Considering the limitations in County regulatory authority, Orange Unified Transportation Board charge, and staffing and financial costs, many of the recommendations included in the report are more appropriate for private sector implementation.

Report recommendations for County implementation are supported in the attached Resolution:

- Forward this Resolution and associated report to NCDOT, the Orange County Sheriff for consideration of pertinent items, as well as Orange County municipalities for information and partnership in bicycle safety communications;

- Begin placing pertinent report items on agendas for quarterly meetings with NCDOT for discussion and guidance; and
- Create a section of the Planning Department's website specifically for bicycling and begin placing key maps, plans, safety guidelines, and links to other pertinent information.

Although the Report suggests that the County create a task force for implementing the Report, this has not been recommended by staff. Staff is available for consultation as any private sector implementation occurs.

FINANCIAL IMPACT: Other than staff time, there is no immediate financial impact associated with this item.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals is applicable to this agenda item:

- **GOAL: CREAT A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

Efforts to implement the recommendations of the Bicycle and Pedestrian Safety Report will result in positive outcomes related to the above Goal.

RECOMMENDATION(S): The Manager recommends the Board approve the attached Resolution (Attachment 1) supporting bicycle safety and next steps.

RES-2015-059 ATTACHMENT 1

ORANGE COUNTY BOARD OF COMMISSIONERS
RESOLUTION SUPPORTING BICYCLE SAFETY AND NEXT STEPS

WHEREAS, the issue of bicycle safety has been a topic of interest by various County groups over the past several years, including discussions by the Orange Unified Transportation Board (OUTBoard), the Board of County Commissioners (BOCC), and citizen groups; and

WHEREAS, a petition related to bicycle safety was brought forward at the BOCC's November 6, 2014 meeting during Petitions by Board Members and subsequently reviewed by the Chair/Vice Chair/Manager agenda team; and

WHEREAS, in response to the petition the County Manager discussed bicycle safety with Town Managers; the Chair and Vice Chair discussed the topic with North Carolina Department of Transportation (NCDOT) representatives at its regular quarterly meeting; and Planning staff worked with the OUTBoard and a sub-group to develop recommendations; and

WHEREAS, the charge of the OUTBoard is to advise the BOCC on the planning and programming of transportation infrastructure improvements and other County transportation planning initiatives, as directed by the Board; and

WHEREAS, there has been consultation with the Sheriff's Department, the Highway Patrol, and the North Carolina Department of Transportation on the issue of bicycle safety in Orange County during the process; and

WHEREAS, the BOCC received the OUTBoard's Bicycle and Pedestrian Safety Report, including recommendations, at its June 16, 2015 meeting; and

WHEREAS, a goal of the Orange County 2030 Comprehensive Plan Transportation Element is a multi-modal transportation system that is affordable, available, accessible to all users, and that promotes public health and safety;

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Commissioners supports all public and private efforts to increase safety awareness between motorists and bicyclists, as well as the implementation of roadway safety improvements for bicyclists through County, State, and Metropolitan/Rural Planning Organization plans.

BE IT FURTHER RESOLVED that the Board hereby thanks the OUTBoard and sub-group for its efforts preparing a comprehensive list of bicycle safety recommendations and instructs Planning staff to:

- Forward this Resolution and associated report to NCDOT, the Orange County Sheriff for consideration of pertinent items, as well as Orange County municipalities for information and partnership in bicycle safety communications;

- Begin placing pertinent report items on agendas for quarterly meetings with NCDOT for discussion and guidance; and
- Create a section of the Planning Department's website specifically for bicycling and begin placing key maps, plans, safety guidelines, and links to other pertinent information.

Upon motion of Commissioner _____ _____, seconded by Commissioner _____, the foregoing resolution was adopted this the 5th day of November, 2015.

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on November 5, 2015, as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2015.

_____
Clerk to the Board of Commissioners

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda
Item No. 8-a

SUBJECT: Community Giving Fund Update

DEPARTMENT: Manager's Office

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):

Community Giving Fund Powerpoint
Community Giving Fund Financial Dashboard
March 19, 2013 Agenda Abstract – Kick-off of Community Giving Fund for Orange County

INFORMATION CONTACT:

Bob Marotto, Animal Services Director, 919.968.2287

PURPOSE: To receive an update on the Orange County Community Giving fund, its evolution to date, and its anticipated future developments.

BACKGROUND: In 2013 the Orange County Community Giving Fund was created as a mechanism for residents and others to make donations to the County for specific public purposes. The fund is County-wide and all departments have an equal opportunity to participate in this purpose.

The creation of the fund was partially in response to feedback that there may be hesitations on the part of the public to donate to the County's general fund. Of special concern was that people did not believe that they are able to decide where and how donated money is used. Additionally, the ability to roll funds over from one year to another was challenging and a secondary fetter on purposive giving.

The Community Giving Fund, in contrast, contains a structure that guarantees donations will only be used for the specified purpose for which they are made. It also has an advantage of rolling funds over from year to year for specific projects and programs that may be long-term and unable to be completed in a shorter time frame. All donations to the fund are tax exempt.

The fund has continued to grow annually, in both scope and size, with several changes being made along the way as the County has become more familiar with its opportunities and how to most effectively fit them to its needs. One of these has been introducing the ability to refresh the menu of giving opportunities on a semi-annual basis as needs change and grow within departments or on the County level. Another has been the introduction of the fund to the

county's Combined Giving Campaign, a change that first took place in 2014 and will continue for the upcoming 2015 drive.

Most recently the County has begun to connect larger initiatives to the potential provided by the Community Giving Fund. Illustrations include the Family Success Alliance, My Brother's Keeper, and the Veteran's Memorial. In the latter case, efforts were underway to find a suitable donation mechanism for the memorial and ultimately, funds were transferred from another source into the Community Giving Fund to jumpstart the project.

Currently, the managing committee for the Community Giving Fund is considering extending outreach about the fund to civic groups active in the County. It is anticipated that this would take place in the form of in-person presentations to a broad range of active civic organizations in Orange County. In addition to its form and content, thought is being given to the timing of such an outreach initiative.

FINANCIAL IMPACT: As shown by the attached Financial Dashboard, the Community Giving Fund has raised increased amounts of donated funds annually since its creation. In 2013 $9,386 was raised after the fund was opened with a $10,000 start-up fee. In 2014, $32,611 was raised, and thus far this year, $25,732 has been raised. More is expected to be raised this year from the Combined Giving Campaign and the trend of increased donations at the year's end for taxation purposes.

Some significant financial contributions have made possible projects that otherwise may not have been completed. One is the Dog Play/Exercise Area at Animal Services, which was made possible through a donation of stocks totaling nearly $13,000. There is hope that a similar response from the public will help to fund the Veteran's Memorial, where the Community Giving Fund will allow flexible donations of traditional and non-traditional types for the anticipated project, and where those with a strong passion for the Memorial will feel secure that gifts will go toward the intended purpose.

To date the Community Giving Fund has been made possible through a partnership with the Triangle Community Foundation. The Foundation required a start-up fee of $10,000 in 2013 and also charges an annual administrative fee of (1%) to manage and oversee the fund. To date, the Foundation has managed the fund very successfully and generated income for the Community Giving Fund.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Impact Goal associated with this item.

RECOMMENDATION(S): The Manager recommends that the BOCC receive the update from staff on the Orange County Community Giving Fund and provide comments and direction as appropriate.

Community Giving Fund

Where We Are, Where We're Going

History

- Started in 2013
- A young endeavor still
- Has grown and continues to grow in potential
  - i.e. Animal Services dog play yard
- Managed by the Triangle Community Foundation, a 501(c)3 organization
  - They're able to handle various types of donations
  - They receive a small percentage for their services

Stats

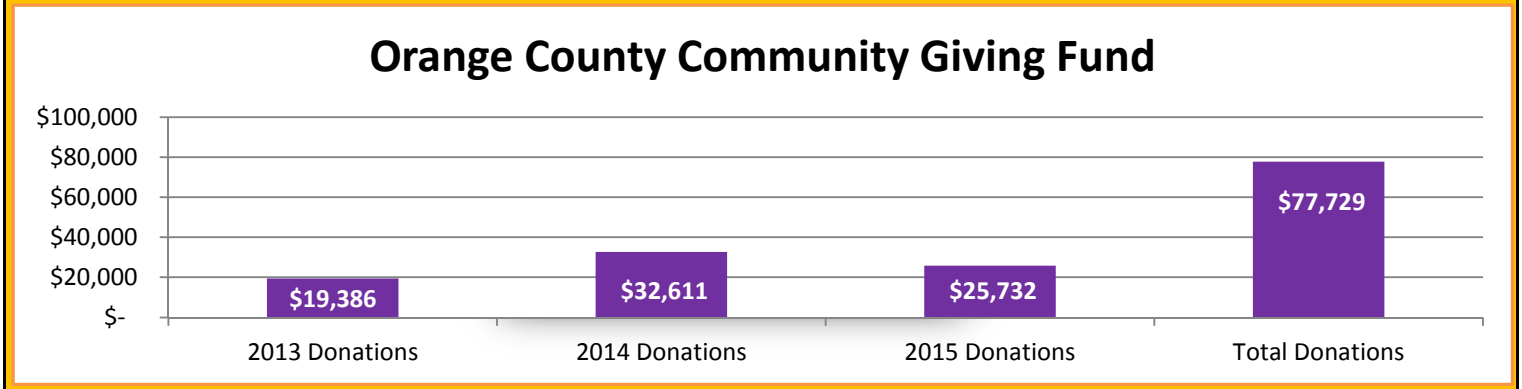
- Since 2013, $66,000 has been raised
- Growing annually
  - 2013 ~ $9,300
  - 2014 ~ $32,600
  - 2015 ~ $24,800 (thus far)
- In 2014, it was incorporated into Combined Giving Campaign
  - County employees gave $7,000 that year

Scope

- Creative funding opportunities
  - Stocks, Real Property, etc
- Earmarked funds
- Rolls over annually
- Relieves fear of donating to general fund

Opportunities

- County-wide Initiatives
  - Combined Giving Campaign
  - Veteran's Memorial
  - Family Success Alliance
  - My Brother's Keeper
- Presentations Underway with Civic Groups
  - Will talk about opportunities to do more in the county and dedicated giving to public pursuits



Department	DONATIONS	EXPENDED	REMAINING
Animal Services	$ 54,992	(22,995)	31,997
Cooperative Extension Office	54	-	54
Department of Environment, Agriculture, Parks & Recrea	1,165	-	1,165
Department of Social Services	1,880	-	1,880
Department on Aging	408	-	408
Emergency Services Department	215	-	215
General Donations	13,232	-	13,232
Housing, Human Rights & Community Development	2,536	-	2,536
Orange County Health Department	226	-	226
Orange County Libraries	82	-	82
Unallocated Donations	2,940	-	2,940
Program	**DONATIONS**	**EXPENDED**	**REMAINING**
Advertising Campaigns for Adoptable Pets	$ 4,021	-	4,021
Cat Sheltering Enhancement	1,896	-	1,896
Community Spay/Neuter Fund	3,605	-	3,605
Dog Exercise Area Fund	15,656	(15,495)	162
Free-roaming Cat Initiative	160	-	160
Medical Care for Adoptable Pets	11,507	-	11,507
Sculptures, Benches and Landscape Amenities	313	-	313
Animal Services General Donations	17,836	(7,500)	10,336
4-H Youth Development	47	-	47
Local Food / W.C. Breeze Farm (Agricultural Extension an	7	-	7
Cooperative Extension General Donations	-	-	-
Athletic Field Improvements	39	-	39
Historic Building Restorations	-	-	-
Lands Legacy Program (Land Conservation and Managem	1,035	-	1,035
Park Planting Improvements	40	-	40
Parks and Recreation Equipment and Amenities	-	-	-
Pond and Habitat Improvements	12	-	12
Special Event Assistance	40	-	40
Youth Recreation Scholarships	-	-	-

Program	DONATIONS	EXPENDED	REMAINING
DEAPR General Donations	-	-	-
Foster & Adoptive Family Recognition	69	-	69
School Supplies and Food Pantry Donations	112	-	112
Toy Chest Holiday Program	1,599	-	1,599
Youth Enhancement Fund	99	-	99
DSS General Donations	-	-	-
Annual Community Resource Guide	-	-	-
Annual RSVP 55+ Volunteer Recognition Event	-	-	-
General Senior Center Programs	30	-	30
In Praise of Age - Weekly TV Show	-	-	-
Music in My Mind	60	-	60
Seymour Center and Central Orange Senior Center Garde	64	-	64
Seymour Fitness Center	41	-	41
The Frail Elderly Fund	211	-	211
Volunteer Income Tax Assistance (VITA) Program	-	-	-
Aging General Donations	-	-	-
Community Medicine	16	-	16
Elder Fall Prevention (UNC/Aging Partnership)	-	-	-
Public Outreach	49	-	49
Welcome to the World (Newborn/Parental Training and S	-	-	-
EMS General Donations	150	-	150
My Brother's Keeper	500	-	500
Other County Projects and Programs	10,000	-	10,000
Veteran Memorial	2,350	-	2,350
General Donations	382	-	382
Community Dinner	918	(918)	(0)
Job Partners Program – Homelessness Employment Initia	1,519	-	1,519
Support Circles	-	-	-
Housing General Donations	100	-	100
Adult Health Services	-	-	-
Child Health Services	-	-	-
Dental Health Services	-	-	-
Environmental Health Services	-	-	-
Health Promotion and Education	-	-	-
Nutrition and Diabetes Management	23	-	23
Orange County Cradle to College/Career	-	-	-
Tobacco Use Prevention/Smoking Cessation	-	-	-
Women’s Health and Screenings Services	99	-	99
Family Success Alliance	104	-	104
Health Department General Donations	-	-	-

Program	DONATIONS	EXPENDED	REMAINING
Summer Reading Program for Kids - Adults	82	-	82
Unallocated Donations	2,940	-	2,940
TOTALS:	$ 77,729	(23,913)	53,816

COPY

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: March 19, 2013

Action Agenda Item No. 4-c

SUBJECT: Kick-off of Community Giving Fund for Orange County

DEPARTMENT: County Manager

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S):

1) 2013 Management Team Roster
2) Frequently Asked Questions
3) Giving Opportunities Listing

INFORMATION CONTACT:

Frank W. Clifton, Jr., County Manager, (919) 245-2306
Clarence Grier, Assistant County Manager/Chief Financial Officer (919) 245-2453
Carla Banks, Public Affairs Director, (919) 245-2302
Bob Marotto, Animal Services Director, (919) 968-2287

PURPOSE: To preview and kickoff Orange County's Community Giving Fund and Orange County's new partnership with Triangle Community Foundation (TCF).

BACKGROUND: At its November 20, 2012 meeting, the BOCC approved the formation of a Community Giving Fund for Orange County to raise and receive donations intended to enhance services and County-supported activities, and authorized the Chair to sign an agreement between Orange County and TCF to establish, manage and administer this Fund.

Since that approval, staff has been working diligently towards implementation of the Community Giving Fund, which begins at this meeting with a presentation of the materials that will be used to promote the fund. Additional steps toward implementation include:

- This evening's roll-out of the public affairs materials including banners and portfolio packages.
- Going live immediately with the fund's website and beginning the process of cross-linking it to the County's website
- A media advisory about the availability of Orange County's Community Giving Fund.
- The County Attorney sending electronic documents about the fund to estate attorneys and planners in the area.

These steps are being taken on the basis of work staff accomplished since BOCC approval of the creation of the Community Giving Fund for Orange County. This work includes:

- Entering into an agreement with the TCF to open an agency fund.
- Creating the Fund Management Team (see attached) described in the Concept Plan for the fund.

- Developing public affairs materials and reviewing these internally and with TCF staff.
- Meeting with TCF staff to work through other matters including financial flow and gift acknowledgement.
- Apprising department directors and other County staff of the creation of the County's new Giving Fund.

An important part of this process has been the identification of giving opportunities, an ongoing process that has taken place over the last year or so. As can be seen from the attached list, eight departments have identified a variety of giving opportunities. These opportunities are expected to be fluid and potentially expansive as the fund is utilized and grows.

This fund formalizes the present practice of Orange residents giving to the public services that they favor and creates an opportunity to further grow this important donor base. In addition, it allows Orange County to reach out to estate planners as well.

County staff is delighted to be partnering with TCF and believe that doing so provides unique opportunities for Orange County. Several TCF staff members, including the foundation's president, Lori O'Keefe, will be at the meeting. Ms. O'Keefe will make some comments about this partnership prior to the preview of public affairs materials.

FINANCIAL IMPACT: The presentation of these materials has no direct financial impact. The net impact over time of creating a Community Giving Fund for Orange County is expected to be very positive. The formation of an identifiable and coordinated fund should garner more substantial donations than individual departments presently receive on their own.

RECOMMENDATION(S): The Manager recommends that the BOCC acknowledge and celebrate the implementation and kick-off of the County's new Community Giving Fund given prior approval of its creation.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 11-a

SUBJECT: Hillsborough Board of Adjustment – Appointment

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

ATTACHMENT(S): Under Separate Cover
Member Roster
Resolution
Application for Person mentioned in the Resolution
Interest List (the person recommended is the only applicant)

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To consider making an appointment to the Hillsborough Board of Adjustment.

BACKGROUND: The following information is for Board consideration:

- Appointment to a partial term (position #1) "ETJ County-Alternate" for Jamie Tomosunas expiring 06/30/2017. **NOTE: This appointment will replace Eddie Sain who has served 3 terms.**

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
1	Jamie Tomosunas	ETJ County-Alternate	06/30/2017

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- None**.**

FINANCIAL IMPACT: None.

SOCIAL JUSTICE IMPACT: Enable Full Civic Participation. Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

RECOMMENDATION(S): The Manager recommends that the Board consider making an appointment to the Hillsborough Board of Adjustment.

Board and Commission Members

And Vacant Positions

Hillsborough Board of Adjustment

Meeting Times: 7:00 pm second Wednesday of each month
Terms: 2
Contact Person: Tom King, Senior Planner
Meeting Place: the Hillsborough Barn
Positions: 3
Length: 3 years
Contact Phone: 919-732-1270 x73

Description: The Board of Commissioners appoints three County representatives to positions on this board. This board reviews non-residential building projects, variance requests and appeals.

1 VACANT

Day Phone:
Evening Phone:
FAX:
E-mail:

Sex:
Race:
Township:
Resid/Spec Req: Extraterritorial Jurisd
Special Repr: County-Alternate

First Appointed:
Current Appointment:
Expiration: 06/30/2017
Number of Terms:

2 Mr. Dustin Williams

416 St Marys Rd
HILLSBOROUGH NC 27278

Day Phone: 843-224-1561
Evening Phone: 843-224-1561
FAX:
E-mail: ducwilliams@gmail.com

Sex: Male
Race: Caucasian
Township: Hillsborough
Resid/Spec Req: Extraterritorial Jurisd
Special Repr: County

First Appointed: 05/20/2014
Current Appointment: 05/20/2014
Expiration: 09/30/2016
Number of Terms:

3 Mr. David L. Remington

609 Red Fox Trail
Hillsborough NC 27278

Day Phone: 919-368-6048
Evening Phone: 919-732-4302
FAX:
E-mail: dlreming@gmail.com

Sex: Male
Race: Caucasian
Township: Hillsborough
Resid/Spec Req: Extraterritorial Jurisd
Special Repr: County

First Appointed: 06/19/2012
Current Appointment: 06/03/2014
Expiration: 06/30/2017
Number of Terms: 1

Resolution #20150713-5.C

Town of Hillsborough
Since 1754
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RESOLUTION REQUESTING RE-APPOINTMENT
TO AN EXTRATERRITORIAL JURISDICTION SEAT
ON THE HILLSBOROUGH BOARD OF ADJUSTMENT

WHEREAS, as a result of the end of a term, it is necessary to appoint a volunteer to a seat reserved on the Hillsborough Board of Adjustment for persons residing within the town's extraterritorial planning jurisdiction; and

WHEREAS, by state statute and town ordinance, the Orange County Board of Commissioners initially has the authority and responsibility to appoint ETJ members to the town's Board of Adjustment; and

WHEREAS, the vacancy is created by the completion of two full terms by another volunteer; and

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH RESOLVES:

Section 1. The Orange County Board of Commissioners is respectfully requested to appoint the following individual to an ETJ seat on the Hillsborough Board of Adjustment, whose term would expire in June 30, 2017:

Ms. Jamie Tomosunas
752 Rex Drive
Hillsborough, NC 27278

Section 2. If the Orange County Board of Commissioners fails to appoint persons willing to serve in the capacity described above within 90 days after receiving this resolution, then the Hillsborough Town Board may make this appointment.

Section 3. The Town Clerk shall send a copy of this resolution to the Orange County Manager.

Section 4. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 13th day of July, 2015.

Ayes: 5
Notes: 0
Absent or excused: 0

I, Katherine M. Cathey, Town Clerk of the Town of Hillsborough, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Hillsborough Town Board of Commissioners on July 13th, 2015.

Katherine M. Cathey

Katherine M. Cathey
Human Resources Director/Town Clerk

101 East Orange Street • P. O. Box 429 • Hillsborough, North Carolina 27278
919-732-1270 • Fax 919-644-2390

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Jamie Tomosunas
Name Called:
Home Address: 752 Rex Drive
Hillsborough NC 27278
Phone (Day): unknown
Phone (Evening): unknown
Phone (Cell): unknown
Email: jamietomosunas@gmail.com
Place of Employment: EF Tours
Job Title: Online English Teacher
Year of OC Residence: 2012
Township of Residence: Hillsborough
Zone of Residence:
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

None.

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

Hillsborough Board of Adjustment

Background, education and experience relevant to this board:

Weaver Street Market Co-op (Cashier, Customer Service, Finance Department Scanner) in Hillsborough, NC. NC Paralegal Certification Course BA International Studies with focus on Global Economics, Trade and Development at UNC Chapel Hill.

Reasons for wanting to serve on this board:

Ever since I moved to Hillsborough in early 2012 I have been interested in becoming more involved in the community and in political life here. Having lived close to the Colonial Inn, I was extremely interested in the future of the building. I recently purchased a home in the ETJ, and I am just as passionate about its future development and how it will affect my neighbors who have lived there even longer than me.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 10/14/2015 8:23:06 AM **Date Printed:** 10/14/2015

Applicant Interest Listing

by Board Name and by Applicant Name

Hillsborough Board of Adjustment

Contact Person: Tom King, Senior Planner
Contact Phone: 919-732-1270 x73

Jamie Tomosunas
752 Rex Drive
Hillsborough NC 27278

Day Phone: unknown
Evening Phone: unknown
Cell Phone: unknown
E-mail: jamietomosunas@gmail.com

Sex: Female
Race: Caucasian
Township: Hillsborough
Res. Eligibility: ETJ
Date Applied: 10/14/2015

Skills:

Also Serves On:

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 11-b

SUBJECT: Historic Preservation Commission – Appointments

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

ATTACHMENT(S): Under Separate Cover
Membership Roster
Recommendations
Request for Term Extension
Attendance Records
Applications for Persons Recommended
Applicant Interest List
Applications for Persons on the Interest List

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To consider making appointments to the Historic Preservation Commission.

BACKGROUND: The following information is for Board consideration:

- Appointment to a first full term (Position #1) At-Large for Jaime Grant expiring 03/31/2018.
- Appointment to a partial term (Position #2) At-Large for Thomas Loter expiring 06/30/2017.
- **Consideration of an extension for an additional term** (Position #3) At-Large for Todd Dickinson (expiring 03/30/2018). See attached memorandum from HPC.

Advisory Board Policy:
SECTION III:
D. MEMBERSHIP
6. Appointment – Extension of a member's term may be approved by the Orange County Board of Commissioners if it is determined that it is in the best interest of Orange County to allow an individual to continue to serve.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
1	Jaime Grant	At-Large	03/31/2018
2	Thomas Loter	At-Large	06/30/2017
3	Todd Dickinson	At-Large **(3rd term exception)**	03/31/2018

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- None

FINANCIAL IMPACT: None.

SOCIAL JUSTICE IMPACT: Enable Full Civic Participation. Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

RECOMMENDATION(S): The Manager recommends that the Board consider making appointments to the Historic Preservation Commission.

Board and Commission Members

And Vacant Positions

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERR

Meeting Times: 7:00 pm fourth Wednesday of each month | Terms: 2 | Contact Person: Peter Sandbeck

Meeting Place: Old Orange County Courthouse | Positions: 7 | Length: 3 years | Contact Phone: 919-245-2517

Description: Appointments are made for three years. The majority of the members of the commission shall have demonstrated special interest, experience or education in history, architecture, landscape architecture, archaeology, or related fields. This commission is charged with undertaking an inventory of properties of historical, prehistorical, architectural, and/or cultural significance. It recommends areas to be designated or removed as "historic districts" and reviews and acts upon proposals for alterations, demolition, new construction, etc. APPLICATANTS MUST RESIDE WITHIN THE TERRITORIAL JURISDICTION OF ORANGE COUNTY. To learn more, visit this web

1	Ms. Jaime Grant 9103 Greenbrier Sta Chapel Hill NC 27516	Day Phone: 860-218-4921 Evening Phone: FAX: E-mail: grantjaime@gmail.com	Sex: Female Race: Other Township: Bingham Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/17/2013 Current Appointment: 09/17/2013 Expiration: 03/31/2015 Number of Terms:		
2	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: At-Large Special Repr:	First Appointed: Current Appointment: Expiration: 06/30/2017 Number of Terms:		
3	Mr. Todd Dickinson Chair 4606 Hunt Road Hillsborough NC 27278	Day Phone: 919-614-8764 Evening Phone: 919-732-5439 FAX: 732-5439 E-mail: dicres@mindspring.com	Sex: Male Race: Caucasian Township: Little River Resid/Spec Req: At-large Special Repr:	First Appointed: 05/03/2007 Current Appointment: 11/08/2012 Expiration: 03/31/2015 Number of Terms: 2		
4	Ms Grace White 1711 New Hope Church Rd. Chapel Hill NC 27516	Day Phone: 9196605906 Evening Phone: 3363401753 FAX: E-mail: papergrace@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-large Special Repr:	First Appointed: 06/03/2014 Current Appointment: 06/03/2014 Expiration: 03/31/2017 Number of Terms: 1		
5	Dr. Robert Ireland Vice-Chair 721 Mary E. Cook Rd. Hillsborough NC 27278	Day Phone: 732-7538 Evening Phone: 732-7538 FAX: E-mail: ireland.bob@gmail.com	Sex: Male Race: Caucasian Township: Eno Resid/Spec Req: At-large Special Repr:	First Appointed: 12/13/2011 Current Appointment: 03/19/2013 Expiration: 03/31/2016 Number of Terms: 1		

Board and Commission Members

And Vacant Positions

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERR

Meeting Times: 7:00 pm fourth Wednesday of each month | Terms: 2 | Contact Person: Peter Sandbeck

Meeting Place: Old Orange County Courthouse | Positions: 7 | Length: 3 years | Contact Phone: 919-245-2517

Description: Appointments are made for three years. The majority of the members of the commission shall have demonstrated special interest, experience or education in history, architecture, landscape architecture, archaeology, or related fields. This commission is charged with undertaking an inventory of properties of historical, prehistorical, architectural, and/or cultural significance. It recommends areas to be designated or removed as "historic districts" and reviews and acts upon proposals for alterations, demolition, new construction, etc. APPLICATANTS MUST RESIDE WITHIN THE TERRITORIAL JURISDICTION OF ORANGE COUNTY. To learn more, visit this web

6 **Mr. Robert T. Golan**

1830 Halls Mill Road
Efland NC 27243

Day Phone: 919-644-6483
Evening Phone:
FAX: 919-644-7506
E-mail: robgol@mindspring.com

Sex: Male
Race: Caucasian
Township: Cheeks
Resid/Spec Req: At-large
Special Repr:

First Appointed: 01/20/2011
Current Appointment: 03/19/2013
Expiration: 03/31/2016
Number of Terms: 2

7 **Ms Susan T Ballard**

3517 Iva Ada Drive
Hillsborough NC 27278

Day Phone: 919-260-9243
Evening Phone: 919-732-4443
FAX:
E-mail: sballard@nc.rr.com

Sex: Female
Race: Caucasian
Township: Eno
Resid/Spec Req: At-large
Special Repr:

First Appointed: 05/21/2013
Current Appointment: 05/21/2013
Expiration: 03/31/2016
Number of Terms: 1

Thom Freeman

From: Peter Sandbeck
Sent: Thursday, September 17, 2015 11:08 PM
To: Thom Freeman **Cc:**
Donna Baker
Subject: RE: HPC Question....

Thom,

Yes, Jaime Grant is eager to serve an additional term, so please put her forward for us.

Thanks, Peter

HISTORIC PRESERVATION COMMISSION

October 5, 2015

Donna Baker
Clerk to the Board of County Commissioners
200 South Cameron Street
Hillsborough, NC 27278

Dear Ms. Baker:

The Orange County Historic Preservation Commission (HPC) chair and vice chair are pleased to recommend Thomas Loter for an appointment to fill the HPC's vacant Position Number 2. He has submitted the online application as required.

Mr. Loter's extensive background as a historic preservation architect combined with his deep personal interest in historic architecture will be great assets for the work of the HPC.

Thank you for your assistance.

Sincerely,

Peter Sandbeck, Cultural Resources Coordinator

cc: Todd Dickinson, Chair
Bob Ireland, Vice-Chair
Rich Shaw, Land Conservation Manager

NATURAL and CULTURAL RESOURCES DIVISION
Orange County Department of Environment, Agriculture, Parks & Recreation
PO Box 8181 Hillsborough, NC 27278
Phone: (919) 245-2517 Fax: (919) 644-3351

HISTORIC PRESERVATION COMMISSION

June 8, 2015

Earl McKee, Chair
Board of County Commissioners
200 South Cameron Street
Hillsborough, NC 27278

Re: Historic Preservation Commission Appointment

Dear Chair McKee:

The Orange County Historic Preservation Commission (HPC) recently voted unanimously to ask that the Board of Commissioners reappoint the current chair, Todd Dickinson, to serve one additional term. Mr. Dickinson just recently completed his second consecutive term on the HPC. This would require an exception to the two consecutive term rule, but there are extenuating circumstances behind the request from the HPC.

The HPC wishes to request extension of Mr. Dickinson's term, as it is their belief that his strong leadership and in-depth knowledge of historic preservation are crucial to the success of the HPC's major project now underway: the update of the county-wide historic resources inventory and the publication of a book that depicts these historic resources in an attractive and professional manner. The HPC has made several unsuccessful attempts in the past to complete this huge task, starting in 1999. Each time the project has stalled due to changes in leadership and focus. This time the HPC has been successful in obtaining grant funding assistance for this project and is well on the way to attaining this long-sought goal.

The HPC has also made great progress on other goals, such as promoting the local landmark program and preparing our historic resources data for sharing with the general public via the County web site. HPC members believe that the reappointment of Mr. Dickinson for one final term will be a tremendous benefit to these projects and would ask for his reappointment consistent with Section III.D.6 of the County's Advisory Board Policy, which states:

> *"Extension of a member's term may be approved by the Orange County Board of Commissioners if it is determined that it is in the best interest of Orange County to allow an individual to continue to serve."*

NATURAL and CULTURAL RESOURCES DIVISION
Orange County Department of Environment, Agriculture, Parks & Recreation
PO Box 8181, Hillsborough, NC 27278
Phone: (919) 245-2510 Fax: (919) 644-3351

Members of the HPC have requested that DEAPR staff present this request to you for consideration by the Board of County Commissioners. Please feel free to contact me if we can provide any further information.

Sincerely,

David Stancil, Director, DEAPR

cc: Bob Ireland, Vice-Chair, HPC
Donna Baker, Clerk to the Board of County Commissioners
Rich Shaw, Land Conservation Manager
Peter Sandbeck, Cultural Resources Coordinator

Attendance Record Current - Member Re-appointment Recommendation For BOCC Review

Board Name Sep / 2014 – Sep / 2015

Member	Appointed	Sep	Oct	Nov	Dec	Jan	Feb	Mar 3	Mar 25	Apr	May	Jun	Jul	Aug	Sep					
Jaime Grant	09/17/2013	P	P	N/A	P	E	N/A	P	E	P	P	E	N/A	P						
Todd Dickinson	05/03/2007	P	P	N/A	P	P	N/A	P	P	P	P	P	N/A	P						
P: Present A: Absent E = Excused																				
Current through – 09/30/2015																				

N/A= no HPC meetings held in November, 2014 and Feb. 2015

HPC held special joint public hearing and meeting with the BOCC on March 3, 2015, so they had two meetings in March.

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Ms. Jaime Grant
Name Called:	
Home Address:	9103 Greenbrier Sta Chapel Hill NC 27516
Phone (Day):	860-218-4921
Phone (Evening):	
Phone (Cell):	
Email:	grantjaime@gmail.com
Place of Employment:	University of Connecticut Graduate Student
Job Title:	PhD Candidate
Year of OC Residence:	2008
Township of Residence:	Bingham
Zone of Residence:	Rural Area Resident
Sex:	Female
Ethnic Background:	Other

Community Activities/Organizational Memberships:
Board of Directors (Secretary) for HOA The Trails Subdivision

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Supplemental Questions:

Other Comments:
STAFF COMMENTS: Originally (07/23/2013) for Historic Preservation Commission. UPDATED APPLICATION 08/01/2013 ADDRESS VERIFICATION: 9103 Greenbriar Station, Chapel Hill, is Bingham Township, Orange County Jurisdiction, R1 Rural Resident.

This application was current on: 8/1/2013 12:09:41 PM **Date Printed:** 1/6/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr. Thomas Loter
Name Called:	
Home Address:	629 E Hatterleigh Ave Hillsborough NC 27278
Phone (Day):	919-843-3238
Phone (Evening):	919-245-1327
Phone (Cell):	919-225-9513
Email:	tom.loter@gmail.com
Place of Employment:	UNC Chapel Hill
Job Title:	Campus Historic Preservation Officer
Year of OC Residence:	2011
Township of Residence:	Hillsborough
Zone of Residence:	
Sex:	Male
Ethnic Background:	Caucasian

Community Activities/Organizational Memberships:

*Certified with the National Council of Architectural Registration Boards
*Registered Architect in North Carolina
*Member of the American Institute of Architects
*Board Member: Kin Childcare Program, Durham, NC

Past Service on Orange County Advisory Boards:

Not serving on nor have I served on any Orange County Advisory Boards

Boards/Commissions applied for:

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERRITORIAL

Background, education and experience relevant to this board:

I am a registered architect that has been practicing Historic Preservation and Adaptive reuse in North Carolina for the past 17 years. I ve worked on historic homes, churches, textile mills and tobacco factories. I have extensive experience working on NPS Tax Credit Rehabilitation projects as well as projects located in local historic districts.

Reasons for wanting to serve on this board:

I am passionate about old and Historic buildings and sites.

Conflict of Interest:

Supplemental Questions:

Other Comments:

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Todd Dickinson
Name Called:
Home Address: 4606 Hunt Road
Hillsborough NC 27278
Phone (Day): 919-614-8764
Phone (Evening): 919-732-5439
Phone (Cell):
Email: dicres@mindspring.com
Place of Employment: Dickinson Restorations, Inc
Job Title: President
Year of OC Residence:
Township of Residence: Little River
Zone of Residence: At-Large
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Supplemental Questions:

Work Experience: 25 years as president of the Historic Preservation Contracting and Consulting business here in Hillsborough. Restoration of Ayr Mount and the Alex Dickson House

Volunteer Experience: Founding member and chair of the Historic Preservation Commission; President- Stagville Historic Site Board, Eno River Association, Hillsborough Alliance, Durham Preservation Society Preservation NC 20-28 years, O.C. CT House Exterior Designs Advisory

Education: Berkshore School, Duke University, Durham Tech ,Certification in Historic Preservation, Continuing Education, Association for Preservation Technology International Annual Conferences.

Other Comments:
Volunteer Notes: I have serious concerns for the History and future development of Orange County. However, I am proud to be an Orange County resident.

STAFF COMMENTS: Reapplied for Historic Preservation Commission 3/29/2007. Recommended to serve on the Justice Facilities Planning Process Task Force Design Firm Selection Committee 9/1/01. Job Title: Historic Preservation Architect.

ADDRESS VERIFICATION:4606 Hunt Rd is in the Little River Township in Orange County.

This application was current on: 9/1/2001 **Date Printed:** 1/6/2014

Applicant Interest Listing

by Board Name and by Applicant Name

Historic Preservation Commission (APPLICANTS S

Contact Person: Peter Sandbeck
Contact Phone: 919-245-2517

Mr Luther Black
1211 Hummingbird Hill
Chapel Hill NC 27517

Day Phone: 919-605-4023
Evening Phone: 919-605-4023
Cell Phone: 919-605-4023
E-mail: lukeblack3@gmail.com

Sex: Male
Race: Caucasian
Township: Chapel Hill
Res. Eligibility:
Date Applied: 01/08/2014

Skills:
Also Serves On:

Rev. Susie Enoch
4002 McGowan Creek Road
Efland NC 27243

Day Phone: 336-260-7694
Evening Phone: 336-260-7694
Cell Phone:
E-mail: enochts@aol.com

Sex: Female
Race: African American
Township: Cheeks
Res. Eligibility: County
Date Applied: 03/06/2015

Skills: Human Resources Director
Skills: Human Resources Manager
Skills: Pastoral Services
Also Serves On: Human Relations Commission

Dr. Brian Finch
601 Porteur Point
Cedar Grove NC 27231

Day Phone: 704-989-4886
Evening Phone: 704-989-4886
Cell Phone: 704-989-4886
E-mail: roundunderpar@gmail.com

Sex: Male
Race: Caucasian
Township: Cedar Grove
Res. Eligibility: Orange County
Date Applied: 01/09/2014

Skills:
Also Serves On: Affordable Housing Advisory Board

Mr Kolby Herndon
114 W Union St
Hillsborough NC 27278

Day Phone: 919-794-1258
Evening Phone: 919-794-1258
Cell Phone: 919-794-1258
E-mail: Kolbyherndon@gmail.com

Sex: Male
Race: Caucasian
Township: Hillsborough
Res. Eligibility: Hillsborough Twnshp -
Date Applied: 05/11/2015

Skills:
Also Serves On:

Mr. Clifford Leath
6600 Maynard Farm Road
Chapel Hill NC 27516

Day Phone: 919-968-0708
Evening Phone: 919-968-0708
Cell Phone: 919-357-8181
E-mail: cliffleath@earthlink.net

Sex: Male
Race: Caucasian
Township: Bingham
Res. Eligibility: County
Date Applied: 01/19/2014

Skills:
Also Serves On:

Applicant Interest Listing

by Board Name and by Applicant Name

Historic Preservation Commission (APPLICANTS S

Contact Person: Peter Sandbeck
Contact Phone: 919-245-2517

Mr. Thomas Loter

629 E Hatterleigh Ave
Hillsborough NC 27278

Day Phone: 919-843-3238
Evening Phone: 919-245-1327
Cell Phone: 919-225-9513
E-mail: tom.loter@gmail.com

Sex: Male
Race: Caucasian
Township: Eno
Res. Eligibility: County
Date Applied: 09/24/2015

Skills:
Also Serves On:

Ms. Alexandria Mead

1702 McRae Pl.
Hillsborough NC 27278

Day Phone: 919.357.2214
Evening Phone: 919.357.2214
Cell Phone: 919.357.2214
E-mail: alexandria.mead@meadholm.com

Sex: Female
Race: Caucasian
Township: Hillsborough
Res. Eligibility: County
Date Applied: 09/27/2015

Skills:
Also Serves On:

Mr. Art Menius

6627 Maynard Farm Rd
Chapel Hill NC 27516

Day Phone: 919-675-2787
Evening Phone: 919-675-2787
Cell Phone: 919-675-2787
E-mail: art@artmenius.com

Sex: Male
Race: Caucasian
Township: Bingham
Res. Eligibility: County
Date Applied: 10/06/2014

Skills:
Also Serves On: Orange Unified Transportation Board

Ms. Joyce Christine Preslar

9417 Bethel-Hickory Grove Ch Rd
Chapel Hill NC 27516

Day Phone: 919-932-0603
Evening Phone:
Cell Phone:
E-mail: Presley_Joy@yahoo.com

Sex: Female
Race: Caucasian
Township: Bingham
Res. Eligibility:
Date Applied: 09/13/2013

Skills: Arts
Skills: Public Health and Safety
Skills: Real Estate
Also Serves On: Human Relations Commission

Ms. Jennifer Shelton

5705 Field Court
Mebane NC 27302

Day Phone: 919-304-6557
Evening Phone: 919-304-6557
Cell Phone: 336-512-0686
E-mail: jshelton@email.unc.edu

Sex: Female
Race: Caucasian
Township: Cheeks
Res. Eligibility: County
Date Applied: 04/03/2015

Skills:
Also Serves On: Arts Commission

Applicant Interest Listing

by Board Name and by Applicant Name

Historic Preservation Commission (APPLICANTS S

Contact Person: Peter Sandbeck
Contact Phone: 919-245-2517

Cherylann Thompson
2418 Hurdle Mills Rd.
Cedar Grove NC 27231

Day Phone: 919-943-0061
Evening Phone: 919-943-0061
Cell Phone: 919-943-0061
E-mail: ilcjbrcs@live.unc.edu

Sex: Female
Race: Caucasian
Township: Cedar Grove
Res. Eligibility: County
Date Applied: 06/18/2015

Skills:

Also Serves On:

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr Luther Black
Name Called:	
Home Address:	1211 Hummingbird Hill Chapel Hill NC 27517
Phone (Day):	919-605-4023
Phone (Evening):	919-605-4023
Phone (Cell):	919-605-4023
Email:	lukeblack3@gmail.com
Place of Employment:	GlaxoSmithKline
Job Title:	Senior Advisor, Quality Assurance
Year of OC Residence:	1996
Township of Residence:	Chapel Hill
Zone of Residence:	
Sex:	Male
Ethnic Background:	Caucasian

Community Activities/Organizational Memberships:

We actively give to charity, but are not members of any organization. That s partly why I would like to be involved, so I can give back to the community.

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

Orange Water & Sewer Authority Board of Directors

Background, education and experience relevant to this board:

I have an education in Chemistry, and work in the pharmaceutical field in Quality. My grandfather was part of the PWC in Fayetteville, and I am familiar with what this department normally does, via that exposure.

Reasons for wanting to serve on this board:

To give back to the community.

Conflict of Interest:

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERRITORIAL

Background, education and experience relevant to this board:

I am active antique collector ranging across numerous subject matter areas, and I have worked to restore a lot of the items I have acquired through working with certified members of the American Institute of Conservation. I am also interested in old homes and restoration of homes, particularly hand hewn timbers and colonial style architecture. My interests have taught me a lot, and I feel I could add something to the board, if considered.

Reasons for wanting to serve on this board:

To give back to the community.

Conflict of Interest:

Supplemental Questions:

Orange Water & Sewer Authority Board of Directors

Please list/explain your experience, either professionally and/or from other boards/commissions that you have in the areas of budget, personnel, and management.

I have not worked on other boards for the county, however, I do work in a matrixed environment at GSK (employer) and have to interface with a number of departments globally and operated under a budget when representing the community externally.

I have a wide range of interests, skills, and education that position me well for supporting rolls in public works as well as public restoration/conservation.

In addition to the experience listed in the question above, please list the work/volunteer experience/qualifications that would add to your expertise for this board.

My background and education are stated above. My attention to detail and quality, in all that I do, due to my line of work, will be quite useful in roles like these.

What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

To represent the entire county in a fair and balanced manner, with the best interest of the community at large. The voice of a public representative should be a conduit for which others can feed their concerns. I want to be that advocate for the community.

What is OWASA's role in growth/development issues?

OWASA s role is to ensure management of the supply and demand for public works that function in tandem with the growning population and ever-changing climate of both the home and work spaces around us. The best-managed decisions are well-informed and debated in a public forum with subject matter experts there to vett the topic(s) with the right questions. OWASA is the forum for those discussions.

Other Comments:

This application was current on: 1/8/2014 10:00:14 PM **Date Printed:** 1/9/2014

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

Community Activities/Organizational Memberships:

Contracted Qualified Professional @ Ethel's Footprints, - Burlington, NC (Feb 2014-Present)- provide counseling services in facility and at consumer's homes. Works independently to provide clinical interventions based on best practice counseling models and techniques to work effectively with children and families. Duties include but are not limited to: conducting clinical assessments, developing treatment plans with client and family participation, providing individual, family, and group therapeutic sessions, and providing on-call crisis intervention services.

Contracted Authorization Professional @ Just In Time Youth Services, -Burlington, NC (Nov 2113-Present) -Provide documentation to MCO's for managed specialized care (inpatient, outpatient, ancillary services for consumers. Ensuring that all initial and reauthorizations for services occur in a timely fashion.

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Durham Technical Community College Board of Trustees

Background, education and experience relevant to this board:

Reasons for wanting to serve on this board:

Conflict of Interest:

Board of Social Services

Background, education and experience relevant to this board:

Reasons for wanting to serve on this board:

Conflict of Interest:

Economic Development Advisory Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

Reasons for wanting to serve on this board:

Conflict of Interest:

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERRITORIAL

Background, education and experience relevant to this board:

Reasons for wanting to serve on this board:

Conflict of Interest:

Supplemental Questions:

Durham Technical Community College Board of Trustees

What improvements do you believe can be made so that DTCC better serves the residents of Orange County?

Durham Technical Community College is a vital source of education to many individuals seeking to improve their lifestyles, as well as their economic status within Orange County. Due to the population growth we are seeing in this area; it is imperative DTCC be on the forefront to provide the necessary tools for our residents to be competitive in the 21st century job market.

One of the major improvements DTCC can implement now and in the future is a science and mathematics program. Because we live in the shadow of the UNC Hospital, there is a high demand in the field of clinical research, medical, scientific and mathematical engineering. If we continue to grow both economically and socially in this area, and attract new businesses that highlight these particular career, we must be able to readily produce the individuals who can meet the demand, rather than recruit others from around the world to fulfill these perspective positions.

Orange County residents deserve the opportunity to take advantage of the high income jobs offered in their area. DTCC can provide the residents here that opportunity through the benefits of a quality education. DTCC needs to improve its recruitment process by aggressively offering courses that target our area and its' desire and need to be relevant. With DTCC's commitment to Orange County residents, we can readily be one of the most influential places to reside in North Carolina.

Thank you for the opportunity to voice my interest with DTCC and the privilege to serve my community of Orange County with pride and respect.

Respectfully Submitted,

Susie Wright Enoch, BA, Mdiv,

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 educted 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 Univeristy Medical Center-Pastoral Services, Durham, NC C.P.E. Residency, 3 Units- May 2011
Duke Univeristy 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 Sevices, 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: 3/6/2015 **Date Printed:** 7/31/2015

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Dr. 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):	704-989-4886
Email:	roundunderpar@gmail.com
Place of Employment:	self
Job Title:	Consultant
Year of OC Residence:	2012
Township of Residence:	Cedar Grove
Zone of Residence:	
Sex:	Male
Ethnic Background:	Caucasian

Community Activities/Organizational Memberships:

I have applied in previous years but was never contacted. Now I see an article in the Northern Orange Extra with a plea for volunteers....I would love to become involved but no one has ever responded or acknowledged my past attempts.

Past Service on Orange County Advisory Boards:

None, see previous comment.

Boards/Commissions applied for:

Affordable Housing Advisory Board

Background, education and experience relevant to this board:

I have a doctorate in education.

Reasons for wanting to serve on this board:

To serve my community in a an unbiased way.

Conflict of Interest:

Arts Commission

Background, education and experience relevant to this board:

I have a doctorate in education.

Reasons for wanting to serve on this board:

To serve my community in a an unbiased way.

Conflict of Interest:

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERRITORIAL

Background, education and experience relevant to this board:

I have a doctorate in education.

Reasons for wanting to serve on this board:

To serve my community in a an unbiased way.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 1/9/2014 2:20:42 PM **Date Printed:** 1/13/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr Kolby Herndon
Name Called:
Home Address: 114 W Union St
Hillsborough NC 27278
Phone (Day): 919-794-1258
Phone (Evening): 919-794-1258
Phone (Cell): 919-794-1258
Email: Kolbyherndon@gmail.com
Place of Employment: Aflac
Job Title: Aflac agency owner
Year of OC Residence: 2011
Township of Residence: Hillsborough
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

I want to become more involved in Orange County activities. My wife and I live in Hillsborough. Her family has been apart of the Hillsborough community for 9 generations. I am new and have started my business here and want to do what I can to impact this wonder area to make sure it maintains the reputation it has when my future kids are starting their families here. Thanks for your consideration.

Past Service on Orange County Advisory Boards:

N/A

Boards/Commissions applied for:

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERRITORIAL

Background, education and experience relevant to this board:

I have lived at a historic property in Hillsborough for 3 years. My previous business ventures were in restoration and preservation at a construction company. I have been in the insurance industry for 5 years. My home is featured as apart of this years flower tour in Hillsborough.

Reasons for wanting to serve on this board:

I want to help preserve this amazing town. It means so much to me to be apart of a family that has been here for so long and made the impact they have. I want to continue their legacy as well as be certain when change does happen it is in the best interest for the town and my Family.

Conflict of Interest:

Affordable Housing Advisory Board

Background, education and experience relevant to this board:

My previous business ventures were in restoration and preservation at a construction company. With this back ground I think I could offer a valuable opinion on how to implement an affordable plan that will make everyone see that this is good for the community.

Reasons for wanting to serve on this board:

I believe having affordable housing brings all walks of life and manifest a culture that is diverse in a way that allows everyone to be apart of this town. Everyone wants to feel important in some way and owning a home in a town of significance in my view opens many doors that may not always be attainable for all without the promise of affordability.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 5/11/2015 2:53:17 PM **Date Printed:** 5/13/2015

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr. Clifford Leath
Name Called:	
Home Address:	6600 Maynard Farm Road Chapel Hill NC 27516
Phone (Day):	919.968.0708
Phone (Evening):	919.968.0708
Phone (Cell):	919.357.8181
Email:	cliffleath@earthlink.net
Place of Employment:	1st Choice Cabinetry LLC Raleigh NC
Job Title:	Owner
Year of OC Residence:	1994
Township of Residence:	Bingham
Zone of Residence:	County
Sex:	Male
Ethnic Background:	Caucasian

Community Activities/Organizational Memberships:

Project EnGage 3 month course

Eno River Association, Past Board Member, Past Finance Committee Chair and current Finance Committee member. Preserve Rural Orange Board Member

Past Service on Orange County Advisory Boards:

I have not served previously on any Orange County Advisory Board

Boards/Commissions applied for:

Commission for the Environment

Background, education and experience relevant to this board:

I am a proponent of Environmentally sound practices. I currently own a farm, and my family has farmed in Orange County as far back as 1700

Reasons for wanting to serve on this board:

I am interested in seeing environmentally sound practices used in Orange County to safeguard and protect the environment

Conflict of Interest:

Economic Development Advisory Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

I have been a business owner employing folks for 40 years. First in the textile business in Burlington, and currently in the cabinetry business in Raleigh. I have been active in many organizations like the Chamber of Commerce, bank board, university advisory boards at NC State, etc. and understand business.

Reasons for wanting to serve on this board:

I would like to see a vibrant sustainable economy in Orange county that creates and maintains good jobs for our citizens.

Conflict of Interest:

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERRITORIAL

Background, education and experience relevant to this board:

I have always been a proponent of documenting and preserving, if possible, our heritage sites. I am a History major, and understand the importance of knowing about and keeping our history relevant and in the minds of our citizens

Reasons for wanting to serve on this board:

I have met with Peter Sandbeck and have an understanding of the scope of work that he is involved in along with the activities that the commission is involved in, and think that I could add value with my participation on the commission.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 1/19/2014 11:32:22 AM **Date Printed:** 1/21/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms. Alexandria Mead
Name Called:
Home Address: 1702 McRae Pl.
Hillsborough NC 27278
Phone (Day): 919.357.2214
Phone (Evening): 919.357.2214
Phone (Cell): 919.357.2214
Email: alexandria.mead@meadholm.com
Place of Employment: Leland Little Auctions
Job Title: Office Mangemant
Year of OC Residence: 2004
Township of Residence: Hillsborough
Zone of Residence:
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:
Wall Site Archaeology Excavation 2015, Volunteer

Past Service on Orange County Advisory Boards:
None

Boards/Commissions applied for:

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERRITORIAL

Background, education and experience relevant to this board:

M.A. in Archaeology, University College of London
B.A. Anthropology, UNC-Chapel Hill
I have participated in four archaeological field seasons, including site in Hillsborough, and two years at Old Salem.

Reasons for wanting to serve on this board:

I have a strong interest in Historical Archaeology and Historic Preservation and want to participate in preserving Orange County history.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 9/27/2015 1:27:54 PM **Date Printed:** 9/30/2015

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms. Joyce Christine Preslar
Name Called:
Home Address: 9417 Bethel-Hickory Grove Ch Rd
Chapel Hill NC 27516
Phone (Day): 919-967-0367
Phone (Evening): 919-357-6198
Phone (Cell):
Email: joypreslar@gmail.com
Place of Employment: CH/Carrboro City Schools
Job Title: Substitute Teacher
Year of OC Residence:
Township of Residence: Bingham
Zone of Residence:
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERRITORIAL

Background, education and experience relevant to this board:

Reasons for wanting to serve on this board:

Conflict of Interest:

Supplemental Questions:

Work Experience: 10 years @UNC Hospitals, (Cardiac, Labs, Anesthesiology Dept, Cardiac Surveillance) 4 years Dept. of Public Safety, UNC-CH. 8 years CHCCS substitute teacher, all levels.

Volunteer Experience: Carrboro Arts Committee, 4 years Carrboro Film Festival, 2 years; CH Christmas Parade, 5 years UNC Hospitals Employee Forum/Volunteer Liason (Canrdia Labs), 3 years UNC Hospitals music on the Commons (Pt/Staff entertainment event), Coordinator, 4 years

Education: UNC-CH BA African American Studies (less one exam Math 10), Notary, Bus. Finance, Microcomputer, Real Estate Fundamentals - DTI

Other Comments:

STAFF COMMENTS: Originally applied for OWASA, Human Relations Commission & Historic Preservation on 6/23/08. Updated application to add HRC on 04/14/2011. UPDATED APPLICATION TO REMAIN ON HISTORIC PRESERVATION COMMISSION ON 09/13/2013. ADDRESS VERIFICATION: 9417 Bethel-Hickory Grove Ch Rd is Bingham Township, OCPL jurisdiction.

This application was current on: 9/13/2013 **Date Printed:** 12/27/2013

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms. Jennifer Shelton
Name Called:
Home Address: 5705 Field Court
Mebane NC 27302
Phone (Day): 919-304-6557
Phone (Evening): 919-304-6557
Phone (Cell): 336-512-0686
Email: jshelton@email.unc.edu
Place of Employment: The Hawbridge School
Job Title: Teacher and Director of Instructional Assessment a
Year of OC Residence: 1993
Township of Residence: Cheeks
Zone of Residence: County
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:
National Honor Society Adviser (lead students in community service and leadership)

Past Service on Orange County Advisory Boards:
Orange County Commission for Women

Boards/Commissions applied for:

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERRITORIAL

Background, education and experience relevant to this board:
Teacher of NC and US history at The Hawbridge School, Saxapahaw, NC

Reasons for wanting to serve on this board:
In addition to a personal love of the history of the area and a passion for learning about historical locations throughout the South, my relatives settled in Orange County, NC in the late 1700s. I am still trying to locate the grave of my great-grandparents (grandfather died in 1801).

Conflict of Interest:

Arts Commission

Background, education and experience relevant to this board:
Art history courses at Vanderbilt University

Reasons for wanting to serve on this board:
I have been actively following local artists in Hillsborough and Mebane for a decade now. I am a regular at all the art walks and never miss the Eno Gallery Art in the Garden event. Our local art scene is part of what makes Orange County unique.

Conflict of Interest:

Durham Technical Community College Board of Trustees

Background, education and experience relevant to this board:

I hold a Master s Degree from UNC Chapel Hill and have been a college instructor for over 15 years. I have worked in the continuing education department at Alamance Community College so am familiar with the community college system. I also teach high school at The Hawbridge School and know the value community colleges add to the local community.

Reasons for wanting to serve on this board:

All of my work experience for the past 25 years has been in education. Education is a passion of mine.

Conflict of Interest:

Supplemental Questions:

Durham Technical Community College Board of Trustees

What improvements do you believe can be made so that DTCC better serves the residents of Orange County?

I have lived in Orange County for 22 years and have worked in the field of education the entire time. I spend a great deal of my time in Hillsborough. I frequent businesses and the library. I rarely miss a town festival. I am in Chapel Hill at least once a week. While I am quite familiar with Alamance Community College, the Durham campus of Durham Technical Community College and the local universities, I have minimum knowledge of the Orange County campus of DTCC. I realize the campus was only opened in 2008, but I have not come across information about the Orange County campus of DTCC, other than what I've actively sought out through the website and social media. From what I've found through my research, the college provides many excellent opportunities for both formal and informal education. So, one way that DTCC could better serve the residents of Orange County is to help the residents of Orange County become more aware of the diverse ways in which the campus serves Orange County.

Other Comments:

This application was current on: 4/3/2015 10:01:01 AM **Date Printed:** 7/31/2015

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Cherylann Thompson
Name Called:
Home Address: 2418 Hurdle Mills Rd.
Cedar Grove NC 27231
Phone (Day): 9199430061
Phone (Evening): 9199430061
Phone (Cell): 9199430061
Email: ilcjbrcs@live.unc.edu
Place of Employment: Roland's Auto Center, Inc.
Job Title: Office Manager
Year of OC Residence: 1988
Township of Residence: Cedar Grove
Zone of Residence: County
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

I am a recent graduate of UNC-Chapel Hill. My double major was US History and Southern Studies, with a minor in African American Studies. I have done extensive research on Historic Stagville (one time part of Orange County), the Cameron/Bennehan family, and the slaves and their descendants. I have a great interest in the history and historical preservation of Orange County.

I participated in the Candlelight Tour several times in High School and volunteered at the Burwell School and Colonial Inn. I was also in the History Club at Orange High School.

I would like to be considered for the vacancy of the board of Historic Preservation Commission. I can submit my CV and references upon request.

Past Service on Orange County Advisory Boards:

N/A

Boards/Commissions applied for:

Historic Preservation Commission (APPLICANTS SHALL RESIDE WITHIN THE TERRITORIAL

Background, education and experience relevant to this board:

I have a Bachelor s degree in US History and Southern Studies. I plan to pursue my Master s degree next.

Reasons for wanting to serve on this board:

It is where my educational background and interests lie.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 6/18/2015 11:09:13 AM **Date Printed:** 6/22/2015

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 11-c

SUBJECT: Human Relations Commission – Appointment

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Resolution Town of Carrboro
Application for Person Recommended
Applicant Interest List
Applications of Persons on the Interest List

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To consider making an appointment to the Human Relations Commission.

BACKGROUND: The following information is for Board consideration:

- Appointment to a partial term (Position #2) "Town of Carrboro" representative Colin O'Banion expiring 06/30/2017.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
18	Colin O'Banion	Town of Carrboro	06/30/2017

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- *Position #15--- "At-Large" position----- expiring 06/30/2016. **This position has been vacant since 07/17/2015.**
- *Position #16--- "At-Large" position----- expiring 06/30/2018. **The HRC has requested this position remain open until they are able to recruit a representative from the Hispanic community to round out the commission. This position has been vacant since 09/30/2014.**

FINANCIAL IMPACT: None

SOCIAL JUSTICE IMPACT: Enable Full Civic Participation. Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

RECOMMENDATION(S): The Manager recommends that the Board consider making appointments and changes to the Human Relations Commission.

Board and Commission Members

And Vacant Positions

Human Relations Commission

Meeting Times: 6:00 pm second Monday of each month
Terms: 2
Contact Person: James Davis
Meeting Place: Community Room of the Animal Services Facility
Positions: 18
Length: 3 years
Contact Phone: 919-245-2488

Description: The Board of Commissioners appoints all eighteen members. The Towns of Chapel Hill, Carrboro and Hillsborough each nominate at least one member. This commission seeks to prevent and/or eliminate bias and discrimination by means of education, persuasion, conciliation and enforcement. It also advises the Board of County Commissioners on these matters, receives discrimination complaints, and conducts the corresponding investigation of such complaints. To learn more, visit this web address: www.co.orange.nc.us/hrr/hrc.asp

1 **Dr. Christine Kelly-Kleese**
9512 Greenfield Road
Chapel Hill NC 27516

Day Phone: 919-622-5898
Evening Phone:
FAX: 686-3396
E-mail: drkelly44@gmail.com

Sex: Female
Race: Caucasian
Township: Bingham
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 01/20/2011
Current Appointment: 06/16/2015
Expiration: 06/30/2018
Number of Terms: 2

2 **Mr Andy Cagle**
3420 Mount Willing Rd.
Efland NC 27243

Day Phone: 336-214-0149
Evening Phone: 336-214-0149
FAX:
E-mail: andycagle3@gmail.com

Sex: Male
Race: Caucasian
Township: Cheeks
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 03/17/2015
Current Appointment: 09/15/2015
Expiration: 09/30/2018
Number of Terms: 1

3 **Ms. Vanessa Soleil**
108 Sue Ann Court
Apt. D
Carrboro NC 27510

Day Phone: 919-245-2897
Evening Phone:
FAX:
E-mail: vsoleil@orangecountync.gov

Sex: Female
Race: Caucasian
Township: Hillsborough
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 06/03/2014
Current Appointment: 09/15/2015
Expiration: 09/30/2018
Number of Terms: 1

4 **Mr. Alan Jefferies**
555 Paul Hardin Dr
Chapel Hill NC 27514

Day Phone: 336-906-6247
Evening Phone: 919-962-5626
FAX:
E-mail: alanjefferies5@gmail.com

Sex: Male
Race: African American
Township: Chapel Hill
Resid/Spec Req: Chapel Hill
Special Repr: Town of Chapel Hill

First Appointed: 11/06/2014
Current Appointment: 11/06/2014
Expiration: 06/30/2017
Number of Terms: 1

5 **Mr. Marc Xavier**
906 Savannah Court
Hillsborough NC 27278

Day Phone: 919-368-8102
Evening Phone: 919-368-8102
FAX:
E-mail: MXAVIER88@GMAIL.COM

Sex: Male
Race: African American
Township: Hillsborough
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 05/21/2013
Current Appointment: 10/07/2014
Expiration: 06/30/2017
Number of Terms: 1

Board and Commission Members

And Vacant Positions

Human Relations Commission

Meeting Times: 6:00 pm second Monday of each month | Terms: 2 | Contact Person: James Davis

Meeting Place: Community Room of the Animal Services Facility | Positions: 18 | Length: 3 years | Contact Phone: 919-245-2488

Description: The Board of Commissioners appoints all eighteen members. The Towns of Chapel Hill, Carrboro and Hillsborough each nominate at least one member. This commission seeks to prevent and/or eliminate bias and discrimination by means of education, persuasion, conciliation and enforcement. It also advises the Board of County Commissioners on these matters, receives discrimination complaints, and conducts the corresponding investigation of such complaints. To learn more, visit this web address: www.co.orange.nc.us/hrr/hrc.asp

6	Robin R. Criffield 800B Davie Road Carrboro NC 27510	Day Phone: 919-933-5505 Evening Phone: 919-933-5505 FAX: E-mail: robincriffield@msn.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 03/17/2015 Current Appointment: 03/17/2015 Expiration: 09/30/2016 Number of Terms:		
7	Ms. Joyce Christine Preslar 9417 Bethel-Hickory Grove Ch Rd Chapel Hill NC 27516	Day Phone: 919-932-0603 Evening Phone: FAX: 919-967-0367 E-mail: Presley_Joy@yahoo.com	Sex: Female Race: Caucasian Township: Bingham Resid/Spec Req: At-Large Special Repr:	First Appointed: 08/23/2011 Current Appointment: 06/18/2013 Expiration: 06/30/2016 Number of Terms: 1		
8	Mr. Matt Hughes 13106 Drew Hill Lane Chapel Hill NC 27514	Day Phone: 919-928-4480 Evening Phone: 919-928-4480 FAX: E-mail: mghughesnc@gmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 01/20/2011 Current Appointment: 10/07/2014 Expiration: 06/30/2017 Number of Terms: 2		
9	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: 06/16/2015 Current Appointment: 06/16/2015 Expiration: 09/30/2016 Number of Terms:		
10	Ms. Monica Richard Vice-Chair D4 Fenway Park Carrboro NC 27510	Day Phone: 919-932-1273 Evening Phone: FAX: E-mail: mlrichard@mindspring.com	Sex: Female Race: African American Township: Chapel Hill Resid/Spec Req: Carrboro Special Repr: Town of Carrboro	First Appointed: 09/17/2013 Current Appointment: 09/17/2013 Expiration: 06/30/2016 Number of Terms: 1		

Board and Commission Members

And Vacant Positions

Human Relations Commission

Meeting Times: 6:00 pm second Monday of each month | Terms: 2 | Contact Person: James Davis

Meeting Place: Community Room of the Animal Services Facility | Positions: 18 | Length: 3 years | Contact Phone: 919-245-2488

Description: The Board of Commissioners appoints all eighteen members. The Towns of Chapel Hill, Carrboro and Hillsborough each nominate at least one member. This commission seeks to prevent and/or eliminate bias and discrimination by means of education, persuasion, conciliation and enforcement. It also advises the Board of County Commissioners on these matters, receives discrimination complaints, and conducts the corresponding investigation of such complaints. To learn more, visit this web address: www.co.orange.nc.us/hrr/hrc.asp

11	Rev. Rollin Russell 202 Saponi Drive Hillsborough NC 27278	Day Phone: 919-644-0869 Evening Phone: 919-644-0869 FAX: E-mail: rollinrussell@nc.rr.com	Sex: Male Race: Caucasian Township: Hillsborough Resid/Spec Req: Hillsborough Special Repr: Town of Hillsborough	First Appointed: 08/23/2011 Current Appointment: 06/16/2015 Expiration: 06/30/2018 Number of Terms: 2		
12	Ms. Natalie Turner Secretary 310 Hemlock Drive Durham NC 27705	Day Phone: 919-684-7669 Evening Phone: FAX: E-mail: nwu.2485@gmail.com	Sex: Female Race: Asian American Township: Hillsborough Resid/Spec Req: At-Large Special Repr:	First Appointed: 03/17/2015 Current Appointment: 03/17/2015 Expiration: 06/30/2016 Number of Terms: 1		
13	Mr. Gerald Ponder Chair 2 Winnawa Walk Hillsborough NC 27278	Day Phone: 919-732-8576 Evening Phone: 919-732-8576 FAX: E-mail: Gaponder@gmail.com	Sex: Male Race: Caucasian Township: Hillsborough Resid/Spec Req: Hillsborough Special Repr: Town of Hillsborough	First Appointed: 11/08/2012 Current Appointment: 10/07/2014 Expiration: 06/30/2017 Number of Terms: 1		
14	Mr. Scott Goldsmith 1412 Arboretum Drive Chapel Hill NC 27517	Day Phone: 919-240-4404 Evening Phone: 919 240-4404 FAX: E-mail: goldsmithsj@hotmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 03/17/2015 Current Appointment: 09/15/2015 Expiration: 09/30/2018 Number of Terms: 1		
15	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: At-Large Special Repr:	First Appointed: Current Appointment: Expiration: 06/30/2016 Number of Terms:		

Board and Commission Members

And Vacant Positions

Human Relations Commission

Meeting Times: 6:00 pm second Monday of each month
Terms: 2
Contact Person: James Davis
Meeting Place: Community Room of the Animal Services Facility
Positions: 18
Length: 3 years
Contact Phone: 919-245-2488

Description: The Board of Commissioners appoints all eighteen members. The Towns of Chapel Hill, Carrboro and Hillsborough each nominate at least one member. This commission seeks to prevent and/or eliminate bias and discrimination by means of education, persuasion, conciliation and enforcement. It also advises the Board of County Commissioners on these matters, receives discrimination complaints, and conducts the corresponding investigation of such complaints. To learn more, visit this web address: www.co.orange.nc.us/hrr/hrc.asp

16 VACANT

Day Phone:
Evening Phone:
FAX:
E-mail:

Sex:
Race:
Township:
Resid/Spec Req: At-Large
Special Repr:

First Appointed:
Current Appointment:
Expiration: 06/30/2018
Number of Terms:

17 Ms. Jamie Paulen

5500 Spring House Lane
Chapel Hill NC 27516

Day Phone: 216-965-5095
Evening Phone:
FAX:
E-mail: jamiepaulen@gmail.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req: At-Large
Special Repr:

First Appointed: 05/21/2013
Current Appointment: 03/17/2015
Expiration: 06/30/2017
Number of Terms: 1

18 VACANT

Day Phone:
Evening Phone:
FAX:
E-mail:

Sex:
Race:
Township:
Resid/Spec Req: Carrboro
Special Repr: Town of Carrboro

First Appointed:
Current Appointment:
Expiration: 06/30/2017
Number of Terms:

A RESOLUTION RECOMMENDING AN APPOINTMENT TO THE ORANGE COUNTY HUMAN RELATIONS COMMISSION

WHEREAS, the Town of Carrboro has two seats on the Orange County Human Relations Commission; and one of those seats is vacant; and,

WHEREAS, Ashley Givens and Colin O'Banion have submitted applications expressing interest in serving as a Carrboro representative on the Orange County Human Relations Commission.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY RESOLVES:

Section 1. The Board of Aldermen hereby recommends that the Orange County Board of Commissioners appoint Colin O'Banion as a Carrboro representative on the Orange County Human Relations Commission.

Section 2. This resolution shall become effective upon adoption.

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Colin O'Banion
Name Called:
Home Address: 400 Davie Rd #6
Carrboro NC 27510
Phone (Day): 585-278-7553
Phone (Evening): 585-278-7553
Phone (Cell): 585-278-7553
Email: obanion.colin@gmail.com

Place of Employment: Graduate Student
Job Title: Research Assistant UNC Chapel Hill

Year of OC Residence: 2011

Township of Residence: Chapel Hill
Zone of Residence:

Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Frequent Carrboro restaurants and businesses including Weaver St. Market and Farmer s Market. This is my first foray into getting involved officially with the Carrboro community. Outside of the community and as part of graduate school I am a member of the American Association for the Advancement of Sciences, the American Foundation for Pharmaceutical Education, and a former member of the American Society for Biochemistry and Molecular Biology. I was also a founding member and chairman of the UNC Eshelman School of Pharmacy Alumni Outreach Committee.

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

Human Relations Commission

Background, education and experience relevant to this board:

I have lived in Carrboro for nearly five years and I absolutely love this community. I care deeply for the community that is Carrboro, North Carolina, and I would very much like to become more involved in the town and community itself. I am currently a PhD student at UNC Chapel Hill and I plan to stay in the area after I graduate. I am an honest person who lives with integrity and do my best to come from a place of loving kindness and practicality when faced with decisions. I love working with groups and committees to make my community a better place. For example, I am a founding member and former chairman of the UNC School of Pharmacy Alumni Outreach Committee: a committee that is designed to facilitate mentoring, networking, and information on non-traditional roles for PhD students between current students and Alumni of the EsO~II llCln$gh()<?l<?tPoClrmClgy~FLJrtb~rm<?r~,Jha\l~b~JqClnumber of leadership positions in my life that have required me to work with people, advise them on appropriate actions, and organize events. A short list is: Chairman of Alumni Outreach Committee at UNC, Senior graduate student mentor for undergraduate researchers, Community tutor, former executive committee

member of Phi Kappa Tau fraternity in Rochester NY, Member of student review committee for UNC Eshelman School of Pharmacy Strategic Plan.

Reasons for wanting to serve on this board:

I would like to be appointed because I love Carrboro and I love the community that is Carrboro. I am interested in the Human Relations Board because it offers a place to specifically address matters pertaining to keeping/making the Carrboro community a safe, open, and understanding place. I believe that my own personal experiences il1 life and my passion for treating humans with loving kindness will aid myself and the board in developing plans that will keep Carrboro the accepting wonderful place that it is! I am interested in the Greenways Commission because I love the outdoors and the greenways in this town and I want to do whatever I can to keep them the wonderful, beautiful little bits of paradise hidden behind the houses that they are! My only reasoning in preference of the Human Relations Board over the Greenways Commission is that there appears to be more meetings and opportunities to interact with the board for Human Relations relative to Greenways.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 9/17/2015 9:50:01 AM **Date Printed:** 9/17/2015

Applicant Interest Listing

by Board Name and by Applicant Name

Human Relations Commission

Contact Person: James Davis
Contact Phone: 919-245-2488

Ashley Givens
101 Rock Haven Road D401
Carrboro NC 27510

Day Phone: 479-790-58
Evening Phone: 479-790-58
Cell Phone: 479-790-58
E-mail: ashleyd.givens@gmail.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Res. Eligibility: Carrboro City Limits
Date Applied: 08/10/2015

Skills:
Also Serves On:

Skills:
Also Serves On:

Prof. R. Ross Holloway
711 West Main St.
Carrboro NC 27510

Day Phone: 9199422785
Evening Phone: 9199422785
Cell Phone: 4019356417
E-mail: r_holloway@brown.edu

Sex: Male
Race: Caucasian
Township: Chapel Hill
Res. Eligibility: Carrboro City Limits
Date Applied: 12/05/2014

Skills:
Also Serves On:

Colin O'Banion
400 Davie Rd #6
Carrboro NC 27510

Day Phone: 585-278-7553
Evening Phone: 585-278-7553
Cell Phone: 585-278-7553
E-mail: obanion.colin@gmail.com

Sex: Male
Race: Caucasian
Township: Chapel Hill
Res. Eligibility:
Date Applied: 09/17/2015

Skills:
Also Serves On:

Elizabeth O'Quinn
6451 Compton Rd
Cedar Grove NC 27231

Day Phone: 9193566568
Evening Phone: 9193566568
Cell Phone: 9193566568
E-mail: oquinneqf@gmail.com

Sex: Female
Race: Caucasian
Township: Cedar Grove
Res. Eligibility: County
Date Applied: 09/20/2015

Skills:
Also Serves On:

Mr Tod Puckett
115 Fellowship Lane
Rougemont NC 27572

Day Phone: 919-245-1968
Evening Phone: 919-245-1968
Cell Phone:
E-mail: puckett.tod@gmail.com

Sex: Female
Race: Caucasian
Township: Little River
Res. Eligibility: County
Date Applied: 01/21/2015

Skills:
Also Serves On:

Applicant Interest Listing

by Board Name and by Applicant Name

Human Relations Commission

Contact Person: James Davis
Contact Phone: 919-245-2488

Desaray Rockett
118 N Oakland Dr
Mebane NC 27302

Day Phone: 919-824-0103
Evening Phone: 919-568-0403
Cell Phone: 919-9230211
E-mail: dezziboo02@yahoo.com

Sex: Female
Race: African American
Township: Cheeks
Res. Eligibility: Mebane City Limits
Date Applied: 09/18/2015

Skills:

Also Serves On:

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ashley Givens
Name Called:
Home Address: 101 Rock Haven Road D401
Carrboro NC 27510
Phone (Day): 479-790-58
Phone (Evening): 479-790-58
Phone (Cell): 479-790-58
Email: ashleyd.givens@gmail.com
Place of Employment: UNC - Chapel Hill
Job Title: Doctoral Student
Year of OC Residence: 2014
Township of Residence: Chapel Hill
Zone of Residence: Carrboro City Limits
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:
King s Park International Church

Past Service on Orange County Advisory Boards:
None

Boards/Commissions applied for:

Human Relations Commission

Background, education and experience relevant to this board:

King s Park International Church
I have a Master s in Social Work which will aide me in having an objective perspective for this specific board. I have also supervised, managed, and organized meetings and employees. Further, I have experiencing planning and hosting a summit intended to discuss such topics as poverty, inequity, racial disparities, and inequality. I have served on multiple committees and attended many faculty meetings at a university level as well.

Reasons for wanting to serve on this board:

Since moving to the area, I have experienced great integration and progressive thinking as well as close-minded thinking on the part of a few individuals. I hope that by serving on this board I can become more integrated into the community, as well as contribute to the expansion of equity to the members of this community.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 8/10/2015 10:47:42 AM **Date Printed:** 9/17/2015

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Prof. R. Ross Holloway
Name Called:
Home Address: 711 West Main St.
Carrboro NC 27510
Phone (Day): 9199422785
Phone (Evening): same
Phone (Cell): 4019356417
Email: r_holloway@brown.edu
Place of Employment: Brown University
Job Title: Elisha Benjamin Andrews Professor, Emeritus
Year of OC Residence: 2010
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:
Chapel Hill - Carrboro Meals on Wheels, substitute driver

Chapel of the Cross, transportation provider

Past Service on Orange County Advisory Boards:
None

Boards/Commissions applied for:

Human Relations Commission

Background, education and experience relevant to this board:

I am proud of my forty years experience in serving as staff member and director of archaeological excavations in the Mediterranean. In doing so I became immersed in other nations and other cultures, leading, in the case of Italy, to a brief stint as expert commentator on the National Television (RAI). I believe that I represent the unprejudiced attitude of pagan Greece and Roman toward the other, who is not the other, but only ourselves in different garb.

Reasons for wanting to serve on this board:

There is a pressing need in America for following Emma Lazarus call to embrace the downtrodden, which I define today as the pitiful women and children of Central America who seek asylum with us. My mother was a third generation Irish girl in Boston, where being Irish had been hardly better than being black in the states of the old confederacy. As a small child during the Depression I listened to the cries for Social Justice on the Boston Common.

Conflict of Interest:

Board of Social Services

Background, education and experience relevant to this board:

see above

Reasons for wanting to serve on this board:

see above

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 12/5/2014 5:52:03 PM **Date Printed:** 12/12/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Elizabeth O'Quinn
Name Called:	
Home Address:	6451 Compton Rd Cedar Grove NC 27231
Phone (Day):	9193566568
Phone (Evening):	9193566568
Phone (Cell):	9193566568
Email:	oquinneqf@gmail.com
Place of Employment:	Teach For America - Eastern North Carolina
Job Title:	Manager, Strategy + Operations
Year of OC Residence:	2014
Township of Residence:	Cedar Grove
Zone of Residence:	
Sex:	Female
Ethnic Background:	Caucasian

Community Activities/Organizational Memberships:

I am a member of Cedar Grove United Methodist Church and the Junior League of Durham and Orange County. I also volunteer as a reader (mostly listen as they read!) with 1st graders at Eastway Elementary in East Durham.

Past Service on Orange County Advisory Boards:

n/a

Boards/Commissions applied for:

Human Relations Commission

Background, education and experience relevant to this board:

In my professional environment, I am part of one avenue that aims to eliminate bias (primarily through education). My career development has included Racial Equity Institute training as well as ongoing analysis of both systemic racial inequities and personal race development.

Reasons for wanting to serve on this board:

Because my work is done on a statewide level, I feel disconnected to the work being done in my community to eliminate bias and discrimination; I believe this board would afford me the opportunity to connect to Orange County on a deeper level.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 9/20/2015 2:30:47 PM **Date Printed:** 9/21/2015

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr Tod Puckett
Name Called:
Home Address: 115 Fellowship Lane
Rougemont NC 27572
Phone (Day): 919-245-1968
Phone (Evening): 919-245-1968
Phone (Cell): n/a
Email: puckett.tod@gmail.com
Place of Employment: Retired
Job Title: Retired
Year of OC Residence: 2014
Township of Residence: Little River
Zone of Residence:
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Lay Leader - New Bethel UMC
Boy Scouts of America

Past Service on Orange County Advisory Boards:

none

Boards/Commissions applied for:

Human Relations Commission

Background, education and experience relevant to this board:

Career Military, the most diverse environment you can find. Graduate of NCCU as minority student

Reasons for wanting to serve on this board:

To help ensure Orange County is being as fair as possible to it s citizens and employees.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 1/21/2015 10:45:20 PM **Date Printed:** 1/23/2015

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Desaray Rockett
Name Called:
Home Address: 118 N Oakland Dr
Mebane NC 27302
Phone (Day): 919-824-0103
Phone (Evening): 919-568-0403
Phone (Cell): 919-9230211
Email: dezziboo02@yahoo.com
Place of Employment: Student
Job Title: Youth Ambassador
Year of OC Residence: 1998
Township of Residence: Cheeks
Zone of Residence:
Sex: Female
Ethnic Background: African American

Community Activities/Organizational Memberships:

National Achievers Society, President
Dream Team
Basketball Team
Pauli Murray Human Relations Award
Youth Choir
Praise Dancer

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

Human Relations Commission

Background, education and experience relevant to this board:

I have a lot of human service background. I dance for the elderly at Carillon Assisted Living. I mentor elementary students. I also won the MLK Oratorical Contest.

Reasons for wanting to serve on this board:

I want to work in the medical field. I love helping others.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 9/18/2015 10:29:37 AM **Date Printed:** 9/18/2015

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 11-d

SUBJECT: Mebane Planning Board – Appointment

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

ATTACHMENT(S): Under Separate Cover
Membership Roster
Resolution
Attendance Record
Application for Person Recommended
Interest List
Applications of Persons on the Interest List (No Applicants for this Board)

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To consider making an appointment to the Mebane Planning Board.

BACKGROUND: The following information is for Board consideration:

- **Consideration of an extension for an additional term** (Position #1) "Extraterritorial Jurisdiction" for Thomas Fenske expiring 06/30/2019. **(there are currently no other applicants for this Board and multiple Public Service Announcements have gone out)**

Advisory Board Policy:
SECTION III:
D. MEMBERSHIP
6. Appointment - Extension of a member's term may be approved by the Orange County Board of Commissioners if it is determined that it is in the best interest of Orange County to allow an individual to continue to serve.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
1	Thomas Fenske	Extraterritorial Jurisdiction	06/30/2019

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- None

FINANCIAL IMPACT: None

SOCIAL JUSTICE IMPACT: Enable Full Civic Participation. Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

RECOMMENDATION(S): The Manager recommends that the Board consider making an appointment to the Mebane Planning Board.

Board and Commission Members

And Vacant Positions

Mebane Planning Board

Meeting Times: 6:30 pm second Monday
Terms: 2
Contact Person: Montrena Hadley
Meeting Place: Mebane Town Hall
Positions: 1
Length: 4 years
Contact Phone: 919-563-5901

Description: One member is appointed by the Board of County Commissioners from the extraterritorial area and must be a resident of Orange County. This Mebane Planning Board reviews plans and makes recommendations to the Mebane City Council for proposed and actual developments in Mebane. It also develops and recommends policies, ordinances, and administrative procedures regarding land use and development.

1 Mr. Thomas Fenske

7716 Lebanon Rd
Mebane NC 27302

Day Phone: 919-357-9188
Evening Phone: 919-563-0623
FAX:
E-mail: thefensk@gmail.com

Sex: Male
Race:
Township: Cheeks
Resid/Spec Req: Extraterritorial Jurisd
Special Repr:

First Appointed: 03/27/2007
Current Appointment: 08/23/2011
Expiration: 06/30/2015
Number of Terms: 2

RESOLUTION MAKING A RECOMMENDATION TO THE ORANGE COUNTY BOARD OF COMMISSIONERS REGARDING THE ETJ SEAT ON THE CITY OF MEBANE PLANNING BOARD

WHEREAS, the Orange County Board of Commissioners has a resolution regarding the Orange County Appointment and Orientation Process for Boards and Commissions that specifies "...When a vacancy exists, the municipality will be requested to provide to the Board of County Commissioners a resolution with a recommendation for that vacancy," and

WHEREAS, the City of Mebane staff has reviewed the viable applications and made a recommendation to the City of Mebane Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mebane that the Council recommends the Orange County Board of Commissioners appoint Thomas Fenske to the City of Mebane Planning Board ETJ position.

Adopted this the 6th day of July, 2015.

Glendel Stephenson

Glendel Stephenson, Mayor

Attest:

Stephanie Shaw

Stephanie Shaw, City Clerk

THE CITY OF MEBANE
SEAL
ALAMANCE COUNTY, NORTH CAROLINA

Attendance Record Current - Member Re-appointment Recommendation For BOCC Review

Mebane Planning Board – Thomas Fenske Oct / 2014 – Oct / 2015

Member`	Appointed	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Thomas Fenske`	03/27/2007	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**					

P: Present A: Absent E = Excused

Current through – 10/31/2015

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Thomas Fenske
Name Called:
Home Address: 7716 Lebanon Rd
Mebane NC 27302
Phone (Day): 919-357-9188
Phone (Evening): 919-563-0623
Phone (Cell):
Email:
Place of Employment: AT&T
Job Title: Technical Specialist
Year of OC Residence:
Township of Residence: Cheeks
Zone of Residence:
Sex: Male
Ethnic Background:

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Supplemental Questions:

Work Experience: AT&T -4625 Creekstone Durham NC 27708, Technical Specialist, Computer Systems Administrator, Unix Operating Systems, installation, and maintenance.

Volunteer Experience: none

Education: R.E. Lee High School, Houston, Tx (1970); Sam Houston State University (1970-71); University of Houston (1971-77) B.A. English and History)

Other Comments:
As a First time homeowner, I want to be involved in helping this community.
STAFF COMMENTS: Originally applied for the Mebane Planning Board.
ADDRESS VERIFICATION: 7716 Lebanon Rd is in Orange County in the Mebane ETJ.

This application was current on: 3/8/2007 **Date Printed:** 1/14/2014

Applicant Interest Listing

by Board Name and by Applicant Name

Mebane Planning Board

Contact Person: Montrena Hadley
Contact Phone: 919-563-5901

No applicants for this board.

Day Phone:
Evening Phone:
Cell Phone:
E-mail:

Sex:
Race:
Township:
Res. Eligibility:
Date Applied:

Skills:

Also Serves On:

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: October 20, 2015

Action Agenda
Item No. 11-e

SUBJECT: OPC Oversight Board – Appointments

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

ATTACHMENT(S): Under Separate Cover
Member Roster
Recommendations
Attendance Records
Applications for Persons Recommended
Interest List
Applications of Persons on the Interest List

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To consider making appointments to the OPC Oversight Board.

BACKGROUND: The following information is for Board consideration:

- Appointment to a second full term (Position #1) BOCC Designee for Mary Cay Corr expiring 06/30/2018.
- Appointment to a first full term (Position #2) Consumer or Family Member representative for Jesse Brunson expiring 06/30/2018.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
1	Mary Cay Corr	BOCC Designee	06/30/2018
2	Jesse Brunson	Consumer or Family Member	06/30/2018

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- None

FINANCIAL IMPACT: None

SOCIAL JUSTICE IMPACT: Enable Full Civic Participation. Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

RECOMMENDATION(S): The Manager recommends that the Board consider making an appointment to the OPC Oversight Board.

Board and Commission Members

And Vacant Positions

OPC Oversight Board

Meeting Times: 2nd Monday | Terms: 2 | Contact Person: Vickie Hussey

Meeting Place: | Positions: 3 | Length: 3 Years | Contact Phone: 919-913-4010

Description: Local advisory boards will be responsible for advising the Regional Executive on the evaluation and hiring of the Community Operations Center Executive Director; recommending priorities for expenditure of state/county funds for development of the annual budget; determining local priorities for inclusion in the area-wide strategic plan, as possible; identifying community needs and concerns, monitoring resolution of issues; monitoring performance at the local level to include: Access to care; Financial status and expenditures; Service delivery; Provider network size and composition; Outcomes; and Consumer Satisfaction.

1 **Ms Mary Cay Corr**

418 Overland Drive
Chapel Hill NC 27517

Day Phone: 549-7164
Evening Phone: 929-4830
FAX:
E-mail: marycaycorr@mindspring.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req:
Special Repr: County Commissioner or designee

First Appointed: 06/19/2012
Current Appointment: 06/19/2012
Expiration: 06/30/2015
Number of Terms: 1

2 **Dr. Jesse Brunson**

5532 Jomali Drive
Durham NC 27705

Day Phone: 919-383-2339
Evening Phone: 919-383-1397
FAX:
E-mail: drjbrunson@aol.com

Sex: Male
Race: African American
Township: Eno
Resid/Spec Req:
Special Repr: Consumer or family member

First Appointed: 09/16/2014
Current Appointment: 09/16/2014
Expiration: 06/30/2015
Number of Terms:

3 **Mr. Earl McKee**

5200 Kiger Rd.
Rougemont NC 27572

Day Phone: 919-732-7906
Evening Phone: 919-732-7906
FAX:
E-mail: emckee@orangecountync.gov

Sex: Male
Race: Caucasian
Township: Little River
Resid/Spec Req:
Special Repr: Other citizen or stakeholder

First Appointed: 07/01/2014
Current Appointment: 07/01/2014
Expiration: 01/31/2016
Number of Terms:

Thom Freeman

From: Debra Farrington <Debra.Farrington@cardinalinnovations.org>
Sent: Tuesday, September 08, 2015 11:13 AM
To: Thom Freeman; Vickie Hussey
Cc: Donna Baker
Subject: RE: Board Member Term Expirations

Thom
We are recommending that the current members Mary Cay Corr and Jesse Brunson be reappointed. Do you need a formal memo from me or will this email suffice? I am happy to do either.

Debra C. Farrington, MSW, LCSW
Cardinal Innovations Healthcare
Director, OPC Community Office

BOCC Attendance Report For Advisory Boards

OPC Community Operations Center Advisory Board Jun / 2014 – Aug / 2015

Member	Appointed	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Mary Cay Corr	06/19/2012	P		P		P	P			P		P		P		P			
Dr. Jesse Brunson	09/16/2014					P	P			P		P		A		P			
Earl McKee	03/01/2014	A		P		P	A			P		P		A		A			

P: Present A: Absent E = Excused

Current through - 08/31/2015

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Ms Mary Cay Corr
Name Called:
Home Address: 418 Overland Drive
Chapel Hill NC 27517
Phone (Day): 549-7164
Phone (Evening): 929-4830
Phone (Cell):
Email: marycaycorr@mindspring.com
Place of Employment: UNC-TV
Job Title: Outreach Coordinator
Year of OC Residence:
Township of Residence: Chapel Hill
Zone of Residence: C.H. City Limits
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Supplemental Questions:

Work Experience: Taught Middle and High School in NYC, Clinton, CT.and Durham City Schools.
Developed and taught an English for Foreigners curriculum for the Migros Klubschule in Zurich, Switzerland which was adopted nationally.
Developed and taught a TV Production curriculum for the Durham City Schools, which also was adopted by DPI.
Drop-out Prevention Counselor, Durham City Schools
Designed and Developed the K-12 Division for UNC-TV statewide. Supervised the Education offices for UNC-TV at ECU and Western Carolina State Univeristy.
Produced the LIVE education programs
Developed the Outreach Department at UNC and am presently on contract with UNC-TV following my retirement

Volunteer Experience: PTA's Ephesus Elementary, Phillips Middle and Chapel Hill High School
Religious Education, Holy Infant Church, Durham, NC
PTA Thrift Board Member for 10 years in charge of Public Relations
Ridgewood Swimming Pool Board
Chapel Hill Swim Club Board

OPC Mental Health Foundation Founding Board Member, Board Member for 11 years and Past President
Docent, Nasher Museum of Art.

Education: B.A.cum laude, Marymount Manhattan, MA History and Education, Hunter College, NYC, M.Ed, Instructional Design and Educational Media, UNC-CH

Other Comments:

I have been a resident of Orange County for 29 years and am the parent of a daughter who suffers from Mental Illness.

STAFF COMMENTS: Originally applied for OPC Area Board 10/18/2005.
ADDRESS VERIFICATION: 418 Overland Drive is in Chapel Hill City Limits in Orange County.

This application was current on: 10/17/2005 3:14:23 PM **Date Printed:** 1/14/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Dr. Jesse Brunson
Name Called:	
Home Address:	5532 Jomali Drive Durham NC 27705
Phone (Day):	919-383-2339
Phone (Evening):	919-383-1397
Phone (Cell):	910-964-1904
Email:	drjbrunson@aol.com
Place of Employment:	Pleasant Green United Methodist Church
Job Title:	Senior Pastor
Year of OC Residence:	2013
Township of Residence:	Eno
Zone of Residence:	
Sex:	Male
Ethnic Background:	African American

Community Activities/Organizational Memberships:

1. Supervisors of Internship Program at Duke Divinity School; 2. NC Conference UMC Order of Elders; 3. Scotland County Family Counseling Center Board of Directors (ViceChair); 4. Past Director of MultiCultural Ministries of the NC Conference UMC

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

OPC Oversight Board

Background, education and experience relevant to this board:

As a pastor I work with people who have issues that this board manages. I am interested in the work of this board. I am a trained counselor with a doctorate degree earned at Drew University in Madison NJ. As a pastor community needs are important to my work.

Reasons for wanting to serve on this board:

The work of this board interests me and I feel I can contribute to this work.

Conflict of Interest:

Orange Water & Sewer Authority Board of Directors

Background, education and experience relevant to this board:

left blank

Reasons for wanting to serve on this board:

left blank

Conflict of Interest:

Supplemental Questions:

Orange Water & Sewer Authority Board of Directors

Please list/explain your experience, either professionally and/or from other boards/commissions that you have in the areas of budget, personnel, and management.

As a Senior Pastor I manage personnel and the church. I give oversight to budget management as well. I have served as a pastor in the United Methodist Church since 1978.

In addition to the experience listed in the question above, please list the work/volunteer experience/qualifications that would add to your expertise for this board.

1. Adjunct Professor; Shaw University (1997-2003) Taught courses in Ethics and philosophy.

What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

The responsibility of oversight is one that is important in the church. Thus, I see this board as this work important to accountability in the community.

What is OWASA's role in growth/development issues?

Primarily to present the county in a viable positive light.

Other Comments:

This application was current on: 7/31/2014 1:03:24 PM **Date Printed:** 8/1/2014

Applicant Interest Listing

by Board Name and by Applicant Name

OPC Oversight Board

Contact Person: Vickie Hussey
Contact Phone: 919-913-4010

Kathleen Bucher

301 Spring Valley Rd
Carrboro NC 27510

Day Phone: 919-302-7013
Evening Phone: 919-302-7013
Cell Phone: 919-302-7013
E-mail: kbucher@thebuchers.us

Sex: Female
Race: Caucasian
Township: Chapel Hill
Res. Eligibility: Carrboro City Limits
Date Applied: 08/04/2014

Skills:
Also Serves On:

Mr. Michael Owen

616 Beechtree Court
Chapel Hill NC 27514

Day Phone: 919-593-4518
Evening Phone: 919-929-2777
Cell Phone:
E-mail: michaelowen@nc.rr.com

Sex: Male
Race: Caucasian
Township: Chapel Hill
Res. Eligibility: C.H. City Limits
Date Applied: 07/30/2014

Skills: Mental Health Advocate
Also Serves On:

Skills: Schools Issues Advocate
Also Serves On:

Ms. Antonia Pedroza

409 Saint Marys Road
Hillsborough NC 27278

Day Phone: 252-738-3770
Evening Phone: 919-760-0210
Cell Phone: 919-760-0210
E-mail: pedrozaantonia@yahoo.com

Sex: Female
Race: Hispanic
Township: Hillsborough
Res. Eligibility: Hillsborough ETJ
Date Applied: 08/13/2014

Skills:
Also Serves On:

Joshua Wilson

810 Powell Street
Chapel Hill NC 27516

Day Phone: 919-525-5959
Evening Phone: 919-525-5959
Cell Phone: 919-525-5959
E-mail: jwils128@gmail.com

Sex: Male
Race: Caucasian
Township: Chapel Hill
Res. Eligibility: Chapel Hill Township
Date Applied: 07/30/2014

Skills:
Also Serves On:

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Kathleen Bucher
Name Called:
Home Address: 301 Spring Valley Rd
Carrboro NC 27510
Phone (Day): 919-302-7013
Phone (Evening): 919-302-7013
Phone (Cell): 919-302-7013
Email: kbucher@thebuchers.us
Place of Employment: None
Job Title: Retired
Year of OC Residence: 1984
Township of Residence: Chapel Hill
Zone of Residence: Carrboro City Limits
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Orange County Master Gardeners-Youth Programs, Community Gardens, Farmers Market

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

OPC Oversight Board

Background, education and experience relevant to this board:

I worked at OPC Area Program from 1999-2005 as Accounting Manager, Utilization Analyst, and interim Finance Officer so I have some understanding of the programs, funding and challenges. I have extensive budgeting experience from this and other jobs. I also have a sister with serious disabilities (she lives in Colorado) so I have firsthand and lifelong knowledge of the family issues involved.

Reasons for wanting to serve on this board:

I have long had an interest in the mental health/developmental disability field and would like to be able to contribute to the community through this interest. I believe my accounting and budgeting experience would be useful.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 8/4/2014 1:48:59 PM **Date Printed:** 8/4/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Michael Owen
Name Called:
Home Address: 616 Beechtree Court
Chapel Hill NC 27514
Phone (Day): 919-593-4518
Phone (Evening): 919-929-2777
Phone (Cell):
Email: michaelowen@nc.rr.com

Place of Employment: Self-employed
Job Title: Training Consultant and Meeting Facilitator
Year of OC Residence: 1979
Township of Residence: Chapel Hill
Zone of Residence: C.H. City Limits
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

OPC Oversight Board

Background, education and experience relevant to this board:

I have 35 years of experience working in the mental health system in North Carolina. For five years I worked as Supervisor at Wright School in Durham. Most of my work since that time has focused on creating training programs for behavioral health agencies. I owned and operated a private training business for ten years. I was Director of Training for the NC Council of Community Programs. For the past two years I have been Clinical Instructor at the UNC School of Social Work.

Reasons for wanting to serve on this board:

I am closing in on the end of my professional career but I want to continue to participate in the search for solutions for people with chronic mental illness. I think the best chances for finding significant new solutions is in areas of medical research and within communities of well-intended people.

Conflict of Interest:
I currently work with the Jordan Institute for Families at the UNC School of Social Work. The Institute has a contract with Cardinal Innovations to support a System of Care project in the Five County region. That contract expires in September 2014.

Supplemental Questions:

Work Experience: I have worked in human service agencies in North Carolina for over 24 years. My work has included direct care and supervison at Wright School in Durham,

Wake County Human Services Director of Alternative Services, Director of the Child Mental Health Training Unit, and Director of Training for the NC Council of Community Programs.

Volunteer Experience: Past President of the Mental Health Association of Orange County.
Former Chair of the Chapel Hill Human Services Advisory Committee.
Compeer Volunteer for the Mental Health Association

Education: BA in Philosophy, University of Louisville
MA in Teaching, Spalding University
MA in Communication Studies, UNC-Greensboro

Other Comments:

I am particulary interested in the initiative to end homelessness in ten years. STAFF COMMENTS: Originally applied for HSAC 1/25/2006. ADDRESS VERIFICATION: 616 Beechtree Ct is in Chapel Hill City limits in Orange County.

This application was current on: 7/30/2014 **Date Printed:** 8/1/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Ms. Antonia Pedroza
Name Called:	
Home Address:	409 Saint Marys Road Hillsborough NC 27278
Phone (Day):	252-738-3770
Phone (Evening):	919-760-0210
Phone (Cell):	919-760-0210
Email:	pedrozaantonia@yahoo.com
Place of Employment:	Vance County Government
Job Title:	DSS Director
Year of OC Residence:	2002
Township of Residence:	Hillsborough
Zone of Residence:	
Sex:	Female
Ethnic Background:	Hispanic

Community Activities/Organizational Memberships:
none in Orange

Past Service on Orange County Advisory Boards:
N/A

Boards/Commissions applied for:

Human Relations Commission

Background, education and experience relevant to this board:

My entire career has been focused on serving people who are living in poverty and/or experiencing poverty due to barriers to employment including disabilities, lack of education and experience.

Reasons for wanting to serve on this board:

I live in Orange County and want to participate in community in a meaningful way.

Conflict of Interest:

Board of Health

Background, education and experience relevant to this board:

I have a Master in Health Administration and a Master in Business Administration.
The work I do as a DSS Director is often related to health and well-being.

Reasons for wanting to serve on this board:

I would like to serve my community.

Conflict of Interest:

OPC Oversight Board

Background, education and experience relevant to this board:

Prior to working in Social Services, I worked with person with disabilities in Orange County. I have over 25 years of experience working with person with a wide range of disabilities.

Reasons for wanting to serve on this board:

I have always been an advocate for person with disabilities.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 8/13/2014 5:32:48 PM **Date Printed:** 8/14/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Joshua Wilson
Name Called:
Home Address: 810 Powell Street
Chapel Hill NC 27516
Phone (Day): 9195255959
Phone (Evening): 9195255959
Phone (Cell): 9195255959
Email: jwils128@gmail.com
Place of Employment: self-employed
Job Title: writer
Year of OC Residence: 2012
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:
none

Past Service on Orange County Advisory Boards:
none

Boards/Commissions applied for:

OPC Oversight Board

Background, education and experience relevant to this board:
Personal history of mental illness. BS in Psychology from the College of William & Mary.

Reasons for wanting to serve on this board:
The treatment of mental illness is an issue that is near and dear to my heart. I want to get involved in my local community, and I feel that this issue needs attention.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 7/30/2014 9:41:16 AM **Date Printed:** 7/31/2014

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: November 5, 2015

Action Agenda Item No. 11-f

SUBJECT: Orange County Planning Board – Appointments

DEPARTMENT: Board of Commissioners

PUBLIC HEARING: (Y/N) No

ATTACHMENT(S): Under Separate Cover
Membership Roster
Interest List
Applications for Persons on the Interest List

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To consider making appointments to the Orange County Planning Board.

BACKGROUND: The following information is for Board consideration:

- Appointment to a first full term (position #3) "Cheeks Township" expiring 03/31/2018. **NOTE: Peter Hallenbeck remains in this position due to not having an applicant from Cheeks Township. There is currently an applicant from Cheeks Township.**

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
3	Replacement Needed	Cheeks Township	03/31/2018

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- *Position #5--- "Hillsborough Township" Position----- expiring 03/31/2017. **This position has been vacant since August 2015. We currently do not have any applicants from Hillsborough Township, but we do have a PSA out in an effort to recruit.**

FINANCIAL IMPACT: None.

SOCIAL JUSTICE IMPACT: Enable Full Civic Participation. Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

RECOMMENDATION(S): The Manager recommends that the Board consider making appointments to the Orange County Planning Board.

Board and Commission Members

And Vacant Positions

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Meeting Times: 7:00 pm first Wednesday of each month
Terms: 2
Contact Person: Perdita Holtz
Meeting Place: West Campus Office Bldg.
Positions: 12
Length: 3 years
Contact Phone: 919-245-2578

Description: All members are appointed by the Board of Commissioners. This board studies Orange County and surrounding areas to determine objectives in the development of the County. It prepares and recommends plans to achieve that development, including the suggesting of policies, ordinances, and procedures. It reviews development applications and makes recommendations to the Board of Commissioners. It holds regular monthy meeting in addition to quarterly public hearings with the Board of Commissioners.

1 Mr James Lea
3905 Mill Creek Road
Efland NC 27243

Day Phone: 919-563-3821
Evening Phone:
FAX:
E-mail: James.Lea96@yahoo.com

Sex: Male
Race: African American
Township: Cedar Grove
Resid/Spec Req: Cedar Grove Twnsp
Special Repr: Cedar Grove Township

First Appointed: 06/04/2013
Current Appointment: 06/04/2013
Expiration: 03/31/2016
Number of Terms: 1

2 Mr H. T. "Buddy" Hartley
3010 Little River Church Road
Hurdle Mills NC 27541

Day Phone: 919-357-2081
Evening Phone: 919-732-7210
FAX:
E-mail: Hartley_2004@yahoo.com

Sex: Male
Race: Caucasian
Township: Little River
Resid/Spec Req: Little River Twnsp
Special Repr: Little River Twnsp

First Appointed: 03/03/2011
Current Appointment: 03/17/2015
Expiration: 03/31/2018
Number of Terms: 2

3 Mr Peter Hallenbeck
Chair
801 Brookhollow Rd
Efland NC 27243
TERM HAS EXPIRED -

Day Phone: 919 732 6551
Evening Phone: 919 732 6551
FAX:
E-mail: pete@eflandfd.org

Sex: Male
Race: Caucasian
Township: Cheeks
Resid/Spec Req: Cheeks Twnsp
Special Repr: Cheeks Twnsp

First Appointed: 03/24/2009
Current Appointment: 03/22/2012
Expiration: 03/31/2015
Number of Terms: 2

4 Mr Tony Blake
1411 White Cross Road
Chapel Hill NC 27516

Day Phone: 919-932-1495
Evening Phone: 919-932-1495
FAX:
E-mail: tony.blake@whitecrossfire.com

Sex: Male
Race: Caucasian
Township: Bingham
Resid/Spec Req: Bingham Twnsp
Special Repr: Bingham Twnsp

First Appointed: 03/22/2012
Current Appointment: 03/17/2015
Expiration: 03/31/2018
Number of Terms: 2

5 VACANT

Day Phone:
Evening Phone:
FAX:
E-mail:

Sex:
Race:
Township:
Resid/Spec Req: Hillsborough Twnsp
Special Repr: Hillsborough Twnsp

First Appointed:
Current Appointment:
Expiration: 03/31/2017
Number of Terms:

Board and Commission Members

And Vacant Positions

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Meeting Times: 7:00 pm first Wednesday of each month
Terms: 2
Contact Person: Perdita Holtz
Meeting Place: West Campus Office Bldg.
Positions: 12
Length: 3 years
Contact Phone: 919-245-2578

Description: All members are appointed by the Board of Commissioners. This board studies Orange County and surrounding areas to determine objectives in the development of the County. It prepares and recommends plans to achieve that development, including the suggesting of policies, ordinances, and procedures. It reviews development applications and makes recommendations to the Board of Commissioners. It holds regular monthy meeting in addition to quarterly public hearings with the Board of Commissioners.

6 Mrs. Laura Nicholson
1818 Adams Place
Hillsborough NC 27278

Day Phone: 919-732-3138
Evening Phone: 919-732-3138
FAX:
E-mail: brandsusa3@aol.com

Sex: Female
Race: Caucasian
Township: Eno
Resid/Spec Req: Eno Twnsp
Special Repr: Eno Twnsp

First Appointed: 05/20/2014
Current Appointment: 05/20/2014
Expiration: 03/31/2016
Number of Terms:

7 Ms. Andrea Rohrbacher
102 Camille Court
Chapel Hill NC 27516

Day Phone: 919-668-1863
Evening Phone: 919-967-4213
FAX:
E-mail: arohrbacher@earthlink.net

Sex: Female
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req: At-Large
Special Repr: At-Large

First Appointed: 11/16/2010
Current Appointment: 03/17/2015
Expiration: 03/31/2018
Number of Terms: 2

8 Mr Paul Guthrie
113 RHODODENDRON DRIVE
CHAPEL HILL NC 27517

Day Phone: 919-933-2931
Evening Phone: 919-933-2931
FAX: same
E-mail: paul.guthrie@gmail.com

Sex: Male
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req: At-Large
Special Repr: At-Large

First Appointed: 06/04/2013
Current Appointment: 06/04/2013
Expiration: 03/31/2016
Number of Terms: 1

9 Ms. Lydia Wegman
Vice-Chair
5704 Cascade Drive
Chapel Hill NC 27514

Day Phone: 919-382-1904
Evening Phone: 919-382-1904
FAX:
E-mail: lnwegman@gmail.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req: At Large
Special Repr: At-Large

First Appointed: 05/20/2014
Current Appointment: 05/20/2014
Expiration: 03/31/2017
Number of Terms: 1

10 Dr. Herman Staats
6702 Doc Corbett Road
Cedar Grove NC 27231

Day Phone: 919-684-8823
Evening Phone: 919-563-6228
FAX:
E-mail: herman.staats@duke.edu

Sex: Male
Race: Caucasian
Township: Cedar Grove
Resid/Spec Req: At-Large
Special Repr: At-Large

First Appointed: 11/08/2012
Current Appointment: 06/04/2013
Expiration: 03/31/2016
Number of Terms: 1

Board and Commission Members

And Vacant Positions

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Meeting Times: 7:00 pm first Wednesday of each month
Terms: 2
Contact Person: Perdita Holtz
Meeting Place: West Campus Office Bldg.
Positions: 12
Length: 3 years
Contact Phone: 919-245-2578

Description: All members are appointed by the Board of Commissioners. This board studies Orange County and surrounding areas to determine objectives in the development of the County. It prepares and recommends plans to achieve that development, including the suggesting of policies, ordinances, and procedures. It reviews development applications and makes recommendations to the Board of Commissioners. It holds regular monthy meeting in addition to quarterly public hearings with the Board of Commissioners.

11

Ms. Lisa Stuckey

115 Virginia Drive
Chapel Hill NC 27514

Day Phone: 919-942-8373
Evening Phone: 919-942-8373
FAX: 919-929-3671
E-mail: lisarstuckey@gmail.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Resid/Spec Req: Chapel Hill Twnsp
Special Repr: Chapel Hill Twnsp

First Appointed: 03/15/2011
Current Appointment: 03/20/2014
Expiration: 03/31/2017
Number of Terms: 2

12

Maxecine Mitchell

2416 Gemena Road
Chapel Hill NC 27516

Day Phone: 919-357-3455
Evening Phone: 919-357-3455
FAX:
E-mail: max_02@msn.com

Sex: Female
Race: African American
Township: Bingham
Resid/Spec Req: At-Large
Special Repr: At-Large

First Appointed: 03/15/2011
Current Appointment: 03/20/2014
Expiration: 03/31/2017
Number of Terms: 2

Applicant Interest Listing

by Board Name and by Applicant Name

Orange County Planning Board (REQUIRES DISCL

Contact Person: Perdita Holtz
Contact Phone: 919-245-2578

Mr. Mark Anderson
2310 Stagecoach Dr.
Hillsborough NC 27278

Day Phone: 919-259-1295
Evening Phone: 919-423-6081
Cell Phone:
E-mail: mark.g.anderson@us.pwc.com

Sex: Male
Race: Caucasian
Township: Eno
Res. Eligibility: Does not apply
Date Applied: 10/01/2014

Skills: Web Site Advisor
Also Serves On:

Mr. Matthew Edwards
200 Weldon Ridge Drive
Durham NC 27705

Day Phone: 919-491-8299
Evening Phone: 919-491-8299
Cell Phone: 919-491-8299
E-mail: edwards.matthew@gmail.com

Sex: Male
Race: Caucasian
Township: Eno
Res. Eligibility:
Date Applied: 04/07/2014

Skills:
Also Serves On:

Mr. Statler Gilfillen Architect
3302 St. Mary's Road
Hillsborough NC 27278

Day Phone: 919-732-6123
Evening Phone: 919-732-6123
Cell Phone: 919-732-6123
E-mail: statler@OUTLOOK.COM

Sex: Male
Race: Caucasian
Township: Eno
Res. Eligibility:
Date Applied: 04/08/2014

Skills:
Also Serves On:

Kim Piracci
101 Flamingo Rd.
Durham NC 27705

Day Phone: 919-260-3686
Evening Phone: 919-260-3686
Cell Phone: 919-260-3686
E-mail: kim@kimpiracci.com

Sex: Female
Race: Caucasian
Township: Eno
Res. Eligibility: County
Date Applied: 02/11/2014

Skills:
Also Serves On:

Will Raymond
209 Mt. Bolus Rd.
Chapel Hill NC 27514

Day Phone: 919-932-1035
Evening Phone: 919-932-1035
Cell Phone: 919-932-1035
E-mail: campaign@willraymond.org

Sex: Male
Race: Caucasian
Township: Chapel Hill
Res. Eligibility:
Date Applied: 09/28/2015

Skills:
Also Serves On:

Applicant Interest Listing

by Board Name and by Applicant Name

Orange County Planning Board (REQUIRES DISCL

Contact Person: Perdita Holtz
Contact Phone: 919-245-2578

MS Patricia Roberts
700 Richmond rd
Mebane NC 27302

Day Phone: 919-621-4060
Evening Phone: 919-621-4060
Cell Phone: 919-621-4060
E-mail: patriciaroberts77@gmail.com

Sex: Female
Race: Other
Township: Cheeks
Res. Eligibility: Orange County
Date Applied: 06/30/2015

Skills: Realtor
Also Serves On: Board of Equalization and Review (REQUIRES DISCL

CHEEKS APPLICANT…..

Ms. Kathleen Seligson
200 Copper Beech Ct
Chapel Hill NC 27517

Day Phone: 919-636-0325
Evening Phone: 919-636-0325
Cell Phone: (919)6360325
E-mail: kms361@aol.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Res. Eligibility: C.H. City Limits
Date Applied: 01/09/2014

Skills:
Also Serves On:

Mr Henry Sims
5531 Ponderosa Dr
Durham NC 27705

Day Phone: 9197901900
Evening Phone: 8285080163
Cell Phone: 8285080163
E-mail: henrysims@hotmail.com

Sex: Male
Race: Caucasian
Township: Eno
Res. Eligibility: County
Date Applied: 06/05/2015

Skills:
Also Serves On:

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr. Mark Anderson
Name Called:	
Home Address:	2310 Stagecoach Dr. Hillsborough NC 27278
Phone (Day):	919-259-1295
Phone (Evening):	919-423-6081
Phone (Cell):	
Email:	mark.g.anderson@us.pwc.com
Place of Employment:	PricewaterhouseCoopers LLP
Job Title:	Manager
Year of OC Residence:	2006
Township of Residence:	Eno
Zone of Residence:	Does not apply
Sex:	Male
Ethnic Background:	Caucasian

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Orange County Parks and Recreation Council

Background, education and experience relevant to this board:

Reasons for wanting to serve on this board:

Conflict of Interest:

Hillsborough Planning Board

Background, education and experience relevant to this board:

Reasons for wanting to serve on this board:

Conflict of Interest:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

Reasons for wanting to serve on this board:

Conflict of Interest:

Supplemental Questions:

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: 10/1/2014 **Date Printed:** 10/13/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr. Matthew Edwards
Name Called:	
Home Address:	200 Weldon Ridge Drive Durham NC 27705
Phone (Day):	9194918299
Phone (Evening):	9194918299
Phone (Cell):	9194918299
Email:	edwards.matthew@gmail.com
Place of Employment:	Syngenta Biotechnology, Inc.
Job Title:	Senior IP Counsel
Year of OC Residence:	2010
Township of Residence:	Eno
Zone of Residence:	
Sex:	Male
Ethnic Background:	Caucasian

Community Activities/Organizational Memberships:

North Carolina Bar Association

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

As an attorney, I have been trained in analyzing the law, which lends itself to analyzing all new information. While I do not have any specific background in Planning, everyone has to get their first experience somewhere. I am very interested in how our County develops and am adept at getting up to speed in new areas quickly.

Reasons for wanting to serve on this board:

Being a resident of an area that recently had a siginficant amount of activity at the BOCC (the Eno Economic Development area), I attended several BOCC hearings and have grown very interested in how our County is governed and the different advisory boards that delve into various issues. My wife and I love this county and plan to continue rearing our children here and thus have a vested interest in how the County moves forward. Given how important this advisory board is, I was disappointed to see that my township is not represented at this time. I will be pleased for any qualified applicant to receive this position, and would be honored to do so myself to represent the interests of the folks in my area.

Conflict of Interest:

Supplemental Questions:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Please list the work/volunteer experience/qualifications that would add to your expertise for this board.

Other than training as an attorney, I do not have any particular qualifications.

What unique perspective can you bring to the Orange County Planning Board?

Sometimes the most helpful perspective to bring is one unfettered by previous experience. I do not have any preconceptions about how things should be done and I have experienced the power of this position in my work as an IP/Patent attorney. Oftentimes, because I do not have the same level of technical background as my clients, I am more willing to ask questions as I am not afraid of looking stupid . This fosters a discussion that in turn can lead to alternative paths that may not have been visited if I had known or thought I knew the answers.

What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

From an outsider s perspective, it seems that the responsibility of this board is to recommend measures that will allow the county to grow and develop in a way that is in step with the general desires and beliefs of the county s residents. For example, Orange County prides itself on preserving nature, environmental concerns, etc and this board should help in the development and recommendation of plans to the BOCC that are in step with those beliefs.

If appointed, I hope to contribue to the development and recommendation of just such plans, ones that balance the County s need for growth with the values that we all have as residents.

What do you consider to be be the most important issues facing Orange County related to growth?

I think the most important issue facing Orang County and its growth is that many, many people move to this county from our Triangle neighbors to live in a place that is more peaceful. Most of us enjoy nature and like to live in communities that are not a stonesthrow from commercial entities. The problem with this is that because we as residents tend to not like industry/commerce in our backyards, the residents have higher property taxes than the surrounding counties. I understand that the work of the Economid Development board is to try and develop our economy by increasing the commercial prescence, which will ultimately take some of the pressure off of residential property taxes. But this will be a difficult line to walk, as while no one likes to pay higher taxes, many residents also want to maintain the setting we have in Orange County.

What role should the Planning Board take in guiding and regulating growth?

I think that the Planning Board should keep as it s guiding principle the reasons that people choose to live in Orang County. If we all wanted to live in highly developed, commercial and industrial areas, we would live in Wake or Durham county. But we do not, and in fact, many of us have moved from those counties to escape those types of areas. I think the Planning Board needs to consider the values and desires of residents in the communities near to any proposed developments.

How would you, as a member of the Planning Board, contribute to the implementation of the Board of Commissioners' adopted Goals and Priorities?

Unfortunately, the linked filed is from 2009, so I do not believe the goals and priorities stated therein are the same as those for the current year.

Other Comments:

This application was current on: 4/7/2014 11:04:36 AM **Date Printed:** 4/8/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Mr. Statler Gilfillen Architect
Name Called:
Home Address: 3302 St. Mary's Road
Hillsborough NC 27278
Phone (Day): 919-732-6123
Phone (Evening): 919-732-6123
Phone (Cell): 919-732-6123
Email: statler@OUTLOOK.COM

Place of Employment: self
Job Title: Architect
Year of OC Residence: 2007
Township of Residence: Eno
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:
Past vice chair of Orange County Historic Library

Past Service on Orange County Advisory Boards:
Orange County Historic Board

Boards/Commissions applied for:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

Over 25 years as registered Architect involved in planning, design and construction. wwwGilfillenArchitect.Wordpress.com.

Reasons for wanting to serve on this board:

To be of service and because I believe my background can be of service to the planning board

Conflict of Interest:

Supplemental Questions:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Please list the work/volunteer experience/qualifications that would add to your expertise for this board.

Statler Gilfillen, Architect MBA has over 20 years of experience in planning, development, architecture, construction, teaching and business. He has been a University Professor, Operations Manager for a major Boston architectural firm and maintained his own architectural practice for over 12 years with a staff of 14. His work has varied from acting as the lead Architect for the 7 million dollar renovations at the Kennedy Space Center to historic preservation. He has worked for major developers, corporations, and known clients for large scale multifamily, medical, retail, high rise, commercial, and single family residential. He is fully

versed in the public process and the demands of the private sector. He is specifically qualified in the in historic preservation and accessible design. For many years he traveled and studied in Europe. He brings a global concept of planning, architecture and business. He believes that good design must meet clients needs, environmental demands and fit visually into the setting. In 2007, he settled his young family in Hillsborough, NC from Piran, Slovenia.

What unique perspective can you bring to the Orange County Planning Board?

Global view of planning with professional training and expertise

What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

Protect a natural environment that includes clean water, clean air, wildlife, important natural lands and sustainable energy for present and future generations. Promote proactive reforms necessary to maintain this goal.
Review and approve planning and economic development policies under the current laws which create a balanced dynamic local economy and which promote diversity, sustainable growth and enhance revenue while embracing community values

What do you consider to be be the most important issues facing Orange County related to growth?

By supporting the strategic growth policies and constantly working to improve them.

What role should the Planning Board take in guiding and regulating growth?

By administrating the current laws and promoting postive changes necessary.

How would you, as a member of the Planning Board, contribute to the implementation of the Board of Commissioners' adopted Goals and Priorities?

By working to support the work of the Planning Board utilizing my extensive professional background.

Other Comments:

This application was current on: 4/8/2014 5:30:18 PM **Date Printed:** 4/9/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Kim Piracci
Name Called:
Home Address: 101 Flamingo Rd.
Durham NC 27705
Phone (Day): 919-260-3686
Phone (Evening): 919-260-3686
Phone (Cell): 919-260-3686
Email: kim@kimpiracci.com

Place of Employment: Kim Piracci, GG Jewelry Appraiser
Job Title: Owner, Certified Senior Jewelry Appraiser

Year of OC Residence: 1996

Township of Residence: Eno
Zone of Residence: County

Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

National Association of Jewelry Appraisers,
Speak Up! Toastmasters and Charter President,
Preservation Hill Questers Charter and current Treasurer, Chapel Hill Leads Group member,

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

I have lived in Orange County for over 17 years now. First in Southern Village and now in the Eno Township. This is such a beautiful part of North Carolina I hope to never leave.
I am organized, detail oriented, and capable of making things happen in groups. I have started, with help from others of course, a Chapel Hill Toastmasters Club, A Chapel Hill Questers club, and my own business. I am happy to say my independent jewelry appraisal business has been successful for over nine years. Notably, there is only one other independent appraiser in North Carolina.
As an appraiser in the National Association of Jewelry Appraisers, I am held to high standards for ethics and am required to follow the Government s Uniform Standards for Professional Appraisal Practice.
My BS degree is in Child and Family Services. I graduated in 1980 Magna Cum Laude. The profession taught me to listen more than talk, a worthy attribute I aspire to and practice every day.

Reasons for wanting to serve on this board:

I find that my personal values are usually in lockstep with Orange County s. Even though some community practices are counter intuitive regarding long term growth, for example, public transportation versus more roads and parking spaces, Orange County usually gets it right. I spent my first 17 years in Orange County living is Southern Village. This past summer, with our children grown, we moved to a smaller house in the county. Adjacent to and wandering in our property is a little creek that empties into the Eno River. I find that I have become more interested in our fresh water sources and protecting the watersheds.

Conflict of Interest:

Supplemental Questions:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Please list the work/volunteer experience/qualifications that would add to your expertise for this board.

Kim Piracci, GG Jewelry Appraiser, Owner, Graduate Gemologist and Certified Senior Appraiser, planned, implemented and built small business in Chapel Hill.

Charter President of Speak Up! Toastmasters in Chapel Hill, planned, implemented and worked together with a diverse group of people to found a new group for Chapel Hill and surrounding areas.

Last year I helped to start and am now the Treasurer for a Chapel Hill Questers group. Questers is an international organization with a mission to preserve and restore local landmarks. There is a new group starting in Hillsborough as well and I plan to be part of that effort.

It seems that I often find myself in leadership positions, beginning in elementary school and through college, often being elected to student government positions. I like to see people working together toward improvements.

What unique perspective can you bring to the Orange County Planning Board?

I lived in Chapel Hill, actually Southern Village, for seventeen years. Our children came of age here, utilizing the library, public transportation, parks and other amenities here. I appreciate the contribution these facilities make to the quality of life here.
I now live in the county and welcome the wild spaces, trails and watershed areas and recognize the importance of them for the benefit of people that live in Orange County.

I am a business owner and know that it can be a difficult place to open a business in. I also appreciate that these difficulties protect the county and people that live here, and make it a terrific place to live. An appropriate balance is obviously what we all would like and what I would like to participate in.

What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

Broadly speaking, the Planning Board would make sure that Orange County has a wonderful future. More specifically, the Board addresses land use, public transportation and other issues affecting the county. As I understand it from the website, the board researches Orange County, decides on appropriate objectives, develops policies and proposes them to the Board of County Commissioners.
I personally, would like to work on protecting our natural environment.

What do you consider to be be the most important issues facing Orange County related to growth?

To quote a famous politician from the last century, It s the economy, stupid.
Obviously we need to have steady economic growth. How can we protect our citizenry, and the environment as our universities and businesses grow? What infrastructure do we need to build

and repair to support the growth? How can we remain flexible in a time when information and technology changes practically daily? How can this be accomplished with the support of the community?

What role should the Planning Board take in guiding and regulating growth?

The Planning Board seems to be a research and advisory board. As such, it would be the responsibility of the board to provide the most factual and unbiased reports to the Board of County Commissioners, taking into consideration the desires of the citizens, the businesses and the environment.

How would you, as a member of the Planning Board, contribute to the implementation of the Board of Commissioners' adopted Goals and Priorities?

If I was on the Planning Board, and I hope that I will be, I would like to work on Goal Five, Priority 16, educating the public. The specifics and limitations of that contribution are unclear to me right now. However, I believe that education and information are the solutions to most problems.

Other Comments:

This application was current on: 2/11/2014 12:20:24 PM **Date Printed:** 2/12/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name: Will Raymond
Name Called:
Home Address: 209 Mt. Bolus Rd.
Chapel Hill NC 27514
Phone (Day): 919-932-1035
Phone (Evening): 919-932-1035
Phone (Cell): 919-932-1035
Email: campaign@willraymond.org

Place of Employment: na
Job Title: Senior Software Engineer
Year of OC Residence: 1988
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:
Board of Directors OWASA
Board of Directors Exchange Pool
Friends of Bolin Creek

Past Service on Orange County Advisory Boards:
No Orange County

Chapel Hill s Technology Advisory Board, Horace-Williams Citizens Committee, Downtown Parking Task Force,
Sustainable Community Visioning Task Force. Chapel Hill appointee to OWASA.

Boards/Commissions applied for:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

Participated in OC UDO discussions. Familiar with basic OC planning regulations, ordinances. Citizen participant in economic development zone discussions early 2000 s.

Have actively participated in numerous Chapel Hill and Carrboro land-use issues - notably initial Comprehensive Plan rework, UNC s Carolina North development agreement, small area planning process (Central West, Ephesus Church, 15-501 Corridor, Glenn Lennox, CH2020, Rogers Road ETJ, etc.) over the last 14 years.

Strong environmental background throughout Orange County.

Reasons for wanting to serve on this board:

Orange County is now implementing a refined UDO and new economic policies that will have far reaching effects on land-use planning. I would like to serve as a conduit for citizen input and take a more active role in reviewing these new changes to help the BOCC get the best results for their initiatives.

Conflict of Interest:

Supplemental Questions:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Please list the work/volunteer experience/qualifications that would add to your expertise for this board.

At the County level, I ve served as a citizen activist on numerous county-wide issues.

Within Chapel Hill, I ve served on Chapel Hill s Technology Advisory Board, Horace-Williams Citizens Committee, Downtown Parking Task Force, Sustainable Community Visioning Task Force.

As Chapel Hill s appointee to OWASA, I have worked hard to maintain the highest fiscal and environmental standards throughout the organization. As the current Chair of the HR Committee, I ve emphasized policies that serve to bolster a productive and effective work force.

What unique perspective can you bring to the Orange County Planning Board?

I ve worked on a number of issues - social services, environment, transit and economic development - with County-wide impact and would bring a holistic perspective grounded in that experience. It s important that our wider community has access to the decisions that are made on their behalf and I d work hard to improve communication and participation by our citizens in this key governmental process.

What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

The Board has both operational and strategic responsibilities. Strategically, the Board reviews relevant policy changes by other Board s for impacts on land-use policy. The Board is responsible for analyzing changes within the UDO (and other regulatory frameworks) to make sure they align with the BOCC s goals as well as serving the general public good. Operationally, the Board reviews proposed projects to make sure they adhere to established regulatory requirements, align with BOCC initiatives, synchronize with economic, social and environmental goals. The Board can recommend improvements in plans and determine if variances in policy are warranted by an overriding public good.

What do you consider to be be the most important issues facing Orange County related to growth?

Integration and consistency. Integration of municipal growth within Orange County. Integration of social, transit, economic and environmental policies with planning policy. Integration of policy within a wider regional context. Consistency within Orange County s own approach and overlaps with municipal and ETJ concerns.

What role should the Planning Board take in guiding and regulating growth?

The Planning Board can take the time and provide the analysis to make sure our community is being well-served by growth. As Orange County grows we need to make sure that our citizens can continue to be able to afford to live here, that the quality of life we ve come to accept isn t degraded, that our economic base is improved without diminishing the environment.

How would you, as a member of the Planning Board, contribute to the implementation of the Board of Commissioners' adopted Goals and Priorities?

I have an established record of promoting transparency within the governance process and would like to work on improving communication between the Board and the wider community on Planning issues. I ve also worked on numerous environmental issues throughout Orange County and realize that OC has a regional role to play as these concerns straddle our county s boundaries. As a member of Orange County s Project Connect s social service outreach process, I m well aware of the depth and growing need within our community. I d work to make sure our Planning policies encourage an economically and socially diverse community.

Other Comments:

This application was current on: 1/7/2014 11:20:53 AM **Date Printed:** 3/20/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	MS Patricia Roberts
Name Called:	
Home Address:	700 Richmond rd Mebane NC 27302
Phone (Day):	919-621-4060
Phone (Evening):	919-621-4060
Phone (Cell):	919-621-4060
Email:	patriciaroberts77@gmail.com
Place of Employment:	Keller Williams Realtors
Job Title:	Broker
Year of OC Residence:	1996
Township of Residence:	Cheeks
Zone of Residence:	Orange County
Sex:	Female
Ethnic Background:	Other

Community Activities/Organizational Memberships:

Current member of the Orange County Equalization and Review

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

Attended NCState, BS degree in BioChemistry, license Real Estate Broker, Current member of the Orange County Equalization and Review Board

Reasons for wanting to serve on this board:

I care about this community and I can make a positive impact, zoning and planning is important for my Efland community development

Conflict of Interest:

Own Land in Orange county, license Real Estate Broker

Supplemental Questions:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Please list the work/volunteer experience/qualifications that would add to your expertise for this board.

Current member of the Orange County Equalization and Review Board

What unique perspective can you bring to the Orange County Planning Board?

I know properties and how important planning and zoning can be.

What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

I would like to see more opportunity for growth in the Efland section of Orange County

What do you consider to be be the most important issues facing Orange County related to growth?

Need more industry and commercial tax base to ease the burden on home owners

What role should the Planning Board take in guiding and regulating growth?

Planning board should take a central role in

How would you, as a member of the Planning Board, contribute to the implementation of the Board of Commissioners' adopted Goals and Priorities?

This Link did not open for me

Other Comments:

STAFF COMMENTS: Applied for Orange County E&R Board 2/11/2013. ADDRESS VERIFICATION: 700 Richmond Road is Cheeks Township, Orange County Jurisdiction, R1 Rural Residential.

This application was current on: 6/30/2015 **Date Printed:** 8/24/2015

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Ms. Kathleen Seligson
Name Called:	
Home Address:	200 Copper Beech Ct Chapel Hill NC 27517
Phone (Day):	(919) 6360325
Phone (Evening):	(919) 6360325
Phone (Cell):	(919)6360325
Email:	kms361@aol.com
Place of Employment:	self
Job Title:	Real Estate Appraiser
Year of OC Residence:	2005
Township of Residence:	Chapel Hill
Zone of Residence:	
Sex:	Female
Ethnic Background:	Caucasian

Community Activities/Organizational Memberships:

At present, I am not volunteering at this time.

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

I am a certifies residential real estate appraiser in NC and CA. I work extensively in Orange County and have a good knowledge of most areas.

Reasons for wanting to serve on this board:

I wish to see properly planned, sustainable growth in this county.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 1/9/2014 1:50:59 PM **Date Printed:** 1/10/2014

Volunteer Application
Orange County Advisory Boards and Commissions

Name:	Mr Henry Sims
Name Called:	
Home Address:	5531 Ponderosa Dr Durham NC 27705
Phone (Day):	9197901900
Phone (Evening):	8285080163
Phone (Cell):	8285080163
Email:	henrysims@hotmail.com
Place of Employment:	Enterprise Rent a Car
Job Title:	Branch Manager
Year of OC Residence:	2008
Township of Residence:	Eno
Zone of Residence:	County
Sex:	Male
Ethnic Background:	Caucasian

Community Activities/Organizational Memberships:

I managed the Enterprise office on Franklin St. for 2 years and coached baseball for HYAA. My wife and I are involved with the S.I.T at New Elementary.

Past Service on Orange County Advisory Boards:

none

Boards/Commissions applied for:

Economic Development Advisory Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

I have worked retail sales and service in Orange County over the last 4 years and have been a resident for the last 5 years. I know and am aware of the hardships that normal working class people face every day.

Reasons for wanting to serve on this board:

I want to be on the Economic Development Advisory Board because I want to help bring good paying jobs to Orange County.

Conflict of Interest:

Durham Technical Community College Board of Trustees

Background, education and experience relevant to this board:

I want to be on this board because I know and live the difference between Chapel Hill and Orange County. I want to be able to help the rest of OC and I cannot think of any better way. Education is key and providing a way for residents to advance themselves, their education, and their lives is what I want to be a part of.

Reasons for wanting to serve on this board:

See above.

Conflict of Interest:

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Background, education and experience relevant to this board:

Reasons for wanting to serve on this board:

Conflict of Interest:

Supplemental Questions:

Durham Technical Community College Board of Trustees

What improvements do you believe can be made so that DTCC better serves the residents of Orange County?

3.Ẃhat improvements do you believe can be made so that DTCC better serves the residents of Orange County? DTCC must offer programs that fits the hiring needs of the county and region. There needs to be more programs focused on vocational education and an emphasis put on marketing these options to the high schools and to the unemployed.

Orange County Planning Board (REQUIRES DISCLOSURE STATEMENT)

Please list the work/volunteer experience/qualifications that would add to your expertise for this board.

I have managed 2 offices in OC over the last 3 years. I have become knowledgable with the way

What unique perspective can you bring to the Orange County Planning Board?

I live it day to day. I am the average working class person.

What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

I have applied for 3 boards. I think that each board has an directive to advance the rights and lives of OC residents.

What do you consider to be be the most important issues facing Orange County related to growth?

Growth outside of Chapel Hill. Politics... Chapel Hill vs. greater OC.

What role should the Planning Board take in guiding and regulating growth?

The Planning Board should take into account Chapel Hill s needs vs greater OC. The majority can t trample on the minority.

How would you, as a member of the Planning Board, contribute to the implementation of the Board of Commissioners' adopted Goals and Priorities?

I would uses these Goals and Priorities as the guidelines for my decisions,.

Other Comments:

Summary Of Qualifications

Ability to lead, train and maintain an enthusiastic, productive staff. Proven skills to seek out potential sales in new market areas. Strong analytical planning skills combined with the ability to coordinate the efforts of many to meet organizational goals. Self-motivated, productive and organized efficient work habits.

Professional Experience

Extensive experience in management, operations, customer service, employee development, sales, marketing, negotiating, and high-pressure situations.

Experience

Area Rental Manager Enterprise Rent a Car 2014-Present

•Responsible for the financial success and growth of six Enterprise stores. Hired, trained, and developed area employees in sales and service moving employee retention from 59% to 73%. Managed the marketing efforts of each store resulting in 12% fleet growth. Conducted monthly goals and opportunity meetings with store managers resulting in 10% revenue growth. Managed and trained area employees in customer service yielding 7 point increase fiscal year to date. Managed and directed rental fleet logistics for area branches consisting of 900 units leading to 2% increase in utilization.

Branch Manager Enterprise Rent a Car 2007-2014

•Responsible for the overall management, performance and profitability of the largest home city rental car branch in NC with annual revenues of nearly $4 million and a fleet of 340 rental units. Led efforts to reinvent office culture, which established new branch records for revenue, income, operating profit, customer satisfaction, and fleet growth. Managed the growth, development, and retention of 17 branch employees.

Table Games Supervisor Harrah's Cherokee Casino 2000-2007

•Managed table games operations; assigned table games hosts and table limits to maximize forecasted demand. Trained and supervised dealers to ensure proper procedures of Gaming Rule. Tracked essential play to ensure compliance with Title 31. Managed personnel cost through employee scheduling and paid time off.

Education

Western Carolina University, Cullowhee, NC 1998-2002

Bachelor of Science in Business Administration

This application was current on: 6/5/2015 **Date Printed:** 8/3/2015

DRAFT

INFORMATION ITEM

Date Prepared: 10/21/15
Date Revised: 10/29/15

BOCC Meeting Follow-up Actions

(Individuals with a * by their name are the lead facilitators for the group of individuals responsible for an item)

Meeting Date	Task	Target Date	Person(s) Responsible	Status
10/20/15	Review and consider request by Commissioner Rich that the Board establish a placeholder for the adoption of a resolution declaring Indigenous Peoples Day and that staff and various groups work together to develop a more refined resolution for Board consideration	12/15/2015	Chair McKee	Resolution will be presented to the Board when complete
10/20/15	Review and consider request by Commissioner Rich that the Chair write a letter to the Orange County Board of Elections regarding providing voting opportunities on Sundays	1/1/2016	Tracy Reams, Chair & Donna Baker	Chair has discussed with Elections Director; Elections Director compiling information; Chair to write letter
10/20/15	Review and consider request by Commissioner Rich that when the Board is considering a motion with many parts, that the wording be provided in writing or be put up on a screen	1/31/2016	Bonnie Hammersley	Manager to respond
10/20/15	Review and consider request by Commissioner Jacobs that staff research the status of passes for employees utilizing GoTriangle buses	12/7/2015	Bonnie Hammersley	Manager to consult with GoTriangle and provide information and implementation recommendation to the Board
10/20/15	Review and consider request by Commissioner Dorosin that contact be made with Orange County Schools regarding bus utilizing Phoebe Road instead of bus riders having to cross Highway 86	11/19/2015	Bonnie Hammersley	**DONE**
10/20/15	Review and consider request by Commissioner Pelissier that the Board receive a presentation or report on private roads and development standards	2/27/2016	Craig Benedict Michael Harvey	Information Item to be provided to the Board
10/20/15	Review and consider request by Commissioner Pelissier that as part of the Space Study or otherwise, the Board create a committee of stakeholders to provide information on the infrastructure needs for the two senior centers	2/27/2016	Bonnie Hammersley Janice Tyler	Manager to provide information regarding how this will be accomplished with the development of a new Master Aging Plan

DRAFT

Date Prepared: 10/21/15
Date Revised: 10/29/15

Meeting Date	Task	Target Date	Person(s) Responsible	Status
10/20/15	Review and consider request by Commissioner Price to establish markers/signs for OPT bus routes so riders know boarding/drop-off locations	1/31/2016	Bonnie Hammersley Peter Murphy	Manager to work with OPT staff
10/20/15	Bring back the CTP Grant Application item to the November 5, 2015 Board meeting to close the public hearing and approve the related items	11/5/2015	Peter Murphy	**DONE**
10/20/15	When the Detention Center item returns to the Board, provide information on the construction cost difference between the spindle and rear chase designs	12/15/2015	Jeff Thompson Travis Myren	Information to be provided
10/20/15	Before the Detention Center item returns to the Board, provide information to Board members on the projected demographics, growth, etc. related to the future of the detention center population	12/7/2015	Jeff Thompson Travis Myren	Information to be provided
10/20/15	When the Detention Center item returns to the Board, provide information on the operational cost differences between the spindle and rear chase designs	12/15/2015	Jeff Thompson Travis Myren	Information to be provided
10/20/15	When the Detention Center item returns to the Board, provide information on the potential for a co-located law enforcement center with both the spindle and rear chase designs	12/15/2015	Jeff Thompson Travis Myren	Information to be provided
10/20/15	Review status of Public Health position on the OUTBoard	11/17/2015	Donna Baker	Board of Health to be contacted
10/20/15	Work with Chair and Clerk to provide a summary of discussions at the October 19, 2015 quarterly meeting with NCDOT	12/7/2015	Craig Benedict Abigaile Pittman	Summary to be provided

INFORMATION ITEM

Tax Collector's Report - Numerical Analysis

Effective Date of Report: October 16, 2015

Tax Year 2015	Amount Charged in FY 15-16	Amount Collected	Accounts Receivable	Amount Budgeted in FY 15-16	Remaining Budget	% of Budget Collected
Current Year Taxes	$ 136,413,322.00	18,039,114.39	$ 119,214,108.72	$ 136,413,322.00	$ 118,374,207.61	13.22%
Prior Year Taxes	$ 3,551,444.86	493,680.03	$ 2,972,039.03	$ 1,150,000.00	$ 656,319.97	42.93%
Total	$ 139,964,766.86	18,532,794.42	$ 122,186,147.75	$ 137,563,322.00	$ 119,030,527.58	**13.47%**

Tax Year 2014	Amount Charged in FY 14-15	Amount Collected	Accounts Receivable	Amount Budgeted in FY 14-15	Remaining Budget	% of Budget Collected
Current Year Taxes	$ 135,734,649.00	17,697,199.96	$ 114,916,682.61	$ 135,734,649.00	$ 118,037,449.04	13.04%
Prior Year Taxes	$ 3,764,940.44	650,512.90	$ 3,088,499.18	$ 994,130.00	$ 343,617.10	65.44%
Total	$ 139,499,589.44	18,347,712.86	$ 118,005,181.79	$ 136,728,779.00	$ 118,381,066.14	**13.42%**

Current Year Overall Collection Percentage Tax Year 2015	13.21%
Current Year Overall Collection Percentage Tax Year 2014	13.46%

INFORMATION ITEM

Tax Collector's Report - Measures of Enforced Collections

Fiscal Year 2015-2016

Effective Date of Report: September 30, 2015

	July	August	September	October	November	December	January	February	March	April	May	June	YTD
Wage garnishments	26	11	127										164
Bank attachments	12	6	27										45
Certifications	-	-	2										2
Rent attachments	-	-	-										-
Housing/Escheats/Monies	4	-	4										8
Levies	1	-	8										9
Foreclosures initiated	-	-	1										1
NC Debt Setoff collections	$ 799.74	$ 833.06	$ 684.47										2,317

This report shows the Tax Collector's efforts to encourage and enforce payment of taxes for the fiscal year 2015-2016. It gives a breakdown of enforced collection actions by category, and it provides a year-to-date total.

The Tax Collector will update these figures once each month, after each month's reconciliation process.

Delegation of Authority per NCGS 105-381
To Finance Officer

INFORMATION ITEM - RELEASES AND REFUNDS UNDER $100
NOVEMBER 5, 2015

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	TAX	FEE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	TAX CLASSIFICATION	ACTION	Approved by CFO
Casey, John Charles Jr	27766102	2015	2,640	1,980	(7.56)		(7.56)	Branded title (appraisal appeal)	RMV-VTS	Approved	9/25/2015
Hawkins-Mack, Quanisha	28073015	2015	4,850	3,637	(20.33)		(20.33)	Adjustment (appraisal appeal)	RMV-VTS	Approved	9/25/2015
Keating, Arthur	28116848	2015	1,160	1,160	(8.56)	(30.00)	(38.56)	Situs error (Illegal tax)	RMV-VTS	Approved	9/25/2015
McPherson Willam E Jr Trustee	8209	2015	2,736	0.00	(42.62)		(42.62)	Exempt property (illegal tax)	Real	Approved	9/25/2015
McPherson Willam E Jr Trustee	8210	2015	347	0.00	(5.41)		(5.41)	Exempt property (illegal tax)	Real	Approved	9/25/2015
Public Service Company of NC	219650	2015	616	0.00	(7.31)		(7.31)	Exempt property (illegal tax)	Real	Approved	9/25/2015
Smith, Rebecca Leigh	21805418	2014	12,770	12,770	(92.48)	(30.00)	(122.48)	Situs error (Illegal tax)	RMV-VTS	Approved	9/25/2015
Zhu, Songlin	23299035	2015	20,980	16,952	(64.86)		(64.86)	Purchased price (appraisal appeal)	RMV-VTS	Approved	9/25/2015
Bucklew, Kimberly	1050275	2015	2,500	0	(46.09)		(46.09)	Clerical error (illegal tax)	Personal	Approved	10/1/2015
Bucklew, Kimberly	1050275	2014	2,500	0	(47.35)		(47.35)	Clerical error (illegal tax)	Personal	Approved	10/1/2015
George, Joseph Ernest	28199917	2015	5,000	500	(43.27)		(43.27)	Antique plate (appraisal appeal)	RMV-VTS	Approved	10/1/2015
Harris, Jason Bahr	26893024	2014	7,850	7850	(56.85)	(30.00)	(86.85)	Situs error (illegal tax)	RMV-VTS	Approved	10/1/2015
Harris, Jason Bahr	26892765	2013	8,960	8960	(76.04)	(30.00)	(106.04)	Situs error (illegal tax)	RMV-VTS	Approved	10/1/2015
Jackson, Chrystalyn	28219482	2014	9,590	7288	(21.14)		(21.14)	High mileage (appraisal appeal)	RMV-VTS	Approved	10/1/2015
Jason B Harris Inc	26892861	2014	5,340	5340	(38.67)	(30.00)	(68.67)	Situs error (illegal tax)	RMV-VTS	Approved	10/1/2015
Learfield Communications Inc	1020145	2015	5,603	0	(90.23)		(90.23)	County changed to Durham (illlegal tax)	Personal	Approved	10/1/2015
Bridgewatet, Floyd Emmitt	27998565	2015	7,410	5,689	(27.71)		(27.71)	Damage (appraisal appeal)	RMV-VTS	Approved	10/7/2015
Freebird, Robin Catherine	28231785	2015	500	500	(3.64)	(30.00)	(33.64)	Situs error (illegal tax)	RMV-VTS	Approved	10/7/2015
Lapann, Cristy	1019808	2015	500	0	(5.22)		(5.22)	Assessed in error (illegal tax)	Personal	Approved	10/7/2015
White, Katherine Evans	28406301	2014	3,880	3,880	(28.10)	(30.00)	(58.10)	Situs error (illegal tax)	RMV-VTS	Approved	10/7/2015
Garlick, James	22118416	2014	2,460	2,460	(18.15)	(30.00)	(48.15)	Situs error (illegal tax)	RMV-VTS	Approved	10/9/2015
Oxendine, Elizabeth	18395415	2014	12,830	8,724	(38.92)		(38.92)	High mileage (appraisal appeal)	RMV-VTS	Approved	10/9/2015
Auman, Scott L	316561	2011	2,500	0	(56.88)		(56.88)	Assessed in error (illegal tax)	Personal	Approved	10/16/2015
Auman, Scott L	316561	2012	2,500	0	(53.71)		(53.71)	Assessed in error (illegal tax)	Personal	Approved	10/16/2015
Auman, Scott L	316561	2013	2,500	0	(51.18)		(51.18)	Assessed in error (illegal tax)	Personal	Approved	10/16/2015
Auman, Scott L	316561	2014	2,500	0	(48.17)		(48.17)	Assessed in error (illegal tax)	Personal	Approved	10/16/2015
Auman, Scott L	316561	2015	2,500	0	(44.29)		(44.29)	Assessed in error (illegal tax)	Personal	Approved	10/16/2015
Bronson, Debra	296034	2015	1,910	0	(17.55)		(17.55)	Assessed in error (illegal tax)	Personal	Approved	10/16/2015
Glover, Edward Lamont	1051197	2014-2012	5,020	0	(66.11)		(66.11)	Assessed in error (illegal tax)	Personal	Approved	10/16/2015
Glover, Edward Lamont	1051197	2015	3,480	0	(36.43)		(36.43)	Assessed in error (illegal tax)	Personal	Approved	10/16/2015
Powers, Andrew	22935583	2014	1,700	1,700	(12.20)	(30.00)	(42.20)	Situs error (illegal tax)	RMV-VTS	Approved	10/16/2015
Powers, Andrew	10606773	2013	1,550	1,550	(11.13)	(30.00)	(41.13)	Situs error (illegal tax)	RMV-VTS	Approved	10/16/2015
Powers, Andrew	28411674	2015	1,995	1,995	(16.54)	(30.00)	(46.54)	Situs error (illegal tax)	RMV-VTS	Approved	10/16/2015
Walton, Beverly Ann	28399071	2015	12,770	12,770	(92.48)	(30.00)	(122.48)	Situs error (illegal tax)	RMV-VTS	Approved	10/16/2015
						Total	**$ (1,657.18)**				

September 17, 2015 thru
October 14, 2015

INFORMATION ITEM

EARL MCKEE, CHAIR
BERNADETTE PELISSIER, VICE CHAIR
MIA BURROUGHS
MARK DOROSIN
BARRY JACOBS
RENEE PRICE
PENNY RICH

Orange County Board of Commissioners
Post Office Box 8181
200 South Cameron Street
Hillsborough, North Carolina 27278

October 28, 2015

Dear Commissioners,

At the Board's October 20, 2015 regular meeting, 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 a request by Commissioner Rich that the Board establish a placeholder for the adoption of a resolution declaring Indigenous Peoples Day and that staff and various groups work together to develop a more refined resolution for Board consideration.

Response: Resolution will be presented to the Board when complete.

2) Review and consider a request by Commissioner Rich that the Chair write a letter to the Orange County Board of Elections regarding providing voting opportunities on Sundays.

Response: Chair has discussed with Elections Director; Elections Director compiling information; Chair to write letter.

3) Review and consider a request by Commissioner Rich that when the Board is considering a motion with many parts, that the wording be provided in writing or be put up on a screen.

***Response**: **Manager to respond**.*

4) Review and consider a request by Commissioner Jacobs that staff research the status of passes for employees utilizing GoTriangle buses.

Response**: **Manager to consult with GoTriangle and provide information and implementation recommendation to the Board.

5) Review and consider a request by Commissioner Dorosin that contact be made with Orange County Schools regarding bus utilizing Phoebe Road instead of bus riders having to cross Highway 86.

Response**: **Done.

6) Review and consider a request by Commissioner Pelissier that the Board receive a presentation or report on private roads and development standards.

***Response**: **Information Item to be provided to the Board**.*

7) Review and consider a request by Commissioner Pelissier that as part of the Space Study or otherwise, the Board create a committee of stakeholders to provide information on the infrastructure needs for the two senior centers.

Response*: *Manager to provide information regarding how this will be accomplished with the development of a new Master Aging Plan.

Earl McKee

Earl McKee, Chair
Orange County Board of Commissioners